



Feds: Stipe's care not dependent on felon

By SUSAN HYLTON
World Staff Writer

MUSKOGEE — With more than \$3 million in the bank, former state Sen. Gene Stipe is in a position to hire whatever personal-care assistance he needs, federal prosecutors say in a motion filed Friday.

The personal care he requires — which at various times includes bathroom care and assistance while walking — does not have to be provided by a felon, in this case Steven

Covington, they argue.

Federal prosecutors are seeking to revoke Stipe's five-year probation sentence on federal campaign violations. Among the reasons they cite is his continued association with Covington.

Friday's motion filed by the U.S. Attorney's Office is in response to a motion Stipe's attorneys filed recently asking the court to allow Stipe to continue to spend time with Covington, his former pilot, business asso-

Online

Read federal prosecutors' latest filing in the Gene Stipe case: www.tulsaworld.com/stipecase

ciate, best friend, confidant and personal caregiver.

After initially allowing the relationship, the U.S. Probation Office instructed Stipe in 2005 not to associate with Covington, who was convicted in federal court in an odometer

rollback scheme.

But probation officials took a different position in September 2005 after an incident in Idabel in which a person complained to police about the pair's behavior, court records show.

Although the motion does not say what occurred, a police report says Stipe told female employees of the Southern Abstract & Title Co. in Idabel that a walking stick he was carrying had a gun and knife in it.

Back behind bars

A child molester's \$1 million appeal bond is revoked after he allegedly goes too close to the home of his victim.

Please go to A-17

That business is owned by Stipe and his estranged business partner Steven Phipps.

Stipe allegedly looked at what was on one of the employees' computer screens and made what she believed to be a sexual joke related to the computer's hard drive.

The woman said she was scared and intimidated, according to the police report.

SEE STIPE A-20

NOT IN KANSAS ANYMORE



JAMES GIBBARD / Tulsa World

Casey Moyes, a student from Barton County Community College in Great Bend, Kan., talks with EMSA paramedic Michael Garrison (right) on Friday.

EMSA interns must keep big-city pace

By JACLYN COSGROVE
World Staff Writer

Back home in rural Kansas, an ambulance service might see 20 calls a week. Welcome to the big city, Joshua Rogers.

He and 13 other Barton County Community College students arrived at Tulsa's EMSA headquarters Thursday to begin working in the field with paramedics.

In Tulsa, EMSA handles about 200 calls each day.

Rogers said he has never worked in an area as large as Tulsa, but he seems eager.

"When you call 911, I'm the person that's going to show up with the highest amount of skills to provide care for you," he said.

"If I'm not competent in that, then you probably should have called the local morgue instead."

The students will work a 12-hour day shift and a 12-hour

night shift with paramedics, responding to calls all around the Tulsa area.

Their time in Tulsa is part of an internship they must complete upon graduating from Barton.

The students will stay until Sunday and will receive 24 hours of internship credit.

So far, they've helped victims of car accidents, stuck needles in chests, administered intravenous fluids and treated shock and cardiac arrest, said Jennifer Ladd, a Barton paramedic instructor.

And that was just in the first 24 hours.

The community college is in Great Bend, Kan., which has a population of just more than 15,000 people.

In the past, the group went to Kansas City, Kan., for training, but the students weren't allowed to do anything; they could only watch.

Ladd said Tulsa paramedics have been helpful to the students and have worked to teach them as much as possible.

"That makes a big difference," she said. "When you have a paramedic welcome you on that truck, it's going to enhance their learning."

"If you have someone who's not welcoming, they tend to shy away, not want to participate."

Barton student Aaron Thompson said Tulsa is a big change for him; he works in Kiowa County, Kan., which has a population of about 3,000.

"There are so many more people here, so much more going on," Thompson said.

"We're lucky (in Kiowa County) to get a few calls a week. Here, they get a few in an hour."

Tina Wells, EMSA's director of community relations, said the group from Kansas isn't the first

SEE EMSA A-20

MIAMI FLOODING UPDATE

FEMA's mobile homes ready for displaced residents

By BRENDA LUTHY
World Correspondent

MIAMI, Okla. — With more than \$3.9 million in Federal Emergency Management Agency aid set aside for Ottawa County, city officials are working to house displaced residents who were affected by July floods that devastated the area.

