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Pittsburgh Post-Gazette

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City settles Rogers suit for \$8M

Attorney calls on officials to enact policy changes following man's death after 2021 Taser incident

By Megan Tomasic
Pittsburgh Post-Gazette

The family of Jim Rogers, a man who died in what attorneys have called the "most egregious lack of humanity" by Pittsburgh police, have settled a wrongful death lawsuit.

Attorney Todd Hollis announced the \$8 million settlement on Thursday afternoon while standing on Harriet Street in Bloomfield, the spot where Rogers in 2021 was stunned by a Taser multiple times by Pittsburgh

police. Mr. Hollis said the settlement was the highest payout from the city in any civil rights case.

He also called on city officials to act on more than 30 proposed policing changes.

"I want to know that when I'm long gone our children will live in a better place than what exists now," Mr. Hollis said. "Harriet Street will go down in infamy as one of those neighborhoods that committed one of the worst crimes in human history."

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Lucy Schaly/Post-Gazette

Attorney Todd Hollis said the \$8 million settlement was the highest payout from the city in any civil rights case.

Business leaders demand a more vital city

By Michael Korsh
Pittsburgh Post-Gazette

PNC Financial Services Group CEO Bill Demchak stood before more than 250 community stakeholders at the Union Trust Building Thursday, set to deliver a speech on "Building a 21st Century Corporate HQ."

But as Mr. Demchak began his presentation, he instead turned to a different topic — one that has loomed over the Golden Triangle for many months.

"For everybody who's involved in creating the road map that makes it a choice to want people to be Downtown, I would simply say this: You have to make it easy, and today it is not easy," Mr. Demchak said.

From pervasive homelessness and high-profile violent crime to boarded-up buildings that "never have a hope of being converted to residential," Mr. Demchak said Pittsburgh's leaders need to do more to create a more welcoming environment for visitors and job seekers.

"We need honest conversations of how that happens," he said. "Because the modern office of the 21st

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DICK GROAT 1930-2023



Gene J. Puskar/Associated Press

Pirates players and fans observe a moment of silence Thursday at PNC Park in memory of former Pirates shortstop Dick Groat, who passed away at the age of 92 early Thursday morning. Mr. Groat played nine seasons with the Pirates (1952, 1955-1962).

'ONE HELL OF AN ATHLETE'

Pirates legend Dick Groat, a staple of Pittsburgh sports culture, dies at 92

By Jason Mackey
Pittsburgh Post-Gazette

Bill Mazeroski authored the most famous moment in Pittsburgh sports history. His World Series-clinching home run in 1960 is celebrated in statue form outside of PNC Park, and the iconic blast regularly pops up on lists that rank such moments.

Yet when Mr. Mazeroski would look to his right and see Dick Groat, it was the Pirates Hall of Fame second baseman who was truly blown away. A two-sport star at Duke, Mr. Groat continually impressed Mr. Mazeroski with his athletic prowess and steadiness.

"He always knew where they'd hit it and where

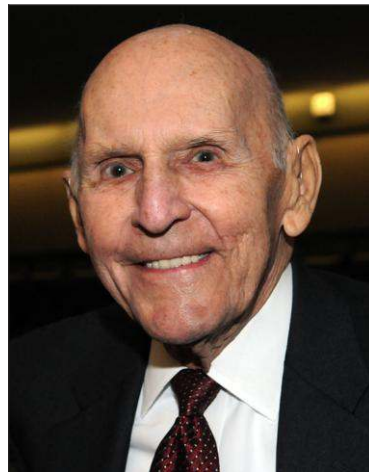
to be," Mr. Mazeroski said. "His mind was so good. To have talent and throw it away, he didn't do that. He got more out of his talent than anybody ever has."

A member of the Pirates' 1960 World Series team who remained a part of Western Pennsylvania sports culture for half a century, Mr. Groat died early Thursday morning at UPMC Presbyterian Hospital due to complications from a recent stroke. He was 92.

Mr. Groat was recently announced as an inductee into the Pirates Hall of Fame for the Class of 2023.

"We are deeply saddened by the loss of such a

SEE GROAT, PAGE A-9



Pittsburgh Post-Gazette

Mr. Groat, a .286 career hitter, batted at or above .300 four times.

