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BY JACK SHEEMA

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The trials and tribulations of 'do-gooder' attorney Kristina Wildeveld, a teen killer's best defense

Story by Richard Abowitz

Photography by Aaron Mayes

You can spend hours with Kristina Wildeveld and not hear her exhibit the slightest doubt, anxiety or insecurity. Indecisiveness is not in her nature. Ask the deputy special public defender about juvenile crime, the best food in Las Vegas or the existence of God, and she has an answer—often long, always passionate. But the dilemma

before her now has her face furrowed in uncertainty.

"Is there a difference between flip-flops and shower slippers?" she asks me, standing in an aisle at Wal-Mart. "Which do you think is nicer?" Before I can answer, she heads for a rack filled with clogs. "Hold on, there are more over there," she yells over her shoulder.

A few moments later, Wildeveld says in anguish, "I don't even know if he wears boxers or briefs."

It's as though I'm watching a mom who's about to send her little boy off to summer camp. Except that Wildeveld has no children, and the boy she is shopping for isn't exactly going on vacation.

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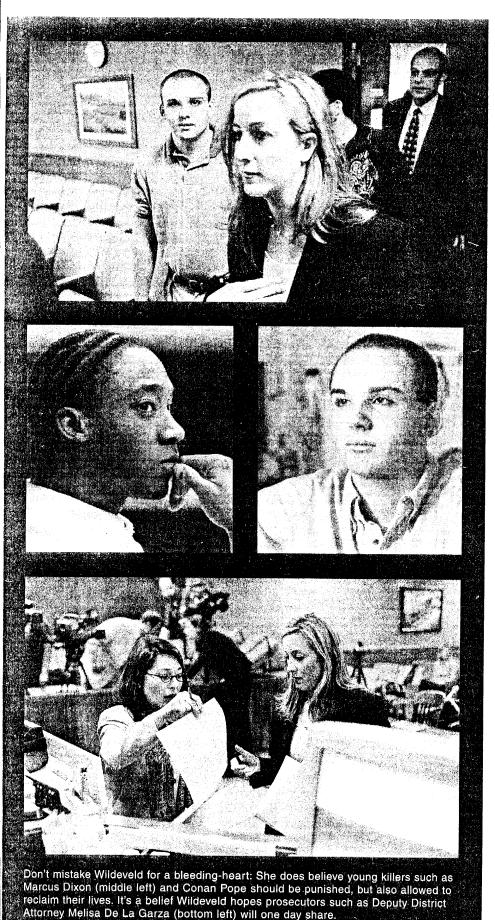
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The next morning, her client, Conan Pope, 16, will be sentenced for killing his father, Frank Pope. Immediately afterward, he will be sent to prison. Which is why, though it has been a typically long day for her—starting with a morning Pilates class, dealing with the press and preparing for court, then having some friends over for dinner—Wildeveld is now, as the night winds toward 10 p.m., shopping for items that are on the list of personal effects an inmate can bring into a Nevada prison.

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"I wish you wouldn't make too much of this," she says as we check out. "I didn't have a chance to do it for Marcus, and it might upset him." Marcus Dixon is a former client serving at least 40 years for his role in the May 6, 1998, shooting death of a 16-year-old. At the time, Dixon was 14.

To the legal system, the ages of Marcus Dixon and Conan Pope don't matter. But to Wildeveld, these killers are first and foremost children. She believes the criminal justice system is guilty of punishing the crime instead of considering the circumstances and age of the offender. Last year she testified before a state senate committee, supporting legislation to keep teens out of the adult criminal justice system:

"I represent many of these young kids who are accused of committing murder, and many of them don't even know what they did was wrong. It is as if life itself has no value. Sure, I'll shoot you, but I might as well have been shot myself. They are inured, anesthetized and desensitized to violence. It is as if they don't realize that death is permanent and that you don't get up afterwards. They don't realize the consequences of their actions."