FEMA has placed 16 mobile homes in the Miami RV and Mobile Home Community. Four are ready for occupancy, but city officials said during a press conference Thursday afternoon that it is unknown when families would move in.

FEMA has reserved 39 sites in the park and is looking at five private sites in Miami as well as mobile-home sites in Grove, Afton, Vinita and Big Cabin, to place additional trailers.

About 130 families need housing after the flood, Miami City Manager Michael Spurgeon said.

Damage estimates from the July 4 flood stand at \$6 million, he said, not including damage to public utilities.

Federal officials have not decided whether to authorize disaster assistance for damage to public property, Spurgeon said.

Damage to parks, roads and utilities is estimated at \$5.8 million, he said.

About 570 structures have been assessed for flood damage, City Engineer Jerry Ruse said. Of those, 135 buildings have been found to have sustained more than 50 percent damage, meaning residents will not be allowed to rebuild.

An additional 433 building permits have been issued.

The city hasn't been able to get access to four buildings, he said.

FEMA reports that 807 households in Ottawa County have registered for assistance, 789 of them in Miami, Spurgeon said.

The Oklahoma Housing Finance Agency recently approved a low-interest construction loan for the city to build affordable homes.

SEE FEMA A-20

ILLEGAL MUSIC SHARING

OSU students: RIAA charges are flawed

By APRIL MARCISZEWSKI
World Staff Writer

STILLWATER — Oklahoma State University students who were identified by the Recording Industry Association of America as illegally distributing copyrighted music are fighting back in federal court.

The students, identified in court records as John Does Nos. 1-11, say they cannot be identified by Internet Protocol addresses as the ones who distributed music, according to documents filed this week in U.S. District Court for the Western District of Oklahoma in Oklahoma City.

The RIAA, on behalf of record companies, sent letters in April telling 15 OSU students and one employee to pay settlements for distributing copyrighted songs on peer-to-peer Internet networks or face federal lawsuits.

Since February, the RIAA has sent monthly batches of settlement let-

Online

View the PDF of OSU students' motion to quash Arista Records' subpoena: www.tulsaworld.com/osumusicuit

ters to colleges nationwide to try to curtail illegal music downloading and sharing.

The RIAA tells universities of the IP addresses where copyright violations allegedly occurred, and it asks the colleges to forward the letters to the computer users. If the cases aren't settled, the RIAA says it will subpoena the colleges for the names and contact information of alleged violators.

Federal judges in New Mexico and Virginia already have ruled in two cases that the RIAA can't sub-

SEE OSU A-20

Tulsan found dead in shed; heat may be cause

By CLIFTON ADCOCK
World Staff Writer

The heat might have played a role in the death of a Tulsa man Friday.

A caregiver discovered the 65-year-old man dead about 3 p.m. in a storage shed that had been converted into living quarters in the 1400 block of North Indianapolis Avenue.

The shed had no air conditioning, police said. The temperature in Tulsa peaked at 99 degrees Friday afternoon.

The official cause of the man's death has not yet been determined by the medical examiner.

Emergency Medical Services Authority spokeswoman Tina Wells said: "As a minimum, it (the death) needs to serve as a warning sign to people in Tulsa that the heat is extreme. There are cool places to go."

EMSA medics treated 26 people for heat-related problems at Southern Hills Country Club, where the

PGA Championship golf tournament is being held, between 6 a.m. and 8 p.m. Friday, Wells said. Eight of those people were taken to hospitals in fair condition, she said.

Away from the golf course, EMSA medics treated four people, ranging in age from 25 to 51, for heat problems Friday, Wells said.

On Thursday, not at the golf course, EMSA treated six people with symptoms of heat-related illness. One of them, a 72-year-old man, was found unconscious outdoors and was taken to a hospital in critical condition, Wells said.

The other five people, ranging in age from 16 to 64, were taken in fair condition to hospitals, she said.

