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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MAJOR MARGARET WITT,  
  
Plaintiff,

vs.

UNITED STATES DEPARTMENT OF  
THE AIR FORCE; COLONEL MARY L.  
WALKER, Commander, 446<sup>th</sup>  
Aeromedical Evacuation Squadron,  
McChord Air Force Base; and JAMES G.  
ROCHE, SECRETARY, DEPARTMENT  
OF THE AIR FORCE;  
  
Defendants.

NO. 06-5195 RBL

DECLARATION OF JAMES  
SCHAFFER

I, JAMES SCHAFFER, 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 Affidavit and am competent to testify to them.

AFFIDAVIT OF JAMES SCHAFFER – 1

**CARNEY  
BADLEY  
SPELLMAN**

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1           2.     I am a Senior Master Sergeant in the United States Air Force Reserve. I  
2 have known Major Margaret Witt for approximately seven years. We serve in the same  
3 unit, the 446<sup>th</sup> Aeromedical Evacuation Squadron (“AES”). We also both live in  
4 Spokane, Washington. I am a full time professional Firefighter for the City of Spokane.  
5 Margie was a volunteer with Spokane County Fire District 8.

6           3.     I have been a member of the 446<sup>th</sup> /40<sup>th</sup> AES (Unit was originally the 40<sup>th</sup>  
7 AES until sometime in 1995/96 when it was re-designated the 446<sup>th</sup> AES) since 1991.  
8 The 446<sup>th</sup> is one of three Aeromedical Evacuation Squadrons in the western United States.  
9 My current assignment is Superintendent of Operations for the 446<sup>th</sup> AES. In that  
10 position I am responsible for scheduling all flight operations for the 446<sup>th</sup> AES at  
11 McChord. These flights include training flights, in which members practice the  
12 evacuation of injured or ill military and DOD personnel in exercises designed to simulate  
13 battlefield extractions. I am also responsible for scheduling and coordinating real-world  
14 flights for the transportation of injured and sick patients. Occasionally, we also do urgent  
15 real world flights where we are transporting patients with critical life/limb/eyesight  
16 problems.

17           4.     I do regular UTA (Unit Training Assembly) duty at McChord Air Force  
18 Base. For the past six or seven years, until November of 2004, I was in the habit of  
19 seeing Major Witt every UTA weekend when we would take the same UTA pick-up flight  
20 from Fairchild Air Force Base to McChord Air Force Base.  
21

1           5.     Up until November of 2004 in the performance of my duties I worked  
2 regularly with Major Witt. As head of Standards and Evaluations, Major Witt was  
3 responsible for insuring that every person scheduled to fly on a flight was ready for real  
4 world deployment; that they were properly trained, certified, vaccinated and in physical  
5 condition to depart. I worked with her on the staffing of all scheduled flights.

6           6.     In 2003 I was deployed to Seeb Air force Base in Oman as part of a real  
7 world deployment. This was during the buildup of forces prior to the start of Operation  
8 Iraqi Freedom. During my tour of duty in Oman, I was assigned to Maj. Witt's flight  
9 crew where I flew with Major Witt on real world missions, many of which were flights to  
10 pick up and transport armed forces personnel injured in Afghanistan and Kuwait in the  
11 build-up prior to OIF. We flew many urgent missions in the theater of operations taking  
12 critically-wounded, injured and ill U.S. service members out of those areas. As a result of  
13 this flight experience with Major Witt, I am extremely familiar with her abilities,  
14 knowledge, military skills, and leadership capabilities.

15           7.     I have always known Major Witt to be highly professional, skilled and  
16 disciplined. I have the utmost trust and confidence in her abilities as a member of the  
17 U.S. Air Force and am honored to serve with her as a member of the 446<sup>th</sup> AES.

18           8.     I believe that Major Witt is a highly valuable, well-liked and well-respected  
19 member of our Unit. She also plays an important role in ensuring the good order, morale  
20 and cohesion of our Unit. She is highly skilled at managing people under her command,  
21 and knows how to be inclusive when she leads.

1           9.     Based on my personal observations of Major Witt I can say with  
2 confidence that her presence in the Air Force greatly enhances our Unit's combat  
3 efficiency and readiness.

4           10.    I have routinely witnessed Major Witt interact with her superiors,  
5 subordinates and peers. Major Witt sustains strong working relationships with and has  
6 the respect of all of the members of our Unit, regardless of rank. In my experience, Major  
7 Witt performs her supervisory duties successfully and professionally. Major Witt's strong  
8 relationships help maintain an effective chain of command in our Unit.