Wildeveld's spiel may sound like the familiar leftist cry that crime is actually society's fault. But she's no tofu-eating reader of the Whole Earth catalog. A Republican, she shares little with revolutionary lawyers in the mold of "Battling" Bill Kunstler or liberal crusaders such as Clarence Darrow; her passion is rooted in a Catholic belief in serving others. Wildeveld has even less in common with the recent stereotype of the defense lawyer—she doesn't want to be seen as a Johnnie Cochran-like master of words who can massage, finesse and spin even the most damning of facts. Victory at any cost is not her goal. She has, instead, an almost naive devotion to the idea of justice. Unlike many defense lawyers, Wildeveld wants to see the bad guys punished—but appropriately, if they're children.

She frequently lectures her young clients, no matter how much she believes in them, on why some action of theirs was wrong. "She throws her two cents into everything," Conan Pope tells me one day in her office. There is a patri-

cian quality that runs through Wildeveld's sense of justice; it is noblesse oblige. For better and for worse, in the truest meaning of the words, Wildeveld is a "do-gooder." Three years ago, she was rear-ended by a drunk driver; she was so busy dialing 911 to report the guy that she couldn't avoid him. (She still suffers from the back injuries.) Otherwise, in appearance and manner, Wildeveld, 30, could be the model for one of the impossibly bright, good-looking lawyers from a David Kelley television show.

"She is pretty much the TV stereotypical woman defense lawyer: pretty, bright and tough," says Mayor Oscar Goodman. But in place of the soulless ambition and narcissism of the creations populating, say, *Ally McBeal*, Wildeveld is plainly driven by a sense of mission. "She's doing the Lord's work," says Goodman, a defense lawyer himself. "She takes people who are helpless and defenseless. She then puts herself in the face of all the forces that the government can marshal. She must really, truly believe that the system has to be tested before some youngster is going to face serious penaltics. She's darn good at her job."

The mayor has known Kristina since she studied with his son for the bar exam. He is a relative newcomer in Wildeveld's extensive network of friends among Las Vegas' social, political and moneyed elite. She is well-connected to the well-heeled and enjoys the advantages it brings. She has spent most of her life in Las Vegas and can be remarkably unselfconscious about using her juice. On one occasion, I called her to cancel an appointment after an hour of failing to get a taxi; the cab company wouldn't answer calls from my noncasino address in Henderson. "I'll take care of it," Wildeveld said. Within moments, I was in a conference call with Wildeveld and the dispatcher; a cab was magically on the way. It turns out Wildeveld is friends with the family that owns the taxi service.

• WILDEVELD'S FAMILY MOVED to Las Vegas when she was 5. She grew up about three miles from the Strip, which she says, was the edge of town in those days. "Growing up, my next-door neighbors were (local attorneys) Dominic Gentile and Albert Massi. They were involved in a lot of high-profile cases in my youth. We used to have helicopters circling our cul-de-sac and policemen walking along our wall. I always thought the law thing was kind of fascinating for that reason." She smiles. "You know, this was back in the day in Las Vegas."

She attended Bishop Gorman High School. (Among her close friends was Kari Wiesner,

whose family owns Big Dog's Hospitality Group. All spring, even as the Conan Pope case grinds through agonizing and sometimes heated weeks of negotiations, Wildeveld helps arrange a wedding shower and bachelorette party for Wiesner. It's her eighth time as a bridesmaid.) Wildeveld's childhood was, she says, very privileged and a bit spoiled. "We were very fortunate growing up. As long as I got A's in school, I could have any car I wanted, and I shopped at Neiman Marcus and got my credit card bills paid." It embarrasses her to admit this now. "It's a bit different now on a public defenders salary," she says.

The parental gravy train stopped when she graduated college. Wildeveld put herself through California Western School of Law in

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San Diego; she's still paying off the student loans. Thanks to a photographic memory, unlimited energy and an unbelievable work ethic, she completed law school in just 20 months.

She returned to Las Vegas to intern with Federal Judge Philip Pro, then worked in Family Court with Judge Terrance Marren. "Then I was going to go into family law," Wildeveld recalls. "I was getting a lot of great offers from the big firms in Las Vegas. I was being offered a lot of money."

