1 THE HONORABLE RONALD B. LEIGHTON 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 WESTERN DISTRICT OF WASHINGTON AT TACOMA 10 11 Case No. C06-5195-RBL MAJOR MARGARET WITT, 12 Plaintiff, 13 14 **DECLARATION OF ROD** v. 15 **BOULTINGHOUSE** 16 UNITED STATES DEPARTMENT OF THE AIR FORCE; et al., 17 18 Defendants. 19 20 21 I, ROD BOULTINGHOUSE, do hereby declare under penalty of perjury under the 22 laws of the United States of America, that the following facts are true and correct: 23 I am over the age of 18 years, have personal knowledge of the facts contained 1. 24 in this Declaration and am competent to testify to them. 25 26 DECLARATION OF ROD BOULTINGHOUSE -- 1 **AMERICAN CIVIL LIBERTIES UNION OF** Case No. C06-5195-RBL

AMERICAN CIVIL LIBERTIES UNION OF
WASHINGTON FOUNDATION
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- 2. I enlisted in the United States Navy in 1973 and completed a four and a half year tour in the Navy on active duty. In 1978, I joined the Air Force Reserve in Texas. I transferred to the 40<sup>th</sup>/446<sup>th</sup> AES in 1981. From 1981 to 2006 I served the squadron as a medical technician. I retired on August 1, 2006.
- 3. I met Major Witt around 1993 prior to her joining the 446<sup>th</sup> AES. We met while I was on annual tour in Japan, and while she was serving in another unit. My initial impression of Major Witt was that she was very professional and easy to get along with. In the years that we served together in the 446<sup>th</sup> AES, we flew 25 or more training missions together. On these flights, Major Witt was always a professional officer and leader.
- 4. I found out about Major Witt's suspension a couple months after it happened and I was bothered by the news. I heard rumors of how she came to be investigated, including that a man was upset because his wife or ex-wife entered into a relationship with Major Witt, and none of them changed my view of her. Major Witt was always very professional. I believe that her suspension affected unit morale because Major Witt was one of us. When she left, it felt like we were losing a family member.
- 5. I never saw any conduct that would indicate that Major Witt is a lesbian but I suspected that she might be. Knowing that Major Witt is a lesbian now does not change what I think of her as a professional officer and a positive asset to the squadron.
- 6. At the time I retired, I suspected there were 6-8 other gay and lesbian members in the 446<sup>th</sup> AES. These suspicions were based on my personal observations of the members' social group of friends, and the clientele they hung around.
- 7. Prior to Major Witt joining the unit, there were a couple other members who I suspected were gay or lesbian. One woman lived with her partner and she often spoke of her partner, under the assumption that we all knew that she was a lesbian. It was widely known

in the unit that the two women were a couple. Another male member was assumed to be gay by many unit members due to his mannerisms. He also spoke of a partner and was well accepted by the unit. In all my service in the 446<sup>th</sup> AES, I never heard any negative comments due to members' perceived sexual orientation.

- 8. The unit attitude towards gay and lesbian members has always been pretty open and receptive. In my experience, no gay or lesbian members ever made others feel uncomfortable, and they served with professionalism and integrity.
- 9. I deployed overseas in 1990 for Desert Storm, in 2003 and in 2005. I do not recall ever hearing anyone say anything negative on deployment about gay or lesbian members, or not wanting to serve with them.
- 10. In the summer of 2008, I attended the 50<sup>th</sup> Anniversary Celebration for the squadron on base at McChord. I saw Major Witt, gave her a hug and asked how things were going. I think many others were happy to see her there, and I do not recall hearing anyone make negative comments that she had come.
- 11. I believe that Major Witt's reinstatement would have a positive impact on the unit. She was a well liked leader, easy to work with, and always served with honor and integrity.

DATED this 20 day of April, 2010 at TA com A, Washington.

Rod Boultinghouse

## CERTIFICATE OF SERVICE 1 2 3 I hereby certify that on July 22, 2010, I electronically filed the foregoing with the Clerk of 4 the Court using the CM/ECF system which will send notification of such filing to the following: 5 Peter J. Phipps Peter.phipps@usdoj.gov 6 Jamie.mittet@usdoj.gov Marion J. Mittet bryan.diederich@usdoj.gov Bryan Diedrich 7 Stephen.Buckingham@usdoj.gov Steven Buckingham dunne@aclu-wa.org Sarah A. Dunne 8 Aaron.caplan@lls.edu Aaron H. Caplan 9 10 /s/Lily T. Laemmle LILY T. LAEMMLE 11 12 13 14 15 16 17 18 19 20 21

NO. C06-5195 RBL

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