



ISKCON North America Leadership Misconduct Office Policy and Procedures

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A. INTRODUCTORY STATEMENT

The Regional Governing Body (RGB) of ISKCON North America recognizes that relationships in spiritual life are crucial for advancing the devotional path. Devotee association and service to guru and Sri Krishna give us spiritual strength and inspiration. These must be carefully managed, however, particularly for those in leadership positions. Servant leadership is the mood by which ISKCON Leaders must execute their duties. Any devotee with responsibility must meet high ethical and moral standards. In their relationships, these Leaders must be caring and compassionate and inspire devotees in their spiritual quest. Simultaneously, they must maintain a formal, respectful, and appropriate emotional and physical distance and exercise their guidance with objectivity. In all services, leaders must maintain high professional standards and be compliant with all laws, standards, and ethics both within and without ISKCON.

Generally, a good leader has the privilege of holding the trust and confidence of those who follow their instructions and guidance. This trust and confidence need to be nurtured and strongly guarded against exploitation. Unfortunately, leadership or clergy misconduct has become increasingly prevalent across many religions. The Regional Governing Body of ISKCON North America is choosing to be proactive in preventing and responding to such abuse and so has formulated this Policy and Procedures document.

The ISKCON North American Child Protection Office (CPO) deals with allegations of child abuse. The North American Leadership Misconduct Office (NALMO) will deal with allegations of Leadership Misconduct, including sexual, physical, emotional, or financial abuse.

All participants of ISKCON in North America need to understand what constitutes Leadership Misconduct. Leaders especially need to educate themselves and others who serve with them. This will help leaders create healthy boundaries and protect those who serve under them. Through the NALMO, the ISKCON North American RGB seeks to prevent abusive behavior by its leaders and impose consequences on those who are found culpable of abuse. The ISKCON North American RGB is committed to providing a safe environment for worship, work, service, and study in all spheres of the institution, including but not limited to its congregants. Complaints of misconduct will be taken seriously and will be dealt with in a spirit of fairness, integrity, and compassion.

The purpose of the NALMO and this Policy and Procedures document is to:

- Promote a safe, secure, and sacred environment in which North American ISKCON Leaders respect the dignity of all persons and which is free from inappropriate behavior, including misconduct, abuse, and harassment.
- Promote ethical and honest management of community funds and other assets.

- Provide measures to respond to allegations of Leadership Misconduct to safeguard temples and devotees, support those subjected to abuse, and facilitate the reformation of errant leaders.

B. DEFINITION AND TYPES OF LEADERSHIP MISCONDUCT

An ISKCON Leader is defined as anyone with power and control over, or who inspires faith and trust in, other ISKCON devotees and participants. To be sure, anyone who has been given a role in ISKCON management and/or administration (including managing funds or resources) where professional and ethical conduct is required is considered a leader. Leadership is a broad term, however, and includes, but is not limited to, pujaris, those leading kirtan or giving classes, Sunday school teachers, bhakta leaders, ashram leaders, and treasury staff.

Leadership Misconduct does not cover every type of misbehavior that occurs while a devotee is in a leadership position. Rather, it encompasses only those acts potentially involving misuse of one's institutional power in a leader-follower context. Such abuse of one's leadership position can occur both within and without ISKCON and can take several forms:

Sexual Abuse

Sexual abuse occurs when a person in a leadership role engages in sexual contact with a disciple, resident devotee, congregant, employee, student, staff member, co-worker, or volunteer. The contact can range from sexual harassment to sexual assault. Sexual contact DOES NOT have to be coerced or forced to constitute leadership sexual misconduct because the power differential between leaders and their followers is such that the follower is presumed to be unable to give consent. Sexual misconduct within ministerial, service, and work relationships within ISKCON is a betrayal of the sacred trust. Sexual misconduct encompasses a broad range of acts, including:

- a) Harassment: staring in a suggestive manner, unwelcome flirting, intentionally standing uncomfortably close to another person, obscene gestures, sexual jokes, indecent exposure, jeering or whistling, sexualized verbal comments/pictures/videos, touching or rubbing one's private parts in the presence of another person, use of sexually suggestive or explicit materials including pornography, making sexual comments about one's own or another person's body;
- b) Assault: unwelcome touching, stalking, intercourse, rape.