A curtain call in the Strip?

Redevelopment eyed for 31st Street Studios

By Mark Belko
Pittsburgh Post-Gazette

A massive redevelopment featuring as many as 750 residential units could replace sound stages used for films and TV shows at the 31st Street Studios in the Strip District.

North River Company will brief the Pittsburgh Planning Commission next week on a proposed master plan for the 9.4-acre site bordering Railroad and 32nd streets and the Allegheny River.

As part of the plan, North River eventually intends to phase out the eight sound stages now in use at the site, according to property manager Jace Armentrout.

"They eventually will all be taken down," he said.

Once the largest movie studio between Los Angeles and New

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Ask The Medicare Specialist

by: Aaron Zolbrod



QUESTION:

Question from Pat: My husband and I have been reading your column in the Post-Gazette for several years and were looking forward to working with you when we reach retirement (I am 62, he is 64).

Unfortunately, we are now in the process of divorcing, and I won't be able to remain on his employer provided insurance. However, with my part-time job and Social Security, I qualify for the ACA.

I went to the Pennie website, and it was overwhelming. I have only a few doctors who I see regularly, and I don't know which plan would be best for me. Would you be able to help me choose?

ANSWER:

Sorry to hear about your divorce Pat. We absolutely can help you with the process of choosing a plan through Pennie. Individual health insurance makes up about 25% of our client base. We're experts on navigating Affordable Care Act (ACA) plans, aka Obamacare, and have been doing it since its inception in 2014.

For those who are unaware, Pennie is Pennsylvania's marketplace that became active in 2021 and replaced healthcare.gov as the only place where Pennsylvanians can use their subsidy to help pay for premiums. That's what Pat is referring to when she said she "qualifies for the ACA." That being said, anyone can go on Pennie to get individual health insurance, even those who don't qualify for subsidies.

Pat is correct that Pennie and the ACA are overwhelming with all the regulations, nuances, trapdoors, and fine print. Pennie is constantly changing their format and requirements of those who apply. It's frustrating for us agents who really understand it. I can't imagine people trying to do it on their own.

Some of it just flat out doesn't make sense either. For most people, Silver Plans with deductibles from \$1,900 to \$6,800 and a Maximum Out of Pocket (MOOP) from \$7,800 to \$9,100 are more expensive than Gold Plans with deductibles from \$0 to \$1,000 and MOOPs from \$3,500 to \$7,000. I don't have room in this column to attempt to even try explaining that madness.

Subsidies are completely based on income and how they are calculated can also be very confusing. Some forms of income don't need to be included while others do. Underestimating what your Modified Adjusted Gross Income (MAGI) will be in the year you need the insurance can result in a huge bill to the IRS. And if it's not paid in a timely manner, penalties and interest can be assessed, the same as a late tax bill.

There is some good news. Part of the American Rescue Plan Act that went into effect in March of 2021 eliminated the income cap on who could get subsidies and increased them substantially. Prior, a single person who had a MAGI of \$52,000 or more and a married couple \$69,000 or higher, did not qualify for premium assistance. For married couples who didn't, a Gold plan cost around \$1,600 per month. Those kinds of premiums kept many people working until Medicare age. The new subsidies, however, have made it possible for millions to retire pre-65.

For example, a 62-year old couple who has a MAGI of \$70,000 now pay as little as \$0 for a Bronze level plan, which I would consider "catastrophic" coverage designed to protect someone in the event of a major surgery, hospitalization, or diagnosis of cancer. \$0 deductible Gold plans start at just \$346 total for both husband and wife, more than \$1,400/month less than just two years ago!

I'm going to take a guess that Pat gets \$1,500 per month Social Security and earns another \$1,300 a month at her part time job. Using \$33,600 as her annual income, the same \$0 deductible Gold plan would cost her just \$40/month.

