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THE HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MAJOR MARGARET WITT,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE
AIR FORCE; et al.,

Defendants.

Case No. C06-5195-RBL

**DECLARATION OF ROBIN
CHAURASIYA**

I, ROBIN CHAURASIYA, do hereby declare under penalty of perjury under the laws of the United States of America, that the following facts are true and correct:

1. I am over the age of 18 years, have personal knowledge of the facts contained in this Declaration and am competent to testify to them.

2. I joined the ROTC when I was 17 years old and left active duty in 2007. I was recalled in March of 2009 and returned to active duty on July 1, 2009. I am currently

1 serving in the Air Force as a Lieutenant in the 375 Communications Support Squadron
2 (“CSPTS”) at Scott AFB, Illinois.

3
4 3. In July 2009, I sent a group email to my close friends with an update on my
5 life, in which I wrote about the woman that I had recently met and was currently dating. A
6 disgruntled ex-boyfriend who was included on the email distribution list forwarded the
7 email to my unit commander, Major Worth.

8 4. A couple days after he received the email, Major Worth called me into his
9 office to discuss the email. He told me that he would be upset if someone were “making
10 claims against [his] character” and that he would not believe that I wrote the email unless I
11 raised my hand, looked him in the eye, and told him I was gay. I did not confirm my sexual
12 orientation at that meeting. However, a week later, on July 31, 2009, I wrote Major Worth a
13 letter confirming that I am a lesbian. His prior statements had upset me tremendously.
14 Specifically, I wrote, “I realize that in order to live up to the Air Force’s core value of
15 ‘integrity’ first, I need to be honest about my sexual orientation. Therefore, I am writing this
16 memorandum to inform you that I am homosexual.” A copy of my letter to Major Worth is
17 attached as Appendix A.
18

19 5. A month later, I received an email informing me that the Air Force began an
20 inquiry into my sexual orientation. I expected to be discharged from the Air Force.

21 6. In December while on winter leave, Major Worth called me to inform me that
22 Lieutenant General Allardice, the 18th Air Force Commander, had decided not to discharge
23 me. A copy of Lt. Gen. Allardice’s memorandum dated December 22, 2009, is attached as
24 Appendix B. Towards the end of this winter break, on December 30, 2009, I married my
25 current partner in New Hampshire.
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7. In January 2010, I informed Major Worth of my marriage because I did not want to continue to conceal my orientation, and instead wanted my spouse to be recognized for purposes of benefits as well as for feeling included in family-oriented events on base. Being unable to acknowledge my spouse was causing me much stress and unease. I wanted to speak openly about my partner and my marriage, as other unit members were able to do so.

8. A second round of discharge proceedings against me was initiated because of the new information, my marriage certificate. I called the defense counsel office to check on the status of the discharge action various times within the span of 5 or 6 weeks. The next official communication I received from the Air Force was a memorandum from Lieutenant General Allardice dated February 25, 2010. A copy of Lt. Gen. Allardice's second memorandum is attached as Appendix C.

9. Lieutenant General Allardice found evidence that I am a lesbian. Nevertheless, he decided against seeking my discharge because he believed that I publicly confirmed my sexual orientation to get out of military service. He also determined, "I further find that Lt. Chaurasiya is a valuable asset whose separation would not be in the best interests of the Air Force." *See Appendix C.*

10. My motives for coming out as a lesbian were prompted by my desire to serve with full integrity. As I articulated in my letter to Major Worth, "For years, I was forced to choose between being in the military and hiding my sexual orientation or not serving in the military and being honest about my sexual orientation. After years of choosing the first option, I feel that I can no longer adequately and honestly serve as an officer in the U.S. Air Force." *See Appendix A.*

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11. Following the decision not to discharge me despite my open statement that I am a lesbian, I continued to serve in the 375 CSPTS at Scott AFB. I have emailed command asking whether I can bring my spouse to a pre-deployment brief, and whether I can obtain a military ID card for my spouse just as many other members receive for their respective spouses. I have received no responses to my requests regarding my spouse. I have not received any message from the Air Force as to whether I can make public representations that I am a lesbian servicemember. However, I interpret the silence on this topic as implicit approval that I am able to serve openly now.

