

NEW YORK  
DEC 19 1964

# Butenko and Soviet Spy Get Prison; Red's Appeal in Open Court Fails

Special to the Herald Tribune.

NEWARK, N. J.

One sentence at a time, the convicted spy, a chunky young man with close-cropped blond hair and a handsome Slavic face, spoke in Russian. One sentence at a time, the interpreter repeated the words in English to the hushed courtroom.

"I came to this country to work as a chauffeur. . . . And I worked here only as a chauffeur. . . . During my stay in the United States, including up to today, I did not come to break any laws. . . . I consider my arrest an unfortunate misunderstanding. . . . I fully and completely reject the indictment in this case. . . . I am not guilty."

Moments later, U. S. District Court Judge Anthony T. Augelli sentenced the young Russian, Igor Ivanov, to 20 years in prison.

An American convicted with him, John W. Butenko, 39, a pallid engineer with tousled gray hair, was sentenced to 30 years.

Judge Augelli told the two defendants, "You have committed a crime so heinous in nature the law permits a sentence of death."

Both were taken to the grim Hudson County Jail, in Jersey City, pending appeal. It was Ivanov's first stay in jail; he had been free in \$100,000 bail, posted by the Soviet Embassy in an unprecedented action. Butenko had been in jail since the two were arrested Oct. 29, 1963, in the deserted parking lot of the Erie-Lackawanna Railroad station in Englewood.

The FBI agents who picked them up said they seized a briefcase containing documents about a secret Air Force project on which Butenko was working as a \$14,000-a-year engineer at an International Telephone & Telegraph division plant in Paramus.

Ivanov, 34, was identified as a chauffeur for Amtorg, the Russian trading corporation. Two Soviet UN Mission members were arrested with Butenko and Ivanov and they and a third mission member were named in the indictment as co-conspirators. The three, who were covered by diplomatic immunity, went back to



Igor Ivanov



Herald Tribune—UPI telephoto  
John Butenko

Russia within a few days.

Before the sentencing, Butenko thanked the court and his lawyer, Raymond Brown, and said: "I realize I have been found guilty according to our form of justice by a jury. However, I know I am innocent. I have done nothing to harm the security of my country. I just want to ask the court for mercy and clemency. I hope that some day, time will vindicate me."

A jury deliberated 10 hours before finding the two guilty Dec. 2.

Judge Augelli, who presided during the eight-week trial, said to Butenko yesterday: "I regret to say I have found no extenuating or mitigating circumstances in your case."

He sentenced Butenko to 30 years for conspiring to spy for Russia, five years for conspiring to violate the law requiring registration of foreign agents and five years for acting as an unregistered Soviet agent, all three terms to run concurrently.

Ivanov drew 20 years on the espionage conspiracy charge and, concurrently, five years for conspiracy to violate the registration law.

Ivanov's lawyer, Samuel A. Lerner, had suggested that his client's sentence should be expulsion from the country.

FBI agents had testified to finding small two-way radios, which they said Butenko and the Russians used to keep in touch with each other while traveling to secret meeting places, and a tiny camera.

Butenko, a bachelor who was graduated with honors from Rutgers, the state university, in 1949, testified for two days. Ivanov, who lives in a Manhattan apartment with his wife and seven-year-old daughter, did not take the stand.