Instead, she accepted a job with the special public defenders office. Wildeveld was raised a Catholic and attends Mass every Sunday—to her, using her God-given abilities to serve others is an obligation. "It was a really tough choice," she says. "The money would have been a really nice thing. But there are other things in life than money."

Now a judge, Michael Cherry was then in charge of the special public defenders office, and despite Wildeveld's relative lack of experience, he recognized her potential. "I saw right

away that she was fantastically bright and would be a tireless advocate for her client," he says. "She could have taken a far better-paying job at any private firm in this community. Instead she chose to do public service, which I think is tremendous."

Wildeveld started in August 1997, representing indigents accused of murder. "I walked in my first day of work and Judge Cherry handed me a file and said, 'Prepare for this. You're sitting second chair next week.' So, all of the sudden, I became this litigator. I never wanted to be in a courtroom. And now suddenly I am in court all of the time doing these murder cases."

"The thing to know about Kristina," says colleague Dayvid Figler, "is that she was really thrown into something at an early age and did a most incredible acclimation to it. She had little to no life experience. She was essentially hired as a clerk, but because of the requirements and the demands of the job she was immediately thrown into the fire."

Wildeveld was a quick study, and soon Cherry began sending her juvenile cases. He recognized that she worked best when she had a sympathetic connection to her clients. "Mike started giving me all the kids in the office because he knew that is where my passion lied. I also usually get the adult cases that require hand-holding. There aren't a lot of people who are willing to do the hand-holding. They find it annoying. But I find it fulfilling because they need help, and I can help them."

Even before she arrived at the public defenders office, Wildeveld held strong opinions about Nevada's system of juvenile justice from her work in Family Court. "We do what we can here in Nevada, and we care about juveniles," she says. "But we were not fighting enough for them. The children in the juvenile system usually have screwed-up parents. We need to look at it and say, 'Why are they doing what they are doing in the first place?' Let's punish them, sure, but let's see why they are doing it in the first place. Other places are much more progressive in how they deal with it."

"Kristina is somebody who is committed for the rest of her life to finding solutions," Figler says. "She is really committed to the idea that as a society we have civic obligations. It has been shaping her personality. She is a person who is in constant evolution in regards to her sensitivity to the world. She came here a supporter of the death penalty and of tough punishments."

Wildeveld is surprised when her talk of juvenile-justice reform or programs for at-risk youth gets her tagged as a liberal. "I'm probably the only Republican in the public defenders office," she says. In her mind, she is—like Nixon

in China—that one cast-the-first-stone conservative who can voice ideas that even East Coast liberals have avoided since the Dukakis campaign. "I just want juveniles to be treated differently than they are," she says. She sees herself as sticking up for family values for children raised by some pretty rotten families. "I feel for these kids. Marcus said to me, 'I've never trusted anyone in my entire life more than I trusted you.' He doesn't trust his mother. His mother never once called me or came to see him when he was arrested. He was 14 years old."

Testifying to state senators about the need to reform the way juvenile offenders are treated, Wildeveld might also have been describing the way her own views have changed:

"The truth is, the further removed an official is from the front lines of the war on crime, the tougher he is likely to want things to be. This is particularly the case when it comes to violence by juveniles. I cannot testify to things I do not know, but I can stand before you on behalf of Marcus Dixon, 14 years old, serving a 40-year prison term; Kenshawn Maxey, 17, a foster child since he was 4—no previous history of violence save for a fight on a school yard—serving life without the possibility of parole; and that is good, because the state actually wanted to execute him. And then for the other kids I represent and for kids in our system being raped and victimized in adult facilities and for those kids who stand trial as adults without any previous criminal history-anomalies."

What Wildeveld failed to tell the legislators is that Maxey's anomaly, his single act of violence, left two people dead, including a bartender at a video poker bar, whom Maxey shot five times during a May 1998 robbery attempt.

• BECAUSE THEY WERE charged with murder, both Maxey and Dixon, under Nevada law, were automatically treated as adults. Not everyone agrees with Wildeveld that this is a problem.

"The way we have it is fine right now," says Deputy District Attorney Frank Coumou, who prosecuted Dixon. "The way that the law is written, most anybody who is under 18 is a juvenile, and they get treated in the juvenile system. Now, if they are truly repeat offenders in the juvenile system, they could be petitioned into the adult system. I'm talking about kids who repeatedly do things like commit armed robbery or repeatedly fail to conform to a probationary period or any other type of program they get sent to in the juvenile system. The difference for Marcus Dixon is that when a young defendant, who is under the age of 18, commits

murder or attempts murder and is charged that way, then he automatically comes into the adult system. That is how Marcus landed here."

"It was wrong what Marcus did," Wildeveld agrees, but what mattered most to her when she sat down with him was that he was only 14. "When I first met Marcus, he was a baby. That surprised me. He was so innocent-looking."

"Marcus was observed walking up to the back of the intended victim," Coumou says, "then seen holding up a gun and firing, point blank, into the back of the head, killing the victim. Then Marcus turned the gun on the one eyewitness and fired at him, but he survived, and didn't get hit. It was a pretty decent case."

She sees herself as sticking up for family values for kids raised by rotten families.

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'I've never trusted anyone more than I trusted you.'"

Wildeveld disputes this summary of events, of course, but also thinks it's more important to focus on Dixon's background. "When he was 8 he joined a gang," Wildeveld says, describing Dixon's impoverished and disadvantaged childhood. "When he was 12 he decided he didn't want to be in it anymore because he had been shot twice."

"I'm sure he had some hardships," Coumou concedes, "but he wasn't a person I had a lot of sympathy for. He was a pill during the trial and during the process. He was a rough, hard-core individual."

While Coumou was confident he could get a conviction at trial, he presented the defense with a deal because of Marcus' age. "I was offering second-degree with use, which would have given him a minimum of 20 years." Wildeveld was not satisfied. "That's where I have to commend Kristina," Coumou says. "When it is a young defendant like Marcus, she will fight and fight and fight until she is able to get a plea bargain that will see to it that, while he is still pun-

ished, he can still pick up the pieces if he is ever released from prison."

Wildeveld persuaded Coumou to offer a deal that could've lowered the minimum Marcus served to only 10 years, half the original offer. She believed it would be good for Marcus, giving him time to sort out his future. "I was saying, 'Marcus, you taking a deal of 10 years is maybe the only way you are going to stay alive, because on the street you can be killed, but in jail you can decide the life you one day want."

Wildeveld cried when Marcus rejected the deal. "You can't talk a 14-year-old kid into taking a deal of 10 years because they don't understand the concept of time," she says. "They are like, "Ten years, that's almost half my life." At trial, a jury convicted Dixon of first-degree murder with use of a deadly weapon; he was sentenced to a minimum of 40 years. Though, due to legal technicalities, Wildeveld didn't represent him in the trial, she was shaken by the verdict.

Now, she is again fighting for Dixon, trying to shorten his sentence. Her argument, once again, is that Dixon was not treated as a child. "I want his 10-year deal back," she says. "A 14-year-old should not have been allowed to make that decision. He should have taken the offer, and I can't force him to make that decision. There should be protections in place to treat kids differently. Just because he is charged as an adult doesn't mean he is one. He isn't even legally old enough to drive or buy cigarettes. They can't consent to anything as a child, but we let them decide whether to take a deal."

Dixon, now 18, agrees. "I think my lawyer or family should have been the one to make the decision," he tells me in a phone interview from prison. "At 14, I was just scared and wanted to go home. I was scared to come to prison, that something was going to happen to me. I didn't want to take no deal to come to prison." It's a child's reasoning. "I just wanted to go to trial and try to find some way to go home so I didn't have to come to prison. I was afraid I was going to get hurt once I was here."

"I will work forever to get Marcus out before 40 years," Wildeveld vows.

Does it seem as though she's forgotten about the victims? Does her single-minded concern for Dixon sound callous? She is not that zealous; after all, she was comfortable having Dixon serve 10 years. But she believes fiercely that, although a convicted killer, Dixon can be punished, then reformed and saved.