The heat is expected to extend through the weekend, with high temperatures ranging from 100 to 102 degrees, and into next week, according to the National Weather

SEE HEAT A-20

Miami man dies of West Nile virus

FROM CORRESPONDENT AND WIRE REPORTS

MIAMI, Okla. — A Miami man's death is the first in the state this year to be attributed to West Nile virus, the Oklahoma State Department of Health confirmed. The Health Department's weekly West Nile surveillance report shows three confirmed cases in the state this year. The death in Ottawa County is listed only as a man who was older than 65. Officials say he died within the last week. They did not release the man's name. Nonfatal cases were re-

ported in June and July in Oklahoma and Woodward counties. The city of Miami had been fogging three times a week to gain control of the town's mosquito problem after July flooding, but city officials said Thursday that they have bumped that back to fogging twice a week now. West Nile virus is spread to people by mosquitoes that first bite an infected bird. The virus is not contagious from person to person or directly from birds. Last year, six Oklahomans died after contracting the virus.

FEMA:

Nearly 200 homes were destroyed by the flooding.

FROM A-15

The agency said the 1 percent construction loan will be used to establish a revolving loan fund. The loan was made to assist in building homes to help replace the nearly 200 destroyed in the flooding. The city will use the initial funds to build about 20 houses outside traditional floodplain areas over the next three years.

The city has experienced 20 floods in the last 21 years, reports show. Earlier this week, U.S. Rep. Dan Boren, D-Okla., traveled to Miami and said he would like to arrange a meeting between the Grand River Dam Authority, the U.S. Army Corps of Engineers, and Miami residents to address the flooding issue, Spurgeon said. He said the city wants the Federal Energy Regulatory Commission at the table also, Spurgeon said. "We will not support a meeting where a person has to write the question down," Spurgeon said. "There will be an opportunity to talk to the person and for follow-up questions."

EMSA:

An EMSA spokeswoman compares the intern training with teaching hospitals.

FROM A-15

to train with EMSA. She added that groups from Alaska, Massachusetts and Nebraska come often. But many in the Kansas group aren't used to working at a place that receives so many calls a day, Wells said.

She said internships with EMSA are good for both the student, who learns, and the organization, which often has the chance to recruit graduates from different parts of the U.S. "You hear about teaching hospitals," Wells said. "That's when you get some of the best in-hospital care anywhere because they're trying new things, and they've got access to higher education. We're a teaching EMS system," Wells said. "It works out for us, and it works out for the students who come here to learn."

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HEAT:

The EMSA Medical Heat Alert will continue through the weekend.

FROM A-15

Service's office in Tulsa. When EMSA responds to five or more heat-related medical calls in a 24-hour period and dangerously hot weather is expected to continue, an EMSA Heat Alert is issued. Because of the number of heat-related illnesses Friday, the EMSA Medical Heat Alert in effect for the Tulsa

area will continue through the weekend. Sunday will mark the sixth consecutive day that Tulsa will have been under an EMSA Heat Alert. Symptoms of heat-related illness include dizziness, nausea, sweating more than normal, or the cessation of sweating while out in the sun, Wells said. People with such symptoms should seek shelter in an air-conditioned building and should drink plenty of water, she said. If symptoms persist, 911 or a doctor should be called, she said. "Listen to your body," Wells said. "Heat-related illness is preventable."

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Hilldale testimony centers on curtain talk

By SUSAN HYLTON
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EMBATTLED PRINCIPAL

Dewayne Pemberton: The school board had voted 3-2 on March 31 to fire Pemberton as Hilldale's principal after he was accused of favoritism in dealing with a teacher who has since married his son.