9           11.    I have had occasion to witness Major Witt's performance of her duties  
10 under extremely stressful conditions. For example, I flew with her from Seeb Air Base in  
11 Oman to Kuwait and from there to Germany, on a mission involving the transportation of  
12 injured service members. These were extremely long and stressful missions during which  
13 she coordinated the transportation of the injured flawlessly. I also had occasion to see her  
14 respond in an emergency situation. While at Seeb AB Oman, there was a fire in a latrine  
15 and a service member was blinded by the smoke. Maj. Witt immediately took charge of  
16 the situation, treated the service member when no other help was immediately available,  
17 and in my opinion probably saved his eyesight. On another occasion while flying on a  
18 Contract commercial flight back to the United States a civilian DOD employee on the  
19 flight suffered possible Cardiogenic shock, and collapsed on the aircraft while in-flight.  
20 Maj. Witt went into action and saved his life.  
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AFFIDAVIT OF JAMES SCHAFFER – 4

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1           11. I have always found Major Witt to be strong, professional and disciplined  
2 military officer. I felt fortunate to serve with her in the Southwest Asia Theater of  
3 operations and would welcome the opportunity to serve with her again, anywhere in the  
4 world, in any conditions.

5           12. During the summer of 2004, Major Witt told me that she was advised she  
6 was under investigation for commission of homosexual acts. Later, in November of 2004,  
7 when she failed to show up for our regular monthly UTA flight from Fairchild to  
8 McChord, I gave her a call and asked her what was going on. She told me she was not  
9 coming to McChord for the monthly UTA. She told me that Colonel Moore-Harbert and  
10 Major Verna Madison had informed her that Colonel Walker had initiated separation  
11 proceedings against her. I later spoke to Colonel Moore-Harbert about this, and she told  
12 me that informing Major Witt of Colonel Walker's separation action was the hardest thing  
13 she ever had to do in the Air Force. Colonel Moore-Harbert told me that she cried when  
14 she told Major Witt of Colonel Walker's action.

15           13. I also have talked to Major Verna Madison about this matter. Major  
16 Madison told me that she was so upset about Colonel Walker's decision that she felt like  
17 taking off her uniform.

18           14. Many other people in the 446<sup>th</sup> AES have approached me asking about the  
19 decision to initiate separation proceedings against Major Witt, and they are all upset and  
20 angry. In my opinion, if command were to announce to the entire squadron that Major  
21 Witt was a lesbian, and that nevertheless the decision had been made to retain her in the

1 Air Force, Major Witt's return to the 446<sup>th</sup> AES would not have any negative impact upon  
2 unit morale, discipline, or combat readiness.

3 15. On the contrary, I think most people would be completely indifferent to the  
4 fact that she is a lesbian, and I cannot think of a single person who would object to her  
5 return to the unit. In my opinion, even the most conservative people in the unit would not  
6 have any problem with her return to duty.

7 16. I believe the morale of the 446<sup>th</sup> AES has already been damaged by the  
8 decision to prohibit her from reporting for reserve duty, and that it would only be further  
9 harmed if her separation from the Air Force was accomplished.

10 17. Nor do I believe that Major Witt's continued presence in the U.S. Air  
11 Force, or specifically in our Unit, would jeopardize recruiting efforts. In fact, I am aware  
12 of the fact that Major Witt was selected to appear on various U.S. Air Force recruiting  
13 posters, brochures and other materials precisely because she exemplified the qualities that  
14 the U.S. Air Force sought in recruits. I personally believe that Major Witt exemplifies the  
15 qualities that makes one a good and valuable member of the U.S. Air Force.

16 18. In all the time that I have known Major Witt and served with her, I have  
17 never seen or heard of anyone in the armed forces expressing any problem with her. I  
18 have never heard anyone complain about her. I have never heard anyone say that they  
19 wished she was not a member of their unit. I have never heard of any incident where she  
20 caused a discipline or morale problem.  
21

1           19. It is important to recognize how significant it is that Major Witt was  
2 selected to be the chief of Standards and Evaluations for the 446<sup>th</sup> AES. The person  
3 selected to be the head of StanEval has to be "the best of the best." That is why they are  
4 selected for that position. The person who evaluates the performance of others has to be  
5 extremely highly regarded by the rest of the unit in order to perform the evaluation job  
6 successfully. That is why Major Witt was selected for the position – because she is so  
7 uniformly highly regarded by everyone in the unit.

8           20. In sum, I firmly believe that discharging Major Witt from the U.S. Air  
9 Force would be extremely detrimental to the Air Force. The 446<sup>th</sup> AES' morale, cohesion  
10 and good order would be severely jeopardized if Major Witt is discharged. Moreover, it  
11 would be downright stupid to discharge such a skilled and knowledgeable officer,  
12 especially in a time of war when people with her level of military skill and  
13 professionalism are so badly needed, and in such short supply.

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15           DATED this 25<sup>th</sup> day of March, 2005.

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19             
20           James Schaffer  
21           Senior Master Sergeant, 446<sup>th</sup> AES