



0. TRIAL of RUDOLF ABEL - Story Preface
1. RUDOLF ABEL - A SPY BORN in ENGLAND
2. RUDOLF ABEL MOVES to AMERICA
3. RUDOLF ABEL and HIS AMERICAN LIFE
4. RUDOLF ABEL at RISK
5. ARREST of RUDOLF ABEL
6. JAMES DONOVAN and RUDOLF ABEL
- 7. TRIAL of RUDOLF ABEL**
8. FRANCIS GARY POWERS and the U-2 INCIDENT
9. TRIAL of FRANCIS GARY POWERS
10. JAMES DONOVAN and the MYSTERIOUS LETTERS
11. ABEL and POWERS - A SPY for a SPY
12. JAMES DONOVAN GOES to BERLIN
13. JAMES DONOVAN and WOLFGANG VOGEL
14. GLIENICKE - BRIDGE of SPIES
15. DONOVAN, ABEL and POWERS after the BRIDGE OF SPIES

During August of 1957, the U.S. government began its criminal proceedings against Rudolf Abel. In this image, Abel steps out of a patrol vehicle, transporting him from his place of confinement to the federal court house in Brooklyn. Image online via NPR.

With very little time to prepare, James Donovan - assisted by 32-year-old Arnold Fraiman - defended his client in a Brooklyn federal courtroom during October of 1957. It was roughly three months after Abel was arrested.

One important item Donovan had to do, for trial, was purchase new clothes for his client. When he asked Abel what he wanted to wear, the defendant replied:

Maybe I ought to look like a Wall Street lawyer. Better get me a gray flannel suit with a vest. (See Strangers on a Bridge, by James Donovan, at [page 28.](#))

The Soviet spy was indicted on three counts:

- Conspiracy to transmit atomic and military information to Soviet Russia - maximum penalty death
- Conspiracy to gather such information - maximum penalty, ten years in prison
- Conspiracy to remain in the United States without registering with the State Department as a foreign agent - maximum penalty, five years in prison

Reino Hayhanen, according to the indictment, was among the four men with whom Abel had conspired. And it was Hayhanen ([sketched by Abel at the trial](#)) whose testimony, at trial, was most-damaging for his former "boss."

William F. Tompkins - an Assistant Attorney General from the U.S. Department of Justice in Washington - prosecuted the case against Abel. Among the many facts Tompkins had against Abel were these:

- The location of his photography shop was across the street from the Federal Building in Brooklyn
- In plain view, for anyone looking outside the building, were Abel's radio antennas (allowing the spy to have

good short-wave reception)

- Emil R. Goldfus / Rudolf I. Abel / “Mark” had moved into his \$35-per-month studio on December 17, 1953
- Abel and Hayhanen - code-named “Vic” - first met at Keith’s RKO Studio, in Flushing, during the summer of 1953

When the FBI agents arrived at his hotel, in Manhattan, Abel had a great deal of spy-related paraphernalia lying about. It proved to be his undoing, both in his arrest and at trial. (See *Strangers* at [page 46](#).)

Abel's jurors reached their verdict on October 25, 1957. He was guilty on all three counts.

Judge Mortimer W. Byers (whom Abel sketched during the trial) announced his sentence the following month (on November 15). He’d been persuaded by Jim Donovan’s plea to save Abel’s life. The sentences were:

- Count One (conspiracy to transmit defense information to the Soviet Union) - 30 years in prison.
- Count Two (conspiracy to obtain defense information) - 10 years in prison and a \$2,000 fine.
- Count Three (conspiracy to act in the United States as an agent of a foreign government without notification to the Secretary of State) - 5 years in prison and a \$1,000 fine.

How did Jim Donovan convince Judge Byers to spare Abel’s life? With these words:

It is possible that in the foreseeable future an American of equivalent rank will be captured by Soviet Russia or an ally; at such time an exchange of prisoners thru diplomatic channels could be considered to be in the best interests of the United States. (From the trial of Rudolf Abel.)

About six weeks after the U.S. Supreme Court upheld Abel’s conviction on the 28th of March, 1960 - by a vote of 5 to 4 - an American pilot named Francis Gary Powers was flying an American U-2 spy plane, on a CIA mission, over the Soviet Union.

What happened to him made Jim Donovan’s words seem eerily predictive.

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Media Stream



Rudolf Abel during His Trial

Rudolf Abel was charged with espionage, as a Soviet spy, in the summer of 1957. His trial took place in the Federal District Court for the Eastern District of New York in October of that same year.

In this image, we see Abel arriving outside the court house. His method of transportation was a patrol wagon which ferried him from prison to court.

Image of Rudolf Abel, during August of 1957, arriving at the federal court house, in Brooklyn, is online via NPR (National Public Radio). Unknown photographer. Fair Use for educational purposes.

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