"Kristina always told me I should take classes and that I should better myself and become a better person for my family and for the people that love me," Dixon recalls. In jail, Dixon began taking Wildeveld's advice, which made her even more determined to seek reform.

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otos courtesy of Kristina Wildeveld.

"Marcus was in jail, and he would write me saying, 'I want to learn how to divide, and they don't have division classes here.' So I sent letters up to the Legislature. I proposed two bills to the Legislature asking for juveniles to be treated differently."

Testifying before the legislators, Wildeveld said: "We are throwing the lives of these children away because of one impulsive moment. I do not for one moment say that it is OK for them to have committed crimes of violence, even to the point of taking a human life. But I do say that most of these kids can be rehabilitated and are worth the effort—even a child who has killed."

For all her passion, however, Wildeveld was unable to save Maxey and Dixon from decades in prison. Their convictions were still fresh in her mind when she was negotiating the case of Conan Pope.

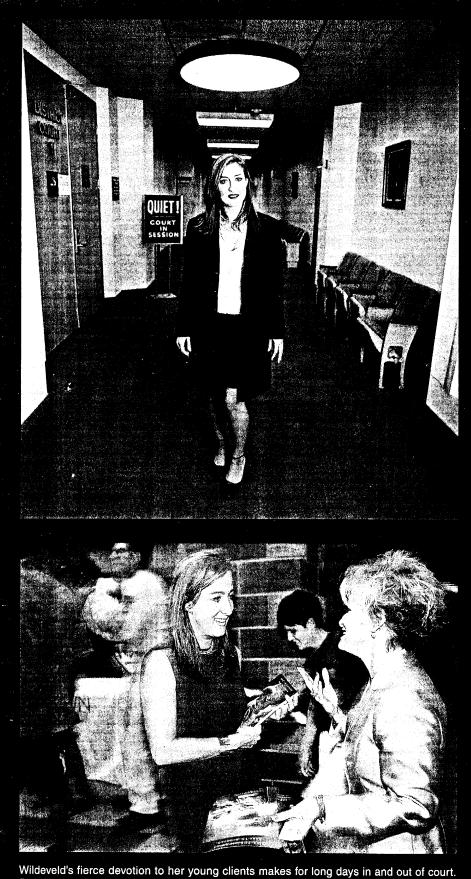
6, 2000, Conan Pope, then 15, and his sister Desiree, 17, were asleep in their living room when their father, Frank Pope, 62, came home from work. Seeing that the sink was full of dirty dishes, Frank Pope became furious. He smashed the dishes to the floor—throwing some of them directly at Conan, the boy says—and at first ordered the children to clean up the dishes before abruptly sending them to their rooms. Desiree later told police that from behind her closed door she heard her brother cock his rifle and say to their father, "You're going to die." She heard two shots.

Conan says he was only trying to protect his sister, since their father was heading toward Desiree's room with a broom in hand. He was charged with murder, which took his case automatically out of the juvenile system; his defense was assigned to the special public defenders office. Suddenly, Kristina Wildeveld—and her irrepressible views on how to treat children who kill—were about to get some high-profile attention. This would turn out to be very fortunate for Conan Pope.

"I've devoted the last year and a half of my life to Conan Pope," Wildeveld says. It is spring, and we are sitting in her small, cluttered Downtown office. It is dominated by a large white board filled with a near-indecipherable outline of Pope's trial defense.

"You can mention the board, but please don't write down what is on it," says Wildeveld, who is also being filmed by a crew from a network reality show. Newspaper reporters are calling, too. The phone rings; it's Marcus Dixon calling to chat about a special program for





Wildeveld's fierce devotion to her young clients makes for long days in and out of court. But she usually has enough energy to make the social whirl (bottom), chatting up District Court Judge Nancy Saitta at a charity event honoring foster parents.

youthful offenders that Wildeveld encouraged him to join. In between these calls, Wildeveld is on the phone arranging festivities for Weisner's wedding.