I need to warn our readers that only Highmark Blue Cross Blue Shield and UPMC offer true major medical health insurance in Western Pennsylvania. Major medical puts a cap on how much one can be billed for all medical services, including prescriptions, in a calendar year. That amount is the MOOP. There are many other outfits trying to sell what are known as indemnity plans as an alternative to major medical ACA policies. They are not health insurance as you know it indemnity plans literally must disclose on the insurance card they supply to their customers that it's not major medical, or it's a limited benefit plan. Either way, people who get suckered into buying them, and that's what those who sell them do, will not be protected in the event of expensive treatments, surgeries, or hospitalizations. This could cause someone to be forced to pay tens, even hundreds of thousands of dollars out of their own pocket, file for bankruptcy, or even worse, be told services won't be rendered until they are paid for up front. With chemotherapy costing as much as \$10,000 to \$15,000 or more per treatment, I'm sure there are many people who simply couldn't afford to pay for the 10 or more infusions that may be prescribed.

Let me be very clear. If you have individual insurance that isn't provided by an employer and the name on your card isn't Highmark or UPMC, you might as well not have any health insurance at all. You're wasting your money and need to get real major medical as soon as possible.

If you have questions or would like to set up an appointment to discuss your options because you are planning on retiring, moving to a job that doesn't offer health insurance, or are opening your own business, give us a call or email me personally at aaron@getyourbestplan.com.

Don't forget to become a member of our Facebook Group, Ask the Medicare Specialist, where we offer exclusive content and information weekly as well as all the columns. It's very easy to do. Go to our website and simply click the banner at the top of the page.

Thanks for reading everyone!



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City, family settle lawsuit for \$8M

ROGERS, FROM A-1

Pittsburgh Mayor Ed Gainey released a statement on the settlement.

"My heart is with Jim Rogers' family, friends, and loved ones today. As we put his family's lawsuit against the city behind us, the city continues to pray for the family over this unnecessary loss of life....

"In addition to the monetary remedy of this settlement, we will also be reviewing our use of force policies with the family and other advocates. We are committed to changing policing in our city and working to rebuild community police relationships so that everyone in Pittsburgh feels safe."

Rogers, 54, died Oct. 14, 2021, a day after his encounter with police who were responding to an alleged bicycle theft in Bloomfield.

Attorneys confirmed the settlement Wednesday. It came almost a year after the federal lawsuit was filed, naming the city, police and paramedics as defendants.

The suit raised numerous civil rights claims, including excessive force, medical indifference, false arrest, assault, due process violations and negligent training for officers.

City officials have declined to identify the officers involved, but five officers were fired in March 2022 in connection with the incident. Three others were disciplined.

According to the lawsuit, Officer Keith Edmonds shocked Rogers with the Taser nine or 10 times and other officers ignored Rogers' pleas for medical help.

"Mr. Rogers died after being accused of a crime that

he never committed," Mr. Hollis said. "500,000 volts of electricity over the course of a two-minute period went through the body of a 54-year-old man who wasn't a threat to anybody."

Police were called to Harriet Street after a woman called 911 to report that a man had taken a bike from her neighbor's porch. Other neighbors have since said that the bike had been left outside for anyone to take.

Officer Edmonds responded, questioned Rogers and searched him for weapons. He had none.

A video of the incident shows Officer Edmonds threw Rogers to the ground and "unreasonably escalated the matter by yelling at Rogers. The officer then employed his Taser," according to the lawsuit.

Additional officers arrived a few minutes later.

The original report of the incident from Pittsburgh Public Safety said Rogers became "non-compliant" while being arrested, prompting the deployment of a Taser. Witnesses, however, said police used the Taser on Rogers multiple times despite his nonviolent attempts to comply with their commands.

The suit states that Rogers repeatedly asked for medical care at the scene and to be taken to a hospital, but no one responded to his requests.

Instead, officers took him toward the Allegheny County Jail, driving past the nearby West Penn Hospital.

When they were approaching the jail they determined that Rogers' condition was declining so they took him to UPMC Mercy. He died the next day.



Lucy Schaly/Post-Gazette

James Frierson, right, talks after a news conference Thursday in Bloomfield. Mr. Frierson's brother, Jim Rogers, died after being stunned multiple times by a Taser by police in 2021 in the same spot where the news conference was held.

"Jim Rogers wasn't welcome on this street," Mr. Hollis said. "Apparently he didn't fit in. He was treated worse than any animal in the street."

