

# Pittsburgh Post-Gazette

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## JUDGE LIVINGSTONE MORRIS JOHNSON

Dec. 27, 1927 - Feb. 24, 2023



Judge Livingstone Johnson

## Served as 'consciousness' of Common Pleas Court

By Janice Crompton  
Pittsburgh Post-Gazette

Retired Allegheny County Judge Livingstone Johnson saw much in his 95 years, from combat in war, to the sting of discrimination, to the joys of his many professional and personal accomplishments — and was made a better man for it.

"He touched many, many people. It's a huge loss," said lawyer Kim Brown. "That mold is broken for sure."

"Judge Livy" as he was known to friends, was so widely admired as a county Common Pleas Court judge for 34 years that the late state Superior Court Judge Eugene B. Strassburger III referred to him as "the consciousness of the court."

Judge Johnson, of McCandless, also a notable civil rights activist and former assistant county solicitor, died Feb. 24 after a series of health problems.

He came from a long line of over-achievers.

The son of Oliver Livingstone Johnson, