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Jury must decide if accused spy was tricked by FBI into talking

Defense claims agents offered Pelton leniency for cooperating

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Baltimore
With his family life falling apart, his finances in disarray, and his career on the skids, Ronald W. Pelton made one last desperate stab at keeping his head above water, according to a United States government prosecutor.

In January 1980, the former employee of the super-secret National Security Agency (NSA) allegedly contacted the Soviet Embassy in Washington and attempted to sell the one remaining valuable thing he had: a detailed knowledge of US efforts to crack Soviet codes and monitor Moscow's most sensitive communications.

For his expertise, the Soviets paid him \$35,000, the government charges.

Mr. Pelton's alleged five-year odyssey into the world of Soviet intelligence is being closely examined in a Baltimore federal court where he faces a six-count indictment and, if found guilty, a possible life prison sentence. The trial is expected to last through next week.

Pelton is accused of having told the Soviets details of at least five active US communications intelligence operations in the Soviet Union. He reportedly described the operations in extensive debriefing sessions at the Soviet embassy compound in Vienna in 1980 and 1983. Experts have called Pelton's alleged disclosures one of the most damaging breaches of US national security.

Although a Soviet defector played a key role in identifying Pelton, the bulk of the government's case against him hinges on self-incriminating statements he allegedly made to Federal Bureau of Investigation agents during two Nov. 24, 1985 interviews.

Pelton's appointed attorney, federal defender Fred Warren Bennett, argues that the FBI agents unfairly tricked Pelton into thinking that if he cooperated with them and detailed his alleged contacts with the Soviets he would receive lenient treatment.

"The statements that [Pelton] made were not voluntary," says Mr. Bennett. The defense attorney says he will work to convince the jury hearing the case that Pelton's statements were coerced and thus inadmissible as evidence.

"Without his statements, the government's case crumbles like a house of cards," says Bennett.

Bennett lost a pre-trial battle on the FBI interrogation issue when Judge Herbert F. Murray ruled May 15 that Pelton's statements were voluntary and that the FBI did not violate his rights in obtaining the statements. Bennett is hoping the jury will see it differently.

Similar charges of subtle threats and coercion by FBI interrogators arose in the recent spy trials of Arthur Walker and Larry Wu Tai Chin. Both men were subsequently convicted. Attorneys for accused spy Jerry Whitworth have also said their client was subjected to improper techniques by FBI questioners. Mr. Whitworth is on trial in a federal court in San Francisco.

Pelton's case has all the twists and turns of a spy novel. Though the FBI actually recorded Pelton's initial telephone call to the Soviet embassy in January 1980 (through a counterintelligence wire tap), he was not identified as a spy suspect until mid-October 1985. The investigation was prompted as a result of information provided by one-time KGB defector Vitaly Yurchenko.

Because of the sensitivity of some of the secrets Pelton is alleged to have sold, Central Intelligence Agency Director William J. Casey has threatened to prosecute any news organizations which disclose details of US intelligence operations beyond information released at the trial.

Mr. Casey and NSA Director Lt. Gen. William Odom, in an unprecedented action, issued a fresh warning to news organizations Wednesday evening. It said in part: "Those reporting on the trial should be cautioned against speculation and reporting details beyond the information actually released at trial. Such speculations and additional facts are not authorized disclosures and may cause substantial harm to the national security."

The concern in the intelligence community is that vigorous press examination of the case might help the Soviets assess the importance of the information Pelton allegedly sold.

Some members of the press have argued that the Soviets are already aware of the importance of the information Pelton provided and that only the American public is in the dark about the Pelton case.