The medical examiner's office ruled Mr. Rogers' death as an accident, citing an injury that occurs when blood flow to the brain is interrupted.

"What is there to say," Rogers's brother James Frierson said. "I've watched that happen over and over again. It's the most inhumane thing I've ever seen, even if he was not my brother. It was just unreasonable."

Mr. Frierson added that "there's never going to be closure" for him or his niece. "You can't unsee what we saw."

Tim Stevens, chairman and CEO of the Black Political Empowerment Project, described Rogers as a "gentle soul. Anybody who met him would know that. He was not a threat to anybody. Just because he was born Black or maybe dark, maybe that meant something to somebody but he was a human being."

The family is now asking the city to act on police reform. The changes, deemed "The Jim Rogers's Rules," suggest how to improve the

culture of policing in the city, how and when officers use force and Tasers, when medical care is required and officer discipline.

The 32 proposed changes include training officers to de-escalate situations; creating a public database that includes information about every use of force incident in the city; requiring superiors to remind officers that all use of force incidents have the potential to kill and developing and implementing rules for Taser deployment.

Additionally, the changes call for a rule that any request for medical care by a suspect stops an arrest until medical care is given. The goal, Mr. Hollis said, is to create a policy that does not give police "unilateral authority" to decide when someone receives medical care.

The city has 30 days to respond.

"My hope," Mr. Stevens said, "is that we have no more cases where the city has to pour out millions of dollars because the officers are trained at the level that they need to be, disciplined at the level they need to be disciplined and that our city respects people regardless of color, regardless of age, regardless of orientation. That we're treated as human beings."

Business leaders make pleas to improve Downtown

PDP, FROM A-1

century is where people want to go. It's not going to be where I tell them."

The renewed public safety concerns among business owners in the Golden Triangle were a key theme for guest speakers at the Pittsburgh Downtown Partnership's annual meeting, including Mayor Ed Gainey, Allegheny County Executive Rich Fitzgerald and Lt. Gov. Austin Davis.

Mr. Gainey, who opened with a call for a standing ovation for the Pittsburgh Bureau of Police, underscored what he saw as the business district's vital role in renewing the city's and region's economic development.

"If Pittsburgh is our home, then Downtown is our living room," Mr.

Gainey said.

Mr. Gainey highlighted increased police presence and street-cleaning services — reforms he had called for in February — which he said has led to a drop in violent crime. In addition to extolling these changes, he delivered an impassioned renewal of his pledge to revitalize the city's core.

"We need people to return to work. Part of public safety is having people Downtown. The more people we have Downtown, the more we're going to feel safe," Mr. Gainey said.

As the new chairman of the Pennsylvania Commission on Crime and Delinquency, Mr. Davis pointed to the epidemic of gun violence that he said has swept across youth in the commonwealth. "This is not just a

Pittsburgh problem. It's not just a Philadelphia problem. This is a Pennsylvania problem," Mr. Davis said.

Mr. Davis said that through Gov. Josh Shapiro's proposed budget, his administration plans to invest \$150 million in violence intervention and prevention programs and \$100 million in student mental health funding.

"Governor Shapiro and I know that main streets matter — and having thriving Downtowns and business districts matter here in the commonwealth of Pennsylvania," he said. "And in community after community that we visited, we've heard how important public safety is to those main streets and those quarters."

Other speakers included Aaron Mimran, regional vice president at Comcast

Business, and Kendra Whitlock Ingram, president and CEO of the Pittsburgh Cultural Trust.

In addition to local leaders' addresses to stakeholders, the PDP's annual meeting included updates from key executives and outlined goals for 2023.

While the nonprofit's executives focused heavily on large-scale events, outreach programs and commercial development it supported within the Golden Triangle, the PDP's 2022 annual report says the organization seeks to "strengthen its communication with Downtown stakeholders and the city of Pittsburgh to find solutions to ongoing public safety concerns" as part of its goals for 2023.

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Corrections & clarifications

If you have a correction and cannot reach the responsible reporter or editor, please call the office of Stan Wischnowski, executive editor, at 412-263-1890.

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