

## lesbianism still a crime

Syracuse N.Y.--Joan Newak, a twenty-five-year-old airforce lieutenant who during off-duty hours had an affair with a woman, was sentenced six years' hard labor for her "misconduct", on October 15.

Newak joined the airforce in August 1979, a recent graduate fo Marywood College, a small Catholic liberal arts school in Scranton Pa. She is the daughter of a registered nurse and the sister of a school teacher.

At Marywood she earned a degree in health and physical education. For the past four monthes, now Lt. Newak has been imprisoned in a military jail at Ft. Leavenworth, Kan. Newak was caged for offenses which in civilian courts would probably not be prosecuted, involving no violence, but with a heavy toll upon her life.

Newak assumed like many civilians when she joined the Air Force, that her private life was not the concern of the military and was not subject to its codes. She occasionally smoked marijuana, had an affair with a woman, and believed some pills in her possession were amphetamines, when by the Air Force's own tests, they were actually diet pills.

The activities Newak engaged in are rarely if ever penalized under civilian laws, but unfortunately for her they are still major crimes in the military. Newak did not expect a six year hard labor prison sentence for her "crimes". Rather, as the Washington Post reported, she thought the worlst she could receive would be to be dismissed by the air force. She thought most likely she would receive a reprimand.

Her civilian lawyer, Faith Seidenberg, of Syracuse, suggested that Newak was badly served by the air force lawyer first assigned to defend her. He had a conflict of interest because he was also defending an airwoman he had persuaded to testify under immunity against Newak. Apparently he told the airwoman that Newak "was going down the tubes". Although the lawyer was removed from the case once the conflict of interest was revealed, he had already achieved his goal, for Newak was judged guilty.

Newak's appeal is expected to be decided as this story goes to press. The Post article reported however that the chief air force lawyer put down Seidenberg's argument of unfair treatment of her client and the excessive punishment as mere 'social commentary'

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