Carol Merchasin - Final Report on the Buddhist Project Sunshine Investigations

https://www.reddit.com/r/ShambhalaBuddhism/comments/bavf2w/carol_merchasin_final_report_on_the_buddhist/

This is the final report from Carol Merchasin to the Shambhala International Community which remarks on several unresolved points.

DATE: April 8, 2019

RE: Final Report on the Buddhist Project Sunshine Investigations

I began investigating allegations of sexual misconduct against the Sakyong in April 2018, one year ago. These investigations involved not only sexual assaults and clergy misconduct but also allegations of complicity on the part of Shambhala teachers and other leaders.

I am addressing this report directly to the community, because Buddhist Project Sunshine has dissolved and there are several loose ends that I would like to bring to your attention.

1. New information on the allegations of "Ann" from the BPS August 2018 report;
2. The failure to investigate the 2002 sexual assault in Chile; and
3. The failure to investigate complicity of Shambhala teachers and other leaders.
4. New Information on the Allegations of "Ann" (BPS, August 2018)

In late July 2018, Ann came forward alleging, among other things, that she was called into the Sakyong's bedroom (once at a house in Boston and once at SMC), where other men were present, and where he invited her to have sex with him. Ann said that when she was brought to the Sakyong's bedside, he began to rub his penis saying, "What can you do for me? What can you do for them?" which she believed referred to the other men in the room. This was an allegation that I could not corroborate in the August report.

Subsequently, a long-time insider in the Sakyong's personal service came forward. She said from the moment she read the August 2018 Report she recognized the situation Ann described.

I quote her directly:

"A woman would be brought to the Sakyong, to his bedside for some reason. Common protocol was that she would kneel by the bed. Often the Sakyong would be naked — wearing only a robe or sometimes a bath towel. Sometimes, the Sakyong would stroke or fondle his penis under his robe while the woman kneeled by the bed."

This is what Ann described—that she was brought to the Sakyong's bedside where he was naked under a robe and that he began to stroke his penis.

Then this witness told me:

“I believe when the Sakyong said to Ann, ‘What can you do for me? What can you do for them?’ it was not because he was actually inviting her to have group sex, but because he knew that this would cause her pain and trigger her given her background as a survivor of sex trafficking. It was a form of cruel joke. I saw, heard, and experienced this and similar behavior many times.”

I asked her about the men who were present when she saw these situations.

“I do not know if the men present actually saw this. In my experience, it was done discreetly and was not necessarily obvious. To others in the room it might look like he had his hand on his leg, on the robe, on the towel. But that is not what was happening. As a woman, as a survivor of trauma myself, I always noticed what he was really doing.”

The investigations are long over, but I feel that this is important information about the allegations Ann raised.

2. The Failure to Investigate the 2002 Sexual Assault in Chile (BPS, July 2018)

I reported that the Sakyong was alleged to have locked a woman in a bathroom and sexually assaulted her in Chile in 2002, but these allegations of criminal conduct were not included in the Wickwire Holm report. I find this failure puzzling and disturbing.

The reason given was that Ms. Bath could not investigate any claims unless the claimant spoke to her directly. This “rule” is not one that I have ever encountered. It is axiomatic in an investigation that all reports of wrong-doing should be investigated, even if anonymous. In addition, it is patently false. Ms. Bath investigated the allegations of Claimant #1 before she came forward.

Further, and more to the point, I know Ms. Bath had actually begun to investigate this alleged assault. I connected her with people who had relevant information. Those people later reported that they had spoken to her. As late as mid-December, Ms. Bath and I communicated by email specifically about the allegations of the Chilean woman. And yet, none of this was included in the WH Report. This past week, I communicated with Ms. Bath asking whether she was able to discuss this with me, but she believes it falls within the Canadian solicitor client privilege. Even if it does, the Interim Board can disclose why the investigation was not concluded or reported on.

This is troubling because, in addition to the allegations of criminal behavior, the 2002 incident also brought to light credible and serious allegations about complicity among current Shambhala leaders.

The purpose of an investigation is to come to a reasonable conclusion about what happened; it provides information which should be of great importance to any responsible organization as they work their way into the future. But here, stunningly, it appears to have been information that the Interim Board did not want.

3. The Failure to Investigate Complicity of Shambhala Teachers and Other Leaders

In both the June and July 2018 BPS investigative memos, I raised concerns about leaders who were complicit in the Sakyong’s misconduct. There were credible witnesses supporting the allegation that David Brown, Jesse Grimes and Mitchell Levy knew that the Sakyong had sexually assaulted a woman in Chile in 2002.

Similarly, Joshua Silberstein, Wendy Friedman, Adam Lobel and others knew of the Sakyong's assault in 2011. Some Shambhala leaders and teachers were also aware of the Sakyong's misconduct in the 90s and early 2000s. For example, a woman who did not want her allegations investigated told me that after she reported to Shambhala that she was assaulted by the Sakyong in the early 2000s, someone was sent from Halifax to talk to her -- not to assist her, but to make sure she did not make her experience public.

Yet, none of these allegations of complicity were investigated. This is not normal, nor right. It is certainly not a way to restore trust to a community. (I recently reviewed the July 14, 2017 report of the Lewis Silkin investigation into the misconduct of Sogyal Lakar to see how they handled the issue of leadership complicity – it was part of the investigation.) Why would Shambhala choose to do this?

Finally

It appears that the Interim Board did not want to know the answers to a number of questions. Certainly, they did not want to know about the sexual assault in Chile and perhaps as importantly, they did not want to know who knew, who covered up, or who was complicit in 2002, 2011 or any other time.

I am acutely aware of the Interim Board's loyalty to the Sakyong and possibly to some of the very people who were complicit. (I still have a headache from hearing that the Interim Board had "tea" with the Sakyong -- having never reached out to a single survivor.) I recommended an independent monitor specifically for this reason -- so that when all was said and done, there would be no concern about manipulation, about true independence, about the scope.

What I know is that a portion of the investigation was halted in December and the issue of the complicity of Shambhala leaders was eliminated from the scope. In 25 years of practice, I have never had a client that would dare to do either. I do not understand how an organization whose mission is to create enlightened society can hold itself below the moral and legal minimums of the society it wants to enlighten.

This is the end of a long road for me. It has been my privilege to walk this dark path of spiritual and institutional betrayal with so many brave people. Thank you to those who have provided support to all survivors, endured the painful process of bringing the truth to light, and encouraged me during this very difficult year. Thank you too for holding onto your own vision of enlightened society.

Note: I am doing an AMA (Ask me Anything) on Reddit on Thursday, April 11 from 8:00-9:00 PM Eastern. I look forward to answering your questions there.