

Honorable John C. Coughenour

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PERRY MILLS,

Plaintiff,

v.

ANDREW BODMAN,

Defendant.

NO. CV05-1315

DECLARATION OF  
CAROL EDWARDS

I, Carol Edwards, hereby declare under penalty of perjury under the laws of the State of Washington and of the United States that the following facts are true and correct:

1. I am the Dean of the College of Fine and Performing Arts ("College") at Western Washington University ("WWU"). I have served in this capacity since September 1, 2004. I make this declaration based on my personal knowledge and the records and files of the College.

2. During the first three weeks of my employment at WWU, I received a series of complaints regarding Professor Perry Mills, Assistant Professor in the Theater Department.

3. On October 6, 2004, Professor Mark Kuntz, the Chair of the Theater Department, informed me that two students had reported to him on October 5 that Prof. Mills had pulled his knife after class and used it in a discussion with a group of students in class.

1 Professor Kuntz indicated that the students felt Prof. Mills' actions to be threatening and  
2 inappropriate in that context.

3 4. On October 5, 2004, I received a letter or complaint from Professor Deborah  
4 Greer Currier setting out a series of concerns about Prof. Mills. Prof. Currier reported witnessing  
5 Prof. Mills state that fellow faculty had stolen and embezzled money from the department, had  
6 sexual relationships with students, lied, and cheated their way through life, all in the presence of  
7 students. She stated that Prof. Mills had called her a "bimbo," "slut" and "cunt." She stated she had  
8 witnessed Prof. Mills call students in her classes "shit-for-brains," "blondies" and one overweight  
9 student a "400 pound canary who warbles nothingness" and "makes him sick." Prof. Currier wished  
10 to communicate her concerns formally to the Dean, due to the "mounting student complaints."  
11 Prof. Currier also stated that Prof. Mills had made it clear that he carries weapons on campus and  
12 would use them if necessary, although she had not personally encountered Prof. Mills' weapons.

13 5. I reviewed the complaints given to me, including one that had been initially  
14 made to the Provost from a student. I considered Prof. Mills' personnel file, which included two  
15 warnings for similar behavior with a knife four years earlier and concerns about off-color remarks  
16 made to others and contained written criticism as early as 1998 about his abusive behavior toward  
17 students and faculty members. I forwarded the complaints to the Provost with a recommendation  
18 that disciplinary action be considered. I worked with the Provost and Chair Kuntz in considering the  
19 complaints and supported the Provost's conclusion that Prof. Mills should be suspended with pay  
20 from duties while an inquiry was commenced. I recommended that Prof. Mills not teach any more  
21 classes until the inquiry was completed.

22 6. Prof. Mills was suspended with pay through a letter dated October 18, 2004.  
23 Prof. Mills was invited in that letter to meet with the Provost, Theater Department Chair Kuntz,  
24 myself, and Senior Counsel Wendy Bohlke. Prof. Mills obtained legal counsel, who helped arrange  
25 for a meeting on November 9, 2004.

26

DECLARATION OF CAROL EDWARDS - 2  
(No. CV05-1315)  
SEADOCs:207243.1

MILLER NASH LLP  
ATTORNEYS AT LAW  
TELEPHONE (206) 622-8484  
4400 TWO UNION SQUARE  
601 UNION STREET, SEATTLE, WASHINGTON 98101-2352

1           7. I attended a meeting with Provost Bodman, Senior Counsel Bohlke,  
2 Prof. Mills, and his attorney, Gregory Thulin, on November 9, in effort to reach a mutual agreement  
3 resolution of the situation, short of instituting more formal action, as called for in the Faculty  
4 Handbook. November 9 was the first time I had met Prof. Mills. Prof. Mills presented himself in  
5 an informal fashion, was invited to speak, and did so, initially speaking with his eyes barely open, in  
6 an apparent effort to contain great anger. His words were often clipped. His face was pinched as he  
7 spoke. He spoke uninterrupted for at least 45 minutes. He did not invite discourse during that time.  
8 He discussed his knife, other weapons, and antique tools that he owns, indicating he believed he had  
9 an absolute U.S. Constitutional right to bring weapons to campus and that any effort to restrain him  
10 would be futile. His voice became louder in discussing the knives and tools. He indicated that  
11 people's fear, if any, was not justified. He said that he was in the theater field and that he used his  
12 knife to make dramatic points only. He indicated that he owned a large antique screwdriver with  
13 which he could easily kill someone by driving it into the victim's brain, and while he said this, he  
14 mimicked with his hands, while looking at his hands, how he would handle it, lifting his hand with  
15 the invisible screwdriver in it, and then hitting the table hard with his fist closed around the invisible  
16 screwdriver. He looked up at us from looking at his hand, and indicated he could probably kill  
17 anyone with anything that was available.