12. I never talked to anyone in my unit about my orientation but I believe that others may have suspected that I am a lesbian based on views I have expressed, including views on social equality. My unit consists of 36 members, all of which are men except two women. A very machismo culture pervades my unit.

13. Prior to my coming out, unit members often made derogatory comments and jokes about any gay issues that came up on the news. I have endured listening to constant homophobic remarks being made amongst the men in the unit. None were ever targeted at me but the comments created a very hostile environment for me to work in. In January 2010, I typed up a conversation that I heard while on duty containing many homophobic remarks, and sent it to Major Worth to show him what I deal with everyday. I did not receive a response. I have also heard numerous statements from my co-unit members that they would not want to deploy with a gay servicemember.

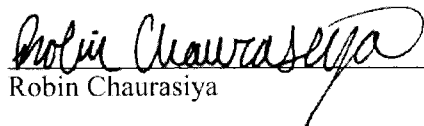
14. Immediately following publication of news articles about my discharge action, Major Worth personally telephoned every member in the unit to send them three messages: 1) Do not talk to the media; 2) Treat Lt. Chaurasiya with respect, do not harass

1 her, and take orders from her as before; and 3) If I become aware of any problems, I will
2 take disciplinary action. My public affirmation of my sexual orientation has not changed the
3 way that my fellow unit members view me or treat me on the job. Work goes on as always
4 because we all have a "mission first" mentality.
5

6 15. Since I have come out, more than ten Airmen, Sergeants, Senior Non-
7 Commissioned Officers, and commissioned officers in my unit have told me that they do not
8 care that I am a lesbian. If anything, since my coming out, members have been more
9 conscious of the comments they make about sexual orientation. They have stopped making
10 derogatory and homophobic comments while watching television in the common area in my
11 presence. Nobody has treated me in any negative way, and the unit continues to operate as it
12 always did.

13 16. On April 19, 2010, I was informed that Gen. Raymond E. Johns at Air
14 Mobility Command had reviewed my discharge paperwork and reversed Lt. Gen.
15 Allardice's decision, recommending my honorable discharge. The Secretary of the Air
16 Force, Michael B. Donley, will review my case and make the final determination. After I
17 was told that I was going to be discharged, three Sergeants in my squadron have approached
18 me to tell me that they thought the decision was absurd. They remarked that anyone willing
19 to serve our country should be able to, regardless of sexual orientation.
20

21
22 DATED this 22 day of April, 2010, at Scott AFB, Illinois.
23

24 
25 Robin Chaurasiya
26

DECLARATION OF ROBIN CHAURASIYA -- 5
Case No. C06-5195-RBL

AMERICAN CIVIL LIBERTIES UNION OF
WASHINGTON FOUNDATION
705 Second Avenue, Suite 300
Seattle, Washington 98104-1799
(206) 624-2184

CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Peter J. Phipps	<u>Peter.phipps@usdoj.gov</u>
Marion J. Mittet	<u>Jamie.mittet@usdoj.gov</u>
Bryan Diedrich	<u>bryan.diederich@usdoj.gov</u>
Steven Buckingham	<u>Stephen.Buckingham@usdoj.gov</u>
Sarah A. Dunne	<u>dunne@aclu-wa.org</u>
Aaron H. Caplan	<u>Aaron.caplan@lls.edu</u>

/s/Lily T. Laemmle
LILY T. LAEMMLE

NO. C06-5195 RBL

**CARNEY
BADLEY
SPELLMAN**

LAW OFFICES
A PROFESSIONAL SERVICE CORPORATION
700 FIFTH AVENUE, #5800
SEATTLE, WA 98104-5017
FAX (206) 467-8215
TEL (206) 622-8020