NOTE: "Sexual Misconduct by Clergy" is considered criminal behavior in some Canadian Provinces and U.S. States.

Physical Abuse

Physical abuse is any deliberate act of force against another person that results in harm, injury, or trauma to that person's body. This includes slapping, punching, kicking, pushing, etc. It is often used as a tactic for one person to gain control over another. Such abuse may not only seriously affect the victim's bodily well-being but can also bring about psychological complications.

Emotional Abuse

Emotional abuse involves the use of words and actions to control, manipulate, and intimidate another person. Emotional abuse can be just as harmful as physical abuse, and it can have a devastating impact on a person's mental and emotional health. The individual's reality may become distorted as they internalize the abuse and start to believe that what they are being told is true. Emotional abuse can include manipulation, isolation, and demeaning and threatening behaviors. Specific symptoms may include excessive controlling and monitoring of a person's behavior, threatening the person's safety or that of their loved ones; isolating the person from friends and family; demeaning, shaming, or humiliating the person; excessively criticizing/ridiculing or unreasonably limiting a person's choices; thwarting a person's professional or spiritual beliefs, goals or services; instilling feelings of self-doubt and/or worthlessness; and making a person question their competence or basic perceptual experiences (gas lighting). Emotional abuse covers what is otherwise more generally termed spiritual or pastoral abuse.

Financial Abuse

Financial abuse involves controlling, exploiting, or manipulating another person's or ISKCON's financial assets for personal gain. It thus involves taking advantage of a person's or ISKCON's trust and can include coercion, threats, deception, or pressure to force someone to take specific financial actions. Theft and fraud are common forms of financial abuse that involve stealing money, property, or personal information. Other examples include forging checks, misusing credit cards, misrepresenting financial statements or reports, or accessing bank accounts without authorization. Financial abuse also can include manipulating a person into signing over property, coercing them into making financial decisions against their best interests or using their funds for one's personal expenses in the name of ISKCON.

C. INITIATING A CASE

The following Procedures to deal with complaints of Leadership Misconduct aim to ensure that:

- Complaints of Leadership Misconduct are considered seriously and are addressed efficiently and confidentially, and

- The rights of both the Complainant (devotee who was subjected to the alleged abuse) and Respondent (devotee who committed the alleged abuse) will be respected.

Nothing in these Procedures should be construed to derogate from the local laws applicable in the U.S. State or Canadian Province where the complaint arises. In such instances, Complainants should be encouraged to avail themselves of such processes by contacting the police. ISKCON is committed to cooperating with secular authorities.

- a) Anyone who knows has a reasonable suspicion, or has been told that a current or past ISKCON Leader has engaged in Leadership Misconduct *should* make a verbal or written report to either:
 - i. A devotee designated by the local management to receive complaints;
 - ii. The Temple President;
 - iii. The Zonal Supervisor;
 - iv. The GBC Representative or
 - v. The NALMO Director.
- b) Any individual holding a position of responsibility within ISKCON (either at a local temple or at a higher level, whether initiated or not) *must* make such a report.
- c) Generally, before the NALMO initiates an investigation, reporting individuals must first approach the local management, such as the Temple President, Zonal Supervisor, or GBC Representative, to resolve the issue locally.
- d) If there is no response from the local leaders within 15 days after a complaint is made or if the local resolution is unsatisfactory, the case can be escalated to the NALMO.
- e) When the reporting individual contacts the NALMO, they will receive a referral form, which must be filled out in full. This form provides the NALMO with contact information and basic information about the complaint.
- f) The NALMO Director, or Case Manager assigned by the Director, will then determine if the situation warrants further investigation.
- g) If the NALMO Director or Case Manager determines that the local resolution was adequate under the circumstances, no case will be opened. Such a decision may be appealed to the NA Regional Governing Body Executive Committee (NA RGB EC), who can request the Director to open a case.
- h) In any event, at least one of the individuals directly affected by the misconduct must complain to the LMO and be willing to be named before an investigation can begin. This is required except in rare circumstances when a GBC Representative makes a special request and asserts that the allegations are serious and are supported by substantial third-party evidence.

