

# **The Spy Who Seduced America: Lies and Betrayal in the Heat of the Cold War — The Judith Coplon Story**

## ***Intelligence in Recent Public Literature***

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**Reviewed by Hayden B. Peake**

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Judy Coplon was a communist when she graduated from Barnard College during World War II. She soon went to work for the Justice Department as an analyst, and for the Soviet NKGB as an agent. In 1948, she appeared on the FBI's radar screen— special agents observed her meeting repeatedly in New York with an officer of the MGB, as the service was then known. In 1949, both were arrested and Coplon endured two trials. Her defense: she was meeting a Soviet intelligence officer because she was writing a book and gathering firsthand experience during pillow talk. She was convicted twice: Neither the juries nor the appellate judge believed her.

But at the outset, Marcia Mitchell did. Coplon, she concluded, was a victim of *anti-communist hysteria*, and she would prove it. Only after doing the research for this book did Mitchell realize that, despite what she called “perjured testimony from FBI special agents” and a “lack of physical evidence,” Coplon was indeed guilty.

Mitchell's co-author and husband, retired FBI special agent Tom Mitchell, held different views before and after working on the book: Coplon was guilty—the evidence made that clear. Novelists do not execute lengthy, complicated, anti-surveillance maneuvers with classified documents in their possession before meeting with Soviet espionage officers. He agreed, in part, about the lack of physical evidence—Coplon never produced any book notes, a book outline, or a manuscript. However, he took a more sanguine and realistic view of the perjury claims. In the context of the times—more than 50 years ago—he concluded that the FBI agents were merely *evasive*, as directed.

Nonetheless, Judy Coplon walked! How could this happen? The Mitchells provide the answers.

### **A Colossal Case of Denial**

After her second trial, Judy Coplon married one of her lawyers, whom she convinced of her innocence. In the tradition of Alger Hiss, to this day they adhere to this position, despite overwhelming evidence to the contrary.

The smoking-gun evidence of Coplon's guilt became public in 1995 when the VENONA decrypts were declassified. These intercepted MGB cables described real espionage cases and provided clues to nearly 200 Americans who were spying for the Soviet Union—the Rosenbergs, Klaus Fuchs, and Ted Hall, to name just a few. Originally decrypted by the Army in the late 1940s, they revealed that Judith Coplon had indeed been a very productive Soviet agent, originally recruited by a college classmate, Flora Wovschin. Analysis of the VENONA intercepts suggests that some of the material that Wovschin passed to the Soviets came from Coplon. Coplon's first Soviet handler was one of the MGB's most important officers, Vladimir Pravdin; <sup>[1]</sup> later she was turned over to Valentin Gubitchev, with whom she was arrested. Without the VENONA breakthrough, Coplon probably would have escaped notice.

In order to protect the sensitive VENONA project, the decrypts could not be produced as evidence at trial. But they could be used as a basis for action. The FBI put Coplon under surveillance and bugged her office and home to collect corroborating evidence. Not wishing to admit to the bugging, which was continued after her arrest and included conversations with her lawyer, the source was euphemistically identified in court as a *confidential informant*.

The FBI soon learned from the *confidential informant* that Coplon was

having an affair with a Justice Department lawyer who later became part of the prosecution team at her trials. Coplon admitted, under oath that she had spent the night in a Baltimore motel room with the lawyer, but she denied sleeping with him. The admission had nothing to do with her espionage charges but did influence judgments about her credibility and moral character—she also claimed to be having an affair with Gubitchev at the same time.

After surveillance established that she was in regular contact with an NKGB officer in New York City, the FBI planned to arrest them when she passed classified documents to him. However, two problems arose. First, at the time of arrest, she had not passed the documents, although they were in her possession. Second, she was arrested without a warrant, although the FBI had had plenty of time to get one. These details would figure significantly in her appeals.

The Mitchells describe the two bizarre trials in great detail. For legal reasons, Coplon was first tried alone in Washington, DC. For financial reasons, she accepted the *pro bono* offer of an inexperienced buffoon of a lawyer, Archie Palmer, whose eccentric behavior was tolerated by a feeble-minded judge. Nevertheless, Palmer managed to raise the specter that the evidence from the *confidential informant* was in fact from illegal telephone taps. Then, over the strenuous objections of the FBI, he succeeded in getting raw FBI data collected on many famous people admitted as evidence, *although they had nothing to do with the case*. Actors Frederick March, Helen Hayes, Danny Kaye, and Edward G. Robinson, *inter alios*, were mentioned as members of the Communist Party—although they were not. Singer Paul Robeson and writer Dalton Trumbo were similarly identified—and they were. Needless to say, none of them were pleased with the testimony and the newspapers went ballistic. All this circus started long before Senator McCarthy began his notorious hearings.

Although Palmer lost the case for Coplon, the alleged telephone taps became a major element in the second trial in New York, when Coplon and her case officer, Gubitchev, were convicted together.<sup>[2]</sup> During the first trial, FBI special agents had denied direct knowledge of the taps. At the second, however, one of them admitted that taps had been used to collect evidence presented at trial. Later, the authors found a memorandum acknowledging the recordings and indicating that they had been intentionally destroyed to avoid having to reveal their existence.

Coplon appealed the verdicts of both trials. The appellant judge in New

York concluded that it was clear from the evidence that she was guilty, but the FBI had lied under oath about the bugging. Moreover, he wrote, the failure to get a warrant was not justified. He overturned the verdict, but the indictment was not dismissed. In the appeal of the Washington trial, the verdict was upheld, but, because of the possible bugging, a new trial became possible. For the political and evidentiary reasons discussed by the authors, it never took place.

### **Was Justice Served?**

The authors have done a superb job of researching this famous case. And although their decision not to include endnotes is impossible to comprehend, <sup>[3]</sup> they did indicate in the text the major sources used.

Of greater importance, the Mitchells leave no room for doubt as to Coplon's guilt, although they cannot explain her adamant and persistent claims of innocence. Coplon refused any direct comment, but her husband was interviewed at length. Curiously, even after he learned about the VENONA decrypts, he could not bring himself to accept the truth and lamely asserted the pathetic rationalization that the FBI must have manufactured the decrypts to show that it had been right all along.

The authors give some sympathetic attention to the impact of the trial on Coplon and her family. At one point, they conclude that since there was "no proof of espionage," she "should never have been tried." Such liberal wishful thinking does not stand up to the evidence that they themselves present. Then there is their portrayal of Coplon as an "all American girl next door," albeit a promiscuous communist. Her family did have difficulty finding money for bail and the press attention was no doubt abhorrent—too bad. Subsequently, we are told, she "lived life as a model citizen, raising a family of decent, law-abiding children, and serving her community." But was she really "severely punished" for her crime by the "anguish suffered" during the 17-year wait for the third trial, until the government officially decided to drop the case in 1967? The authors conclude that she was. But they discount essential features of the argument: Coplon lied to the FBI, her lawyers, her family, her friends, her children, and her husband, and she betrayed her country. Moreover, she brought it all on herself when she enthusiastically spied for the Soviets during and after World War II. Then, when she was caught, she took hypocritical advantage of the very system of justice she was trying to eliminate.

Judy Coplon's notorious story is a major part of counterintelligence history and the Mitchells have brought it to life in vivid terms. It is a great read.

**Footnotes:**

[1] Pravdin, whose true name was Roland Abbiate, was responsible for the assassination of Ignace Reiss, a GRU officer who defected in 1937. Reiss was caught by the NKVD in Switzerland, where he was killed as an object lesson to potential defectors.

[2] Gubitchev was sentenced and then deported.

[3] The publisher held that superscripts "interrupt the flow of the narrative."

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