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FILE ONLY

## Ex-FBI Agent Insists He's Innocent

# 'Feel Like Little Kid Sent to His Room,' Miller Says

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Comparing himself to a child who does not understand why he is being punished, former FBI Agent Richard W. Miller said Tuesday that being sentenced to two life prison terms as a Soviet spy "means nothing" to him and he ultimately expects to be acquitted of espionage charges in a new trial.

"I feel like a little kid who's been sent to his room and is waiting for his parents to say, 'OK, come on out,'" Miller said. "I really haven't grasped the gravity of it. It means nothing except that I have to wait 12 or 14 months for another trial."

Miller, found guilty of passing a secret FBI document to the Soviet Union after two lengthy espionage trials that ended with his conviction June 19, maintained his innocence and loyalty to the FBI during a three-hour interview at Terminal Island federal prison.

His reference to a new trial was based on his hope of having his conviction overturned by the U.S. 9th Circuit Court of Appeals, which is not expected to rule on Miller's pending appeal for at least a year.

The interview with Miller ranged from his Lynwood boyhood to his emotions during 22 months of courtroom proceedings that followed his Oct. 2, 1984, arrest, to his plans for possibly becoming a cartoonist or a science fiction writer while in prison.

Miller, an ex-communicated Mormon, also disclosed that he is considering studying the Jewish religion "a little bit" while in prison with the thought of possibly converting to Judaism.

"You don't convert to anything without checking it out," Miller said. "I have no reason to be disenchanted with the Mormon faith, but religion in general has always been fascinating to me.

"The very foundation of the Judeo-Christian civilization is Judaism," he added.

While denying that he ever passed secret documents to the Soviet Union or intended to hurt the United States, Miller said he could understand why one jury

deadlocked 11 to 1 for conviction and a second judged him to be guilty of espionage.

"It's a pretty bizarre tale, for one thing," he said. "If I hadn't done this myself, I'd have trouble believing it."

Miller expressed mixed feelings about the FBI throughout the interview, saying that he regretted hurting the FBI's image, but adding that the bureau contributed to its own embarrassment by prosecuting him.

"The sin that every FBI agent avoids—the cardinal sin—is don't embarrass the bureau," Miller said. "If I'm guilty of anything, it is that."

Asked how he felt about comments that he had permanently tarnished the FBI's image by his sexual involvement and alleged espionage intrigue with convicted Soviet spy Svetlana Ogorodnikova, Miller described his sexual involvement as "asinine," but said he was only partly to blame for any damage done.

"I don't know if I'm willing to take responsibility for all of that," he said. "This case should never have been prosecuted. I should have been fired and that was it.

"I think it's a tragedy to the FBI that this ever happened. The image is forever tarnished, there's no doubt about that."

While Miller expressed bitterness about his treatment by FBI superiors in the Los Angeles office, the convicted spy praised the bureau's overall performance.

"I think the FBI is the best investigative agency on the face of the earth," Miller said. "I think there's a few FBI supervisors who used as poor a judgment in investigating and prosecuting me as I did when I entered this comedy of errors."

Publicly portrayed as a bumbling agent who had become the "office joke" within the FBI, Miller said that the two years after his arrest had been a time of constant embarrassment for him, but that he learned to ignore unflattering accounts of his personal life.

"Nobody likes to be portrayed as

a bumbler, but you get desensitized," Miller said. "I think in 1984, when this all happened, I fit into that category. But only because I didn't live up to my potential.

"I kept getting sideswiped by my inability to cope with my problems and because I couldn't cope with my problems I ended up being inept and bumbling," he added.

Miller, expressing nervousness about his first newspaper interview since his 1984 arrest, nonetheless smiled and laughed frequently as he sat in his prison fatigues in a visiting room near his 6-by-10-foot cell at Terminal Island.

At times he showed flashes of resentment as he talked about his arrest and prosecution as the first FBI agent ever charged with espionage—referring to his case as "a dog and pony show."

But Miller gradually relaxed as he spoke on subjects ranging from his boyhood to his life in prison.

The only subject he refused to discuss was his reaction last November to the news that his wife of 22 years, Paula, had decided to divorce him.

Miller, 49, said his Lynwood childhood was uneventful. While at Lynwood High School, he suffered from a rheumatic heart condition that kept him out of sports, he said. Miller studied Spanish for two years in high school, but could not remember any special high school activities.

### Went on Mormon Mission

After graduating from high school, he went on a Mormon mission to Latino communities in San Antonio and other Texas cities for over two years, attended Compton Junior College, then decided to enroll at Brigham Young University, where he was recruited by the FBI in 1963.

"I majored in Spanish and minored in English at BYU," Miller said. "I wasn't sure what I wanted to do. I'd thought a little about teaching, but that was it.

"Then I heard about the FBI recruiting," Miller added. "They

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came to my house and asked me if I was interested. I didn't have anything better to do, so I got in the FBI."

Miller described his grades in school and the early years of his FBI career as average.

"I'm probably about the most average person you'd ever run into—except my weight isn't average," he said.

Miller's weight became a problem for him halfway through his 20-year FBI career, when he was first disciplined for failure to comply with FBI weight guidelines. At the time of his arrest, he had been suspended twice and had been threatened with possible dismissal for failing to control his weight.

The 5-foot, 10-inch agent began his FBI career weighing about 180 pounds. Near the time of his arrest he weighed as much as 252 pounds, far over the FBI's standard of 193 pounds for an agent of Miller's height.

Discussing his weight problems Tuesday, Miller said he has no idea what he currently weighs.

"It's somewhere between 200 and 250 pounds," he said. "I eat high salt, high starch, high fat. But I'm on a 1,200-calorie diet now."

As Miller discussed his weight problem, he suddenly brightened and changed the conversation from talk of dieting to pizza.

"A few weeks ago there was this giant article on pizzas in the L.A. Times," he said. "I cut it out and sent it to Paula."

Throughout the interview, Miller switched his mood and tone. At times he also gave conflicting answers to the same question. At one

point he said he thought the FBI was going to fire him in 1984 because of his weight. A moment later, he said he thought he would not be fired.

Faced with transfer in the near future to another federal prison, Miller expressed fears for his own safety, saying that he hopes he will not be sent to a prison where prison gangs might be able to attack him.

"I wouldn't be surprised if I was gone by the end of the week," Miller said. "I'm very apprehensive. They tell me they break up half the prison fights, but it only takes one and you're history."

Miller, the father of eight, took a more optimistic tone, however, when asked about his concern for his children's future.

"They're doing fine," he said. "They're able to take it. They know I'm innocent."

Miller was reluctant to answer questions about his sexual relationship with Ogorodnikova, saying that he was offended during his two trials by the constant references to his sex life.

He referred to her as a "charming lady," although he noted that most of the time he was around her she was "totally drunk."

In his view, he said, Ogorodnikova supported his story during her testimony at Miller's second trial. He said he regretted decisions by U.S. District Judge David V. Kenyon that "prevented" jurors from hearing testimony that would have helped establish her credibility

with jurors.

Calling himself a former Reagan Republican, Miller said the courtroom events that followed his arrest have left him with conflicting views about justice in the United States.

"I've changed a lot," he said. "To hate the judicial process is to go through it.

"I love my country, but the injustice is enormous," Miller added. "It's a game in the courtroom now. That's how the judicial system seems to view it. Who's the winner? That's all they care about."