Preliminary Suspension

The NALMO Director, in consultation with the local GBC and temple authorities, shall determine whether to suspend the Respondent until the investigation and adjudication are

completed. When possible, the decision to suspend should be made within seven days. In addition, the Respondent should be allowed to comment on any proposed suspension.

When considering a suspension, the Director should:

- a) Evaluate the positive and negative impacts of the suspension on the Respondent and the community;
- b) Not prejudge the innocence or guilt of the Respondent; and
- c) Consider the community's and the Complainant's best interest and safety.

Notwithstanding the above, if the Respondent is charged with a criminal offense, they should be suspended immediately.

D. DUTIES OF THE DIRECTOR OR CASE MANAGER

- a) Oversee the case from beginning to end, providing guidance and support to the investigators and Adjudication Panel as required;
- b) Have the Complainant and Respondent sign a NALMO non-disclosure agreement to be honored during the investigation and adjudication;
- c) Speak directly to the Complainant and either agree to process the case or suggest other resources for managing the situation (local authorities, ISKCON Resolve);
- d) Provide initial care and support to the Complainant and advise them of their right to institute criminal proceedings, if warranted, against the Respondent;
- e) If the case is accepted for investigation, inform the local GBC, Zonal Supervisor, and Temple President. If the complaint concerns the GBC or Zonal Supervisor, notify the NA RGB Executive Committee;
- f) Contact the Respondent to inform him/her that a complaint has been made and explain the Policy and Procedures;
- g) Provide the Complainant and the Respondent the opportunity to be represented or assisted by a person of their choice in providing information to the Director or investigator(s);
- h) Identify and assign Investigator(s);
- i) Remain available to assist the investigation in any way;
- j) Convene an Adjudication Panel;
- k) Assist and support the Adjudication Panel;
- l) Send the final report to the Complainant, Respondent, Temple President, Zonal Supervisor, GBC representative, and other relevant recipients;
- m) Maintain a confidential database of all case records and Decisions.

E. DUTIES OF THE INVESTIGATOR(S)

The investigation shall be conducted by individuals appointed by the Director, who shall perform the following:

- a) Obtain the written referral form from the Director. If the Complainant has been unwilling to put their complaint in writing, the notes made by the Director during the preliminary interview with the Complainant can serve as the written record of the complaint;
- b) Interview the Complainant, either in person or via video call. (It is best to record this and all other interviews, but this should not be coerced.)
- c) Direct the Complainant to forward any evidence (Evidence may include, but is not limited to, written testimonies, audio and video recordings, reports from local ISKCON authorities, interviews with the Complainant and Respondent, statements of witnesses, reports from civil and legal authorities, psychological assessments and input from reputable, unbiased third parties regarding the matter.)
- d) Obtain the names and contact information of any witnesses from the Complainant and interview them to the extent feasible;
- e) Interview the Respondent, either in person or via video call, sharing all material allegations, testimony, and evidence garnered from the Complainant and their witnesses;
- f) Direct the Respondent to forward any relevant texts, emails, photos, recordings, or other materials considered evidence;
- g) Obtain the names and contact information of any witnesses from the Respondent and interview them to the extent feasible;
- h) Convey all material statements, testimony, and evidence garnered from the Respondent and their witnesses to the Complainant, giving the Complainant another opportunity to respond and present additional information;
- i) If additional information is submitted, forward it to the Respondent, who may then submit their second and final response with any supporting documentation. (Both parties thus have two opportunities to provide information and respond to one another sequentially.)

All statements, exhibits, interview notes, recordings, and other evidence must be furnished to the Adjudication Panel, along with an executive summary provided by the Director, regardless of whether the Director and/or investigator(s) find the information credible or relevant.

F. THE ADJUDICATION PANEL

An Adjudication Panel composed of three individuals of integrity and good judgment will be approved and appointed by the NALMO Director. In the selection process, the panelists should ideally be of equal or higher seniority (age, experience, number of years in ISKCON, or leadership status) to the Respondent. The Adjudication Panel members shall be trained and/or certified by the NALMO office.