18           8. His presentation was alarming. It did not evidence the intellect, affability or  
19 professionalism that I expect from a tenured WWU faculty member. I personally felt fearful in his  
20 presence given what he said and how he behaved.

21           9. The meeting did not result in any discourse or discussion that could have  
22 resulted in an agreement. Prof. Mills was defiant about his behavior and made it clear he felt he had  
23 no obligation to be nice to anyone.

24           10. Between the November meeting and the inquiry conducted by the three-  
25 member panel in March 2005, alternatives to his returning to work were discussed at great length by  
26 the parties. Offers were made by both sides and rejected.

1           11.    On March 9, 2005, I attended the meeting with the panel, Professor Kuntz,  
2 Senior Counsel Bohlke, Prof. Mills, and his attorney. Prof. Mills was invited to make a statement,  
3 which he did. Ms. Bohlke made a statement on behalf of the administration. We broke up into two  
4 separate rooms and the panel met with us in turn. The March 9 meeting concluded with the panel  
5 not able to effect a resolution of the dispute between Prof. Mills and WWU; it directed the parties to  
6 work towards Prof. Mills submitting a resignation in exchange for payment for his tenure rights.  
7 The parties left that meeting with the expressed intent to continue discussions. Those discussions  
8 occurred up until early May 2005, when I learned that counsel had reached an agreement. I was then  
9 informed that Prof. Mills had withdrawn from the agreement and had fired his attorney.


10           12.    I provided review and input to the Provost in drafting the charges.

11           13.    To my knowledge, Prof. Mills has not suffered any diminution of salary or  
12 benefits in the course of these proceedings. Nor has his suspension prevented him from pursuing his  
13 independent research or creative endeavors, areas of weakness cited by his department chair in a  
14 November 12, 1998 "Evaluation and Recommendation for Promotion Request by Perry Mills" that  
15 was prepared by former Theater Arts Chair Thomas E. Ward.

16           14.    Attached as Exhibit A is a copy of Prof. Currier's complaint regarding  
17 Prof. Mills delivered to me shortly after I started work in my current position on the Fall 2004.  
18 Attached as Exhibit B is a copy of a complaint by Prof. Gregory Lawrence Pulver.

19                   DATED this 25 day of August, 2005.

20  
21  
22  
23  
24  
25  
26

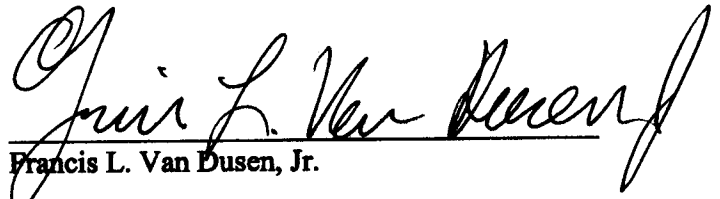
  
CAROL EDWARDS, Dean  
College of Fine and Performing Arts  
Western Washington University

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of September, 2005, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

James E. Lobsenz	Lobsenz@carneylaw.com
Wendy Bohlke	Wendyb@atg.wa.gov

  
Francis L. Van Dusen, Jr.



*An equal opportunity university*

Department of Theatre Arts

516 High Street  
Bellingham, Washington 98225-9108  
(360) 650-3876 ☐ Fax (360) 650-3028  
theatre@cc.wvu.edu

October 5, 2004

Dean Edwards,

I am writing in regards to a fellow faculty member in the Theatre Arts Department, Perry Mills. I am beginning my fourth year as faculty at Western, and have witnessed and been the recipient of verbal abuse, slander and overtly sexual comments made by Professor Mills during that time. Personally, I have tended to ignore the remarks made to me in an effort to understand Perry and continue to work with him as a colleague. However, the mounting student complaints have made it clear to me that I must step forward and communicate my concerns in a formal manner. The additional truth that Professor Mills has made no effort to reciprocate understanding or show a willingness to participate as a productive faculty member has made my decision to write this much easier.