MUSKOGEE — Hilldale school board member Terri Breedlove cited the Fifth Amendment right against self-incrimination when she refused to answer questions during a court hearing Friday. She was one of several teachers and three school board members who testified during a hearing that at one time promised to bring to a conclusion a lawsuit filed against the school by fired high school Principal Dewayne Pemberton. Breedlove refused to answer questions posed by Pemberton's attorney, Richard O'Carroll, when he asked what she, three other board members and other school of-

officials were discussing behind the high school stage curtains after an August special school board meeting to consider Pemberton's future with the district. Three of the five school board members would constitute a quorum, and O'Carroll alleges that the discussion represented a violation of the state Open Meeting Act. Several teachers testified Friday that they could see the three board members behind the stage curtains with Superintendent D.B. Merrill and at-

torney Bo Rainey on Aug. 3. Mediation efforts to resolve the Pemberton issue had failed earlier that day. The group dispersed when one of the teachers, Deborah Stout, tried to photograph the group with her cell phone. "They were having a meeting, in my opinion," Stout said. School board members Eldon Schoonover and Carl Frazier downplayed the incident, saying more than one conversation was occurring and that they didn't know what some of the others were saying.

District Judge Jeff Payton had vowed earlier to go through the weekend to conclude the lawsuit case, but he announced at the end of the day that that wouldn't be possible. Meanwhile, Merrill said after the proceeding that an acting principal would be in place by the time school starts Thursday. The school board had voted 3-2 on March 31 to fire Pemberton, who was accused of favoritism in dealing with a teacher who has since married his son. Pemberton's daughter-in-law has since left the district for a teaching job in Gore.

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STIPE:

Prosecutors file evidence of the pair's continued association, including photographs of the two in social settings.

FROM A-15

On Friday, federal prosecutors filed evidence of Stipe and Covington's continued association, including photographs of the two in social settings. The motion also says that in a March FBI raid of Stipe's of-

office, officials found Covington's and Stipe's offices within the same suite, and the FBI seized: Documents with Stipe's and Covington's signatures showing evidence of the creation of a business after Stipe was told to stop associating with Covington. Documents showing Covington's net worth increasing in just a few months from about \$88,000 to more than \$637,000. The newfound wealth was a result of land deals with Stipe, the filing says. A 2006 audiotape of Stipe saying he has \$30 million. Also seized in the raid and discussed in Friday's filing is a

framed Tulsa World editorial cartoon that prosecutors say shows Stipe mocking the District of Columbia federal court. Stipe's sentencing was delayed numerous times because of his health, but during that time he eloped to Arkansas to marry Mary Thetford in December 2003. The cartoon depicts Stipe in bed with his new wife and begging the judge for another postponement because he is "bedridden." Stipe pleaded guilty in 2003 to violations of the Federal Election Campaign Act stemming from the failed congressional campaign of Walt Roberts.

One month after being sentenced to five years' probation, federal authorities allege, Stipe took part in the same activities by soliciting straw donors to make illegal contributions to a Democratic congressional campaign. Stipe and his partner allegedly reimbursed the straw donors, previous federal filings allege. In office for 50 years, Stipe was long considered Oklahoma's most powerful legislator. A revocation hearing that could result in Stipe's being sent to prison is scheduled for Aug. 28.

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OSU:

The students' filing calls the claim "technologically and factually flawed."

FROM A-15

poena colleges and ask them to identify "John Does." The Chronicle of Higher Education reported. The OSU students say the record companies can't identify any individual computer where any alleged illegal mu-

sic sharing happened. The record companies relied on the expertise of Carlos Linares, the RIAA's vice president of anti-piracy legal affairs, to get the court to order OSU to identify the students. Linares' written statement says that each computer and network device can be identified by a unique IP address and that "two computers cannot effectively function if they are connected to the Internet with the same IP address at the same time." The students' filing calls Linares' claim "technologically and factually flawed." An IP address might only identify a router, for example,

and not each computer and device that uses the router, said Jayson E. Street, the chief information security officer for Stratagem 1 Solutions, in a statement in support of the students. "Many computers can be connected to the Internet with identical IP addresses," Street said. Also, criminals can "take over the victim's machine without their knowledge or permission," he said. The students also argue that the record companies "mistakenly suggest having copyrighted music files on an individual computer or on an assigned folder on OSU's

server is 'distribution' of copyrighted music." To make that argument, students would have to gain "commercial advantage" from storing the songs, but the record companies don't say that, the students' court filing says. "Discovery requests seeking to identify anonymous Internet users must be subjected to careful scrutiny by the courts," the students say, because "this would have a significant chilling effect on Internet communications and thus on basic First Amendment rights."

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