Duties of the Adjudication Panel

- a) Conduct a thorough assessment of the complaint;
- b) Consider all the information the Complainant, the Respondent, and any witnesses provide;
- c) Determine whether the Respondent is culpable of Leadership Misconduct;
- d) Impose any requirements or restrictions deemed necessary and appropriate after considering previous NALMO Decisions in similar cases.

Replacement of a Panel Member

- a) Each panelist shall be impartial.
- b) Panelists shall not directly communicate with the Complainant, Respondent, or Consultants involved except when coordinated by the Director.
- c) A panelist shall promptly disclose in writing to the Director any circumstances that might cause doubt regarding the panelist's impartiality. Such circumstances include bias, personal interest in the adjudication result, or close relationship with a party or representative.
- d) The Complainant and Respondent will have an opportunity to object to the appointment of any panel member if they believe that the panelist is not impartial. Any such objection must be well substantiated. The outcome of a challenge shall be decided by the Director.
- e) In the event of a panelist's death, resignation, or successful challenge, the Director shall select a substitute panelist.
- f) If a panelist fails repeatedly to fulfill their duties, the Director shall select a replacement.

G. CONDUCTING THE ADJUDICATION INQUIRY

- a) The Director will present the panel with all the information. All information should ideally be by way of a sworn statement, but written notes, audio and video recordings, digital messages, and other acceptable evidence will be admissible.
- b) Should the panel request additional information, the Case Manager or Director will provide it, if possible and practical.

- c) The NALMO shall be available for information regarding procedures, sanctions, and general information regarding Leadership Misconduct.
- d) The NALMO will monitor and facilitate the Panel's deliberations to conclude the matter as expeditiously as possible, ideally within 90 days from the date the Panel is appointed.
- e) The inquiry may be handled in person, by e-mail, video conference, telephone, or other means, depending on the proximity of those involved and/or other practical considerations.
- f) Neither the Complainant, Respondent, nor anyone acting on their behalf shall have any communication with the panelists relating to the proceeding. If someone attempts to influence or intimidate a panelist in any way, the Director shall take appropriate action, which may include imposing sanctions on the offending individual.
- g) The Panel may request the Director to obtain expert opinions on any matter, including from forensic accountants, psychologists, lawyers, physicians, social workers, etc.

Relevance of Related Criminal Proceedings

In cases where the Complainant has reported the alleged abuse to the police and where a judicial decision has been reached, ISKCON and the NALMO will consider the court verdict of guilt or innocence.

- a) If the Respondent has been found guilty in a criminal court, the NALMO will consider the Respondent culpable of Leadership Misconduct. The Director will convene a Panel to determine appropriate ecclesiastical restrictions.
- b) If the Respondent has been found innocent in a criminal court, the NALMO may still open a case at the discretion of the Director, and a Panel may impose restrictions or recommendations. This is because ISKCON's ecclesiastical standards differ from court standards.
- c) Court records and police reports of allegations similar to those reported by the Complainant may be used as evidence in a NALMO investigation.

Standard of Evidence and Reaching a Decision

- a) Similar to many professional organizations and institutions' internal review, the Panel shall apply the preponderance (majority) of evidence standard in the case. *"Majority of evidence" means that, taken all together, if the evidence makes it more likely than not that misconduct occurred, then it is reasonable to conclude culpability.*
- b) A decision to find the Respondent culpable must be a unanimous decision of the Panel.
- c) The Director will close the case if a unanimous decision is reached that the Respondent is not culpable of Leadership Misconduct.
- d) If a unanimous decision cannot be reached, a second Adjudication Panel, composed of three different panelists, will be convened for a new inquiry. The Director will

close the case if the second AP cannot unanimously decide. If new complaints or new information come forward in the future, a new inquiry can be opened at the discretion of the Director.

Disciplinary Restrictions

Adjudication Panels may set restrictions and requirements for an individual's relationship with ISKCON. These restrictions constitute ecclesiastical discipline. Such decisions intend to protect ISKCON devotees from undue risk; ensure ISKCON leaders' character and behavior are consistent with ISKCON's spiritual principles; minimize legal risk to the institution; support the victims; act as a deterrent to potential future offenders; and, where possible, assist all parties in continuing their spiritual advancement.

