

By David Zizzo
Staff Writer

Without evidence that the deceased might have had a gun, the self-defense claim of the defendant would have been almost impossible to pursue.

But Bob Ravitz, public defender for Oklahoma County, was lucky this time.

"I had a cop on the stand who just blurted it out," Ravitz said.

Ravitz' client was convicted anyway, but the surprise testimony highlighted a problem some critics say has turned state courts' search for truth into a game of hide and seek.

The problem is a lack of ground rules governing how and when prosecutors and defense attorneys go about determining what the opposition knows before trial — discovery, as it's called in legalese.

Without revelation of such information, some

guilty people might go free and, perhaps more alarming, some innocent people might go to jail, legal authorities say.

Lacking clear discovery rules, defense attorneys have turned to preliminary hearings to grill prosecution witnesses in an effort to find out what the opposition knows. Critics say those hearings have become lengthy and expensive "fishing expeditions," with judges serving as lake rangers.

"The result is that in state courts the preliminary hearing is a perversion ... and the societal costs are remarkable," David Lee, a former assistant Oklahoma attorney general, said in an article he wrote for the Oklahoma Bar Journal.

The discovery problem also leads to lots of courtroom surprises, mostly for prosecutors, with unexpected evidence or testimony being revealed for the first time during trial.

That's dandy for Perry. See RULES, Page 19-A



— Staff Photo by Jim Beckel

On, Cheetah; On, Apache?

Pete Moore of Geary, a member of a local gunfighter group, adorns ponies Cheetah and Apache with makeshift antlers in preparation for the Festival of Lights on Friday in Oklahoma City. The ponies will pull a wagon in the parade, with strings of lights for decoration.

Oklahoma Highways Blooming With Trees

By Chip Minty
Staff Writer

Oklahoma highway officials are becoming more sensitive about the environment and realizing nothing can be gained by ravaging the land, a forestry consultant said last week.

"Nobody gains anything by just rapping the land and putting in a highway. That kind of mentality is on the way out," said Bob Birchell, an urban forestry consultant working for the Oklahoma Turnpike Authority and the Oklahoma Department of Transportation.

Birchell is planting 232 large ever-

greens and hardwoods along the newly completed Centennial Expressway near downtown Oklahoma City where more than \$2 million is being spent landscaping to mitigate the highway's impact on neighborhoods.

Also, he is transplanting several hundred trees as part of a \$5 million landscaping effort along two new turnpikes planned in Oklahoma City and Tulsa.

Highway department executives are more concerned about public image. See LANDSCAPE, Page 2-A

vately, it was said Mitchell was three votes short.

So he and Senate Republican leader Bob Dole of Kansas regrouped and pushed through a compromise to increase senators' salaries only \$8,900 and gradually, over many years, phase out the much-criticized honoraria system.

Sen. Alan Simpson, R-Wyo., called it a "safe chicken dance" and predicted a new Senate salary-honoraria fight next year.

Sen. Robert C. Byrd, D-W.Va., said the Senate demonstrated "cowardice" and made itself an even more elite institution for the wealthy than it already is. "We have failed the country, we have failed the institution and we have failed its future," he said.

The House, which stayed in session past 1 a.m. Saturday awaiting Senate action, took about 30 seconds to send the bill to the president, who is expected to sign it. The

income and face other restrictions on gifts, travel and campaign funds.

Meanwhile, the Senate Friday night approved its own pay-and-ethics plan. Senators voted to give themselves a 10 percent raise, effective Jan. 1, after refusing to accept the House's larger salary hike. But Senators would retain much of their outside income. The action likely will mean that the two chambers will be
See RAISE, Page 18-A

bill gives Bush's Cabinet-level aides and federal judges the same percentage raises as the House.

House and Senate leaders waited until only a few days before the planned adjournment of Congress for the year to push the package through. Compared to a failed attempt at a 51 percent pay hike early this year, their strategy gave opponents little time to campaign against it.

But consumer advocate Ralph Nader, a critic of any congressional salary boost, said that when the Senate blinked at the House package, it opened the door for opponents to win repeal later.

"The disparity now be-

tween the House and the Senate versions will further encourage next year a major repeal drive of the entire package and will probably affect the next election," he predicted.

By careful design, the biggest part of the House pay raise — 25 percent on Jan. 1, 1991 — is delayed until after next year's elections. That way, members cannot be accused of voting themselves a huge pay raise.

"Somehow, I just have this visceral feeling we look better than the other body," said House Minority Leader Bob Michel, R-Ill. "I'd be willing to bet a good deal that they'll be adjusting their own scenario within a year."

School of Metaphysics Gives Insight

Positive Thinking Overcomes Limitations, Opens New Doors, Founder Says

By Mark A. Hutchison
Lawton Bureau

LAWTON — In August 1982, Denise Rodgers was in her mid-20s and climbing the corporate ladder to success in the Oklahoma City oil market.

She had, by her own admission, "the world by the tail."

But one summer morning, after answering a knock at her door, she struggled 30 minutes for her life while being shot, stabbed and beaten by a man she'd never seen.

"I had a robe on and my hair in curlers when a guy dressed as a delivery man knocked on the door," she recalled. "He looked legitimate so I opened the door a few inches, he crashed in and the fight was on. He shot me once in the chest and once in the forearm. I bit his hands and he ripped my bottom teeth out."

The assailant left, and to this

day, remains free.

After the attack, Rodgers stumbled out of her home. She remembers her blue robe stained with her own blood.

A neighbor called for help. When police arrived, Rodgers said, she heard them refer to her as a "homicide victim."

After surgery, Rodgers was told by doctors that said she would be lucky to regain 17 percent mobility in her left arm, where a .38-caliber bullet sheared several nerves. The same arm is now 99.9 percent rehabilitated.

During her recovery, Rodgers learned to shed her paranoia, anger and self-pity. Painkillers and alcohol were replaced with a strong will to survive through the study of metaphysics.

"I didn't want to become a prisoner of my own fears and

limitations," she said. "You can cause your own healing. A lot of it depends on how the mind works."

In 1985, Rodgers founded the School of Metaphysics in Norman. Today, she serves as field director for the state's four branches in Norman, Oklahoma City, Tulsa and Lawton.

The study, she said, has opened new doors for her and other pupils.

"I could have bought what the surgeon said about my arm. I could have accepted limitation, but I didn't," Rodgers said. "You create your own life. That's what we teach — positive thinking. There's a lot of talk about it, but very few people know how to do it."

Unlimited potential to increase mental abilities exists in all individuals, Rodgers said. The application of metaphysics

helps tap into those resources with exercises in concentration, imagination and awareness.

"The school is for exceptionally gifted and talented people. Lawyers, housewives, anyone who believes there is more to them than what they know," Rodgers said. "We teach people to focus their mind like a laser beam instead of a 40-watt light bulb."

Rodgers is currently on a lecture tour describing her near-death encounter for the first time. She is slated to speak at the Norman school Nov. 30.

A book also is in the works. "I needed to come out with the story. I want people to know you can make it that you can take steps to put your life back together," she said. "I have no business being afraid of anything now because I've already been close to death."

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Prayer for Today

THANK you, Lord, for an uncluttered room, where we can find a welcomed peace, a place to meditate and to pray, helping to clear whatever tangled thoughts may be surrounding us. Amen

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