Behind the scenes, of course, Wildeveld simultaneously prepares for Conan Pope's trial and negotiates with the district attorney's office to avoid one. Every day, pressure mounts on prosecutors to settle as an investigation by Wildeveld's office uncovers more and more stunning details about Frank Pope.

The first bombshell: Frank Pope served four years in prison for smothering his own child, an 11-month-old daughter, in 1962. Wildeveld then learned that Pope confessed to his lawyer that he'd killed another infant daughter in 1963. Frank Pope had been a suspect in other murders as well, including that of a civilian in Germany in the '50s and of a woman in Washington in 1972. There were other tales of violence. In fact, except for his children, no one offers anything but vile comments about Frank Pope. Wildeveld and the media describe the Pope family's horrific home life as an atmosphere of abuse, fear and violence. In October 1997, Metro and Child Protective Services were summoned when Desiree ran to a neighbor's home to report a fight between Conan and his father. "Conan and his sister should have been removed from that house a long time ago," Wildeveld says. "The system failed them a long time ago."

As the papers report these details, public opinion begins to favor Conan. Supportive faxes and e-mails pour into Wildeveld's office. After a hearing with the judge about the status of the negotiations, Wildeveld shows one of the notes to Conan. He studies it and smiles weakly. Kristina then reads it aloud and Pope agrees absently that, yes, the note is nice. Later, in her office, Wildeveld allows me to briefly interview Pope. He speaks slowly, his voice slurring as if he's on some sort of medication. There are gaps in his speech, and his answers are brief and disconnected. It is almost a relief when Wildeveld frequently interrupts Conan to steer his answers, even if the results make little sense.

Me: What would you say Kristina's influence has been on you as a person?

Conan: I've changed a lot of ways ... [long pause] A whole bunch of stuff that I thought was right, I now know was wrong ...

Me: Did Kristina have a role in getting you to see that?

Conan: [Silence]

Wildeveld: For example, you thought you were to blame for a lot of things, but you aren't actually to blame for those things.

Conan: Yes ... going to therapy every day.

He is about the saddest human being I've ever seen. Still, the exchange has the effect Wildeveld desires. I now see Pope as a victim and not a killer in need of punishment. I'm not alone.

Though the trial date is moved to June to allow more time for negotiations, people continually urge Wildeveld to take the case to trial. Even members of the press tell her no jury in this city will convict Conan Pope. I tell her the same thing.

Wildeveld, though, isn't so sure. She makes no secret in interviews and in conversation that she wants to settle. Pope, she says, doesn't want to go to trial. He'd rather spare his family and others from testifying.

But there are two other reasons Wildeveld may not want to go to trial: Marcus Dixon and Kenshawn Maxey. A jury could easily send Conan Pope to prison for life. As Christopher Laurent, the prosecutor in the case, observes, "You can't just kill someone."

Wildeveld has no guarantee, for example, that the judge will rule that Frank Pope's past acts, no matter how horrible, are admissible. Frank Pope is the victim, after all, and it might be foolish to gamble that a judge will deem relevant his behavior in 1962. And there's something ludicrous about the idea that Conan Pope killed his father to protect his sister. Prosecutors are quick to point out that Frank Pope never actually left the kitchen. Further, in a house with no shortage of weapons, a broom is an unlikely choice with which to assault Desiree. The prosecution, meanwhile, would have no problem explaining that Frank Pope was carrying the broom because he had been sweeping up the broken dishes.

Wildeveld offers me this explanation of Pope's behavior over lunch: "He is not happy about what he did. He wishes that he never had to be the one to do it. He always says he wishes he would have killed himself. But I think Conan Pope's life is worth so much more than Frank Pope's life ever was. So I am really glad that he didn't use the gun to kill himself. But, unfortunately, because he didn't kill himself, he is faced with the predicament he is in now. And he says if he would have killed himself he was afraid of what would have happened to Desiree. He wanted to protect her, and he couldn't leave Desiree. It was a Catch-22."