Depending on the severity and frequency of the misconduct, a variety of measures may be considered and implemented:

- a) Temporary or permanent ban on holding any leadership position within ISKCON.
- b) Ban from a particular ISKCON center, community, or communities.
- c) Restriction is from living in or staying overnight at an ISKCON center or ISKCON-owned property.
- d) Suspension from certain activities or services for a defined time.
- e) Requirements for education, professional counseling, or therapy such as a behavior modification program.
- f) Where appropriate, to provide an adequate apology to the Complainant.
- g) Financial penalty paid to a NALMO victim counseling fund.

The Director shall advise the Panel regarding restrictions. Previous cases managed by the NALMO should be referenced as precedents. Moreover, in rare instances, the Director may later determine that changes in circumstances justify reducing requirements or restrictions. This can be done only with the unanimous consent of the available members of the panel that issued the decision.

H. PANEL DECISIONS

The Adjudication Panel will issue an official decision on the case. The Director or Case Manager may assist in writing the decision. The Decision should be written in clear and simple language. The Decision must include the evidence relied upon. It shall clearly state any restrictions, requirements, and recommendations deemed appropriate.

If the Panel finds the Respondent not culpable and deems the Complainant to have frivolously or maliciously accused the Respondent, the Decision will clearly state this, and the Panel may recommend consequences for the Complainant.

Distribution of Decisions

- a) The Complainant and Respondent shall be provided with the entire Decision. Witnesses' names and other identifying information may be withheld at the Director's discretion.
- b) The GBC Representative, Zonal Supervisor, and Temple President will be provided with a redacted version of the Decision, including basic information about the case and the restrictions to be enforced.
- c) On a need-to-know basis, additional information may be disclosed.
- d) The NALMO will make all reasonable efforts to respect the anonymity of the Complainant and witnesses.
- e) The Director shall inform the relevant ISKCON authorities of their responsibility to enforce the Decision.
- f) The Director will contact the NA RGB as necessary if further action is required to enforce a decision.
- g) ISKCON Leaders may have access to NALMO Decisions on an ongoing need-to-know basis.
- h) The International Leadership Misconduct Office shall be provided a copy of all Decisions and informed if the Respondent travels or moves outside North America.

Application of Decisions throughout ISKCON North America

Requirements or restrictions determined by the Adjudication Panel cannot be reduced by an ISKCON community, Temple President, Zonal Supervisor, or GBC Representative.

The Panel's decision constitutes the minimum restrictions a North American ISKCON organization or community may place on a Respondent. A North American ISKCON entity, such as a Temple, may invoke more stringent restrictions. However, it is expected that all ISKCON entities will carefully consider these decisions of the Panel before imposing more stringent limitations, as the constraints prescribed therein have been deemed sufficient, assuming no further misconduct has occurred.

The NALMO will inform the Leadership Conduct Office International of its Decision within 15 days.

(Note: Based on the NALMO Decision, the Leadership Conduct Office International may impose restrictions that would be binding globally.)

I. APPEAL

An appeal of a Panel's Decision may be requested by:

- i) a Respondent found culpable of Leadership Misconduct or
 - ii) a Complainant dissatisfied with a Panel's Decision.
- a) An appeal must be filed within 60 days of receipt of the original Decision by submitting a written request to the Director that includes an explanation along with evidence that one or more of the following occurred:
- i. Factual error: The original Panel overlooked or misevaluated factual evidence such that its conclusion is necessarily wrong, and no reasonable Panel could have decided as it did;
 - ii. Procedural error: The Director, investigators, or Panel substantially deviated from NALMO procedures, and this deviation had a material effect on the Decision or
 - iii. New facts: The Appellant (the one filing the Appeal) brings forward new and compelling evidence they did not have or could not have reasonably obtained and presented to the Panel before the initial decision.
- b) The Director will perform an initial screening on any appeal to determine if it has potential merit. An appeal will not be approved if it only repeats considered and rejected arguments.
- c) If the Director rejects an appeal request, they will provide a written explanation to the Appellant.
- d) The original Panel will review its decision if the Director approves an appeal request based on new evidence.
- e) If the Director approves an appeal request on either of the other two grounds, an entirely new Panel will be convened.
- f) The reviewing Panel will consider all information from the first inquiry and any new information presented and allow a one-time response from the non-appealing side.
- g) All restrictions imposed by the original Panel will remain in place during the appeal.
- h) The reviewing Panel will come to the second and final Decision. No further appeal will be permitted.