I have not kept a log or journal of the specific dates and times of inappropriate comments made to me, as there have been many and most I try to forget. I have been lucky enough to escape some of the scathing labels he usually characterizes women with because Perry seems to have a certain respect for me and we have had a few non-abusive discussions. However, there have been times I have been called a "bimbo," "slut" and once even "cunt" by Prof. Mills. I have listened to him call students in my classes "shit-for-brains," "blondies" and one over-weight student he labeled a "400 pound canary who warbles nothingness" and "makes him sick." Another student overheard this and told the student in question, who then came to me visibly upset by the remark. My first day as a faculty member, I was told by Prof. Mills that I "had better keep my legs shut" because I "couldn't be expected to teach students the same way I got my doctorate." I made it clear early on that I would not tolerate sexual innuendo and Prof. Mills has not stepped over the sexual abuse line that far since.

It is worrisome to me that I hear Prof. Mills repeatedly slander and malign my fellow faculty members to students and community members (not to mention the constant maligning of students themselves). I have heard stories regarding how fellow faculty have stolen and embezzled money from the department, had sexual relationships with students, lied and cheated their way through life, all told to captive audiences of students who have classes with these faculty members. Prof. Mills actively seeks to destroy students' respect for other faculty in our department. I was told by two students last year that Perry had stood in front of his writing class and told the students that with the exception of myself and Roger Germain, the faculty and staff were "total crap who couldn't find their asses with both hands" and proceeded to go into details of collective stupidity and sexual proclivities. However, this was related to me by students and I did not

**EXHIBIT A**

witness it personally and therefore cannot prove it was said. Unfortunately, over the past three years, I have heard far too many tales of this ilk to discredit them.

Professor Mills carries weapons to class, and it has been brought to my attention by students that, though never overtly harmed by the knife or gun, they feel the weapons either referenced or shown to them are serving as a threat. I have not encountered the weapons myself, but Perry has made it clear that he carries them and "will use them" if necessary. I only wish for myself, my fellow faculty and most of all our students to feel safe while on campus. If students are not allowed under any circumstances to carry weapons on campus, faculty should be held to the same standard.

Prof. Mills can foster good communication with certain students, and they learn quite a lot from him. It is unfortunate, however that those students and fellow faculty who he decides to target are mercilessly verbally abused. Being one of the professors on Perry's "good side," and still witnessing his poor choices and inability to work with others or modify his behavior, makes this letter an extremely difficult one to write. I do not think it is fair or appropriate that the faculty and staff working with Prof. Mills should consistently be put in a position to explain his behavior, smooth things over after his outbursts, or live in fear of retaliation if something is said to him directly. This verbal (and visual with weapons) intimidation should not be tolerated under any circumstances.

Sincerely and confidentially,



Deborah Greer Currier  
Assistant Professor, Theatre Arts

College of  
Fine and Performing Arts

OCT 6 - 2004

OFFICE OF THE DEAN



An equal opportunity university

Bellingham, Washington 98225-9108  
650-6862

Carol Edwards  
Dean of CFPA  
Western Washington University

Gregory Lawrence Pulver  
Asst. Professor, Theatre Arts  
Western Washington University  
650-6862

Dean Edwards,

I would like to share with you an uncomfortable incident that occurred between myself and Professor Perry Mills and my perception of my continued safety at WWU.

Several years ago, when I was just beginning my employment with WWU Theatre Arts, Professor Mills stopped me in the hall to "engage me in conversation". During that "conversation" he made many disparaging remarks about other faculty, students and then turned to my credibility as a teacher/artist. In short, during barrage of insults to me and my craft, Professor Mills referred to me as "just a stupid fagot". My reaction was shock as I was frozen to respond. This kind of behavior didn't seem real to me from a colleague and a WWU Professor. Since that time I have made myself clear to Mr. Mills that I would not tolerate language like that or any slanderous references to my sexuality again. His direct offensive comments subsided, but he then referred to me as Gregory Lawrence "Precious". My fear and absolute avoidance of Professor Mills is so strong that I brushed this off as a lesser of two evils. I have since avoided any contact with Professor Mills (actually physically go out of my way to avoid contact with him) and I was integral part of demanding of my Chair that Professor Mills be excused from attending faculty meetings due to his offensive language and derailing of focused topics.

I feel that I have a right as an employee of the state to conduct my business in a safe and non-threatening environment. Professor Mills makes this impossible. I avoid any contact with him, continually inform my Chair of my fear of the man and caution others (gay and female students included) of his language, temper and volatility. It is my perception that Professor Mills is a threat to my safety and well being as a faculty member at WWU and the continued, guaranteed safety of WWU students.

Thanks you for your time.

A handwritten signature in black ink, appearing to read "Gregory Pulver".

Gregory Lawrence Pulver

College of  
Theatre and Performing Arts

OCT 6 - 2004

OFFICE OF THE DEAN

EXHIBIT B