But can't a 15-year-old dial 911? Or flee to a neighbor's house, as Desiree had done in 1997? And how plausible is Conan's account, with its focus on suicide? Reading between the lines, it doesn't take a novelist to speculate that after years of abuse, Conan Pope finally had an emotional explosion that demanded immediate resolution. He chose murder over suicide. A jury could easily conclude that no one had to

die that night and convict Conan of murder.

So, were Wildeveld to take the case to trial, she would have to get the jury to literally see Conan Pope's act her way—they must rule not on the death of Frank Pope, but on the life of Conan Pope. That could prove hard to do under the law's stringent and fickle rules of evidence. As Dixon's frequent calls remind her, although Conan is just a child, he is facing a lifetime behind bars. Wildeveld has powerful incentives to seek a deal.

The DA has reasons, too, including the information Wildeveld discovered about Frank Pope. Even Laurent admits to being swayed by some of what Wildeveld uncovered. "Yes, because of all the information she was able to dig up. Kristina's efforts in this case are to be lauded. You know she always believed in her

"To criticize Kristina for anything she did in this case is to make a mockery of what the advocacy system is there to protect."

client and in the position she took in juvenile offenders. She did a lot of research." Also, Wildeveld had used her networking skills to build a mini-dream team of volunteers to assist in Pope's defense: Oregon lawyer Paul Mones, the author of *When a Child Kills: Abused Children Who Kill Their Parents*; Mark Fierro, a public-relations consultant; and local attorney David Chesnoff.

After a tough back-and-forth that takes more than a year, a deal is reached in April: Conan Pope admits to voluntary manslaughter and will likely get paroled after four years served. Laurent blames the long negotiations on Wildeveld having grown too close to her client. "We had been talking to her about potential negotiations since the inception of the case. You know she held all of this information very close to the vest for almost a year. I think at times she was too close to Conan Pope and didn't want to provide us with information. We could have shortcut the negotiations by almost a year if we had had the information before."

"He's full of shit," Dayvid Figler snorts. "If

we could trust prosecutors to make sure things get wrapped up correctly, then you wouldn't need defense attorneys. We have an advocacy system. Why would we give our information to the district attorney before it's time? They have an entire police force to use to investigate if they want to know things. All they had to do was run [a background check] on Frank Pope, and they would have gotten all this information. Then they would have charged him with voluntary manslaughter from the onset in juvenile court. To criticize Kristina for anything she did in this case is to make a complete mockery of what the advocacy system is there to protect."

Had voluntary manslaughter been the original charge, Pope would never have entered the adult system. But as he was charged with murder, Pope was placed in a facility with adult inmates. While there, Pope had a sexual encounter with a male prostitute. As if to underline how ill-equipped the adult system is for juveniles, Pope was then placed—for his own protection—in near-total isolation.

"I was in solitary confinement, and I was under 23-hour lock-down," he says in Wildeveld's office. "The only thing that made me stay sane so that I didn't lose my mind in there was Kristina coming to visit."

In the end, Wildeveld couldn't have hoped for a better case to focus attention on how the system handles juvenile offenders. After the case is settled, even the judge—Wildeveld's old boss and mentor, Michael Cherry—tells me he doesn't think Pope should have had to do any more time. "But I wasn't going to upset the negotiation." Still, Cherry couldn't be more impressed with Wildeveld. "If my robe didn't have a zipper, the buttons would have burst, I was so proud of her work in this case." Pope's sentence comes to only 3 1/2 years with time served—far better than the 40 years he would have risked at trial. He will have a chance at a life.

As for Kristina Wildeveld, she has moved on to other cases. But she hasn't moved on entirely. "I will keep in touch with Conan, Marcus and Kenshawn for the rest of my life. They've touched me as much as I've touched them. Yes, they've done horrible things, but they are good people."

Shortly afterward, Wildeveld has a new case, involving a teenager charged with beating a homeless man to death. According to newspaper reports, the police have a confession. "But if you just met him," she tells me, "if you looked into his eyes, you'd see he is just the sweetest kid." I want to yell, Kristina, have you had those rose-colored glasses surgically implanted? But I don't, because Wildeveld proves that it sometimes takes a distorted vision to see what needs to be done.