If new Complainants come forward against a Respondent, regardless of the conclusion of any previous Panel, the Director can open a new case.

Conversely, if a person found culpable of Leadership Misconduct by a Panel submits overwhelming new evidence demonstrating innocence beyond the time frame for lodging an appeal, the Director may reconvene the original Panel. If that is not possible, the Director may authorize a second inquiry with as many original Panel members as possible. The Panel shall then have the authority to overturn, reaffirm, or modify the earlier decision.

K. FEEDBACK AND EVALUATION OF THE NALMO OFFICE

In its efforts to serve ISKCON and its members, the NALMO invites and will consider all feedback that it receives from the NA RGB, other ISKCON leaders, and participants in the NALMO process. Feedback should be made in writing and sent to the Director for consideration.

L. ALLEGATIONS AGAINST NALMO STAFF

Allegations of leadership misconduct against any NALMO staff or consultants must be reported to the NALMO Director. Allegations of leadership misconduct by the NALMO Director should be reported directly to the NA RGB Executive Committee. Individuals who have been found responsible for leadership misconduct will not be allowed to serve as the NALMO Director, as an investigator, as an Adjudication Panel member, NALMO consultant, or in any other staff position.

A P P E N D I C E S

APPENDIX A: PREVENTIVE DUTIES OF ISKCON CENTERS

To prevent Leadership Misconduct, all ISKCON centers will institute the following measures:

- a) Educate all ISKCON members regarding the expected standards of Vaishnava behavior, including the ISKCON Code of Ethical Behavior.
- b) Employ appropriate screenings for all new leaders. These include criminal background checks, CPO and NALMO clearance, and soliciting input from qualified references.
- c) Make available and encourage awareness of NALMO Informational Brochures, Websites, and other Informational Sources.
- d) Encourage local leaders to refer suitable candidates for NALMO positions, including Case Managers, Investigators, Adjudication Panelists, and Consultants.

APPENDIX B: RESPONSIVE DUTIES OF ISKCON CENTERS

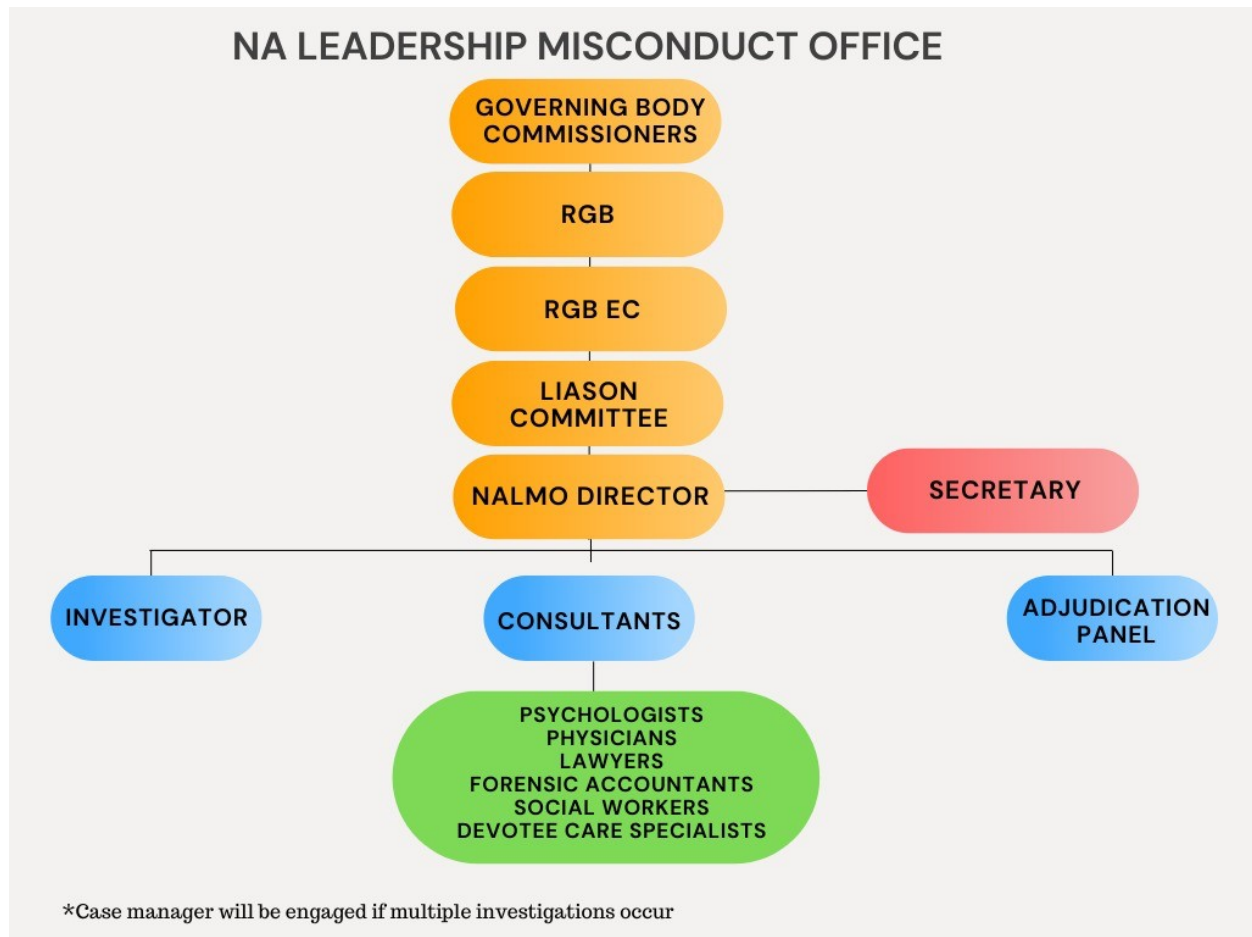
All ISKCON centers will Respond promptly to any allegation of Leadership Misconduct by doing the following:

- a) Reach out supportively to the Complainants and any other persons adversely affected by the incidents and communicate ISKCON's sincere commitment to their spiritual, physical, and emotional well-being.
- b) Encourage the Complainant to report to the local law enforcement where applicable.
- c) Where appropriate, temporarily relieve a Respondent from service until the matter is investigated.
- d) Make a good faith effort to resolve the matter locally, hearing from both sides and involving the Temple President, Zonal Supervisor, and GBC Representative as needed.
- e) Inform the Complainant and Respondent of the existence and purpose of the NALMO and their ability to seek its assistance should local resolution be unavailable or unsatisfactory.
- f) Ensure compliance with any NALMO Decisions.

APPENDIX C: PREVENTIVE DUTIES OF THE NALMO

- a) To raise awareness and prepare and disseminate educational material about standards of behavior expected of ISKCON leaders and what constitutes Leadership Misconduct.
- b) To organize ongoing training on the prevention of and response to Leadership Misconduct for ISKCON leaders and members.
- c) To arrange training and education of Case Managers, Investigators, Adjudication Panelists, and Consultants.
- d) Keep all records for use in screening, investigation, and enforcement and share them with appropriate ISKCON Leaders and the Leadership Conduct Office International as appropriate.
- e) Counsel and support local leaders as required, especially in enforcing a decision.
- f) Inform the NA GBC Members and the NA RGB Executive Committee if further action is required to enforce a Decision.
- g) Inform the international leadership misconduct office if the NALMO learns that a devotee under restriction moves out of North America.
- h) Interface with the NA RGB and other ISKCON NA Leaders and attend North American Leadership Conferences.
- i) Interface with ISKCON NA Communications Representatives as required.

APPENDIX D: NALMO ORGANIZATIONAL CHART



APPENDIX E: COMPLAINANT REFERRAL FORM

<https://form.jotform.com/243595719241160>

APPENDIX F: WITNESS REFERRAL FORM

<https://form.jotform.com/243595829831167>