



## Former Air Force Informant Who Made False Rape Charge Loses Appeal



**Airman Basic Jane M. Neubauer. Facebook photo**

McClatchy and Tribune Newspapers | Mar 16, 2016 | by Michael Doyle

WASHINGTON -- A [Keesler Air Force Base](#) enlisted woman in Mississippi who was covertly recruited as a Biloxi-area informant and then pleaded guilty to falsifying rape claims has lost a key appeal.

Capping a knotty chapter in military law enforcement, the Air Force Court of Criminal Appeals rejected the claims of Airman Basic Jane M. Neubauer, while also shedding light on what happened after her April 2013 recruitment by the Air Force Office of Special Investigations.

"Her primary role was to collect information regarding drug use and distribution by other airmen," the court noted in its decision issued March 10.

Besides highlighting the [Air Force's](#) use of enlisted personnel as informants, Neubauer's case illuminates, as well, the military's intense focus on combating sexual assault. Neubauer's false claims sparked a severe reaction in part because officials feared they could undermine their anti-assault campaign.

"What are all the airmen who have heard her claims, her false statements, what are they going to think the next time they receive a report of sexual assault?" an Air Force prosecutor asked at Neubauer's 2015 court-martial.

The Air Force's three-judge appellate panel rejected Neubauer's argument that the statements by the prosecutor -- which the military calls the trial counsel -- were improper. In its seven-page decision, the court also rejected a separate challenge against one of her charges.

The court's decision leaves intact Neubauer's bad-conduct discharge and her guilty plea to 18 specifications of six separate charges. Her 84 days of confinement have already been served.

Neubauer in 2013 was attending weather school at Keesler, an academically rigorous training program that lasts about eight months. The Illinois native later told *The Daily Beast* that she had been recruited as an informant by the Office of Special Investigations shortly after she started training.

"They're like, 'Hey, how would it sound if you work for us?' " Neubauer told *Daily Beast* reporter Jacob Siegel. "And I was like, 'Cool, that sounds cool.' I didn't know any better."

The Air Force's law enforcement branch, the Office of Special Investigations has drawn praise for its work as well as scrutiny for its use of informants in other locations, including at the [U.S. Air Force Academy](#). Officials defend the practice.

"I believe that it's necessary in many cases, because unless the OSI is able to go undercover to collect information, they have to be able to rely on the people that are closest to the information to report it," Air Force Maj. Gen. Steve Lepper told Air Force investigators in 2014.

An agency representative could not be reached to comment Tuesday.

Neubauer operated as a Keesler informant through at least late July 2013. On July 25 of that year, following what the Air Force appellate court called an "unsuccessful law enforcement operation," her OSI handlers reportedly told her to "take the next week off."

Neubauer subsequently had "consensual sexual intercourse" with an Air Force enlisted man, according to the appellate court, and then she reported to the Biloxi Regional Medical Center that she had been raped. She also "presented a falsified positive pregnancy test to support her claim of being impregnated," the court noted.

Though she ultimately pleaded guilty, Neubauer appealed over several issues, including what the Air Force prosecutor said during the sentencing hearing. Her appellate attorney, Maj. Jeffrey A. Davis, called some of the prosecutor's statements improper.

"There was no evidence introduced that (her) false rape reports had any impact at all on any rape victims," Davis wrote in a court filing.

The court, in its March 10 decision, reasoned that the statements were not a legal error and that, in any event, the trial judge was capable of ignoring any improper arguments that may have been made.

<http://www.military.com/daily-news/2016/03/16/former-air-force-informant-made-false-rape-charge-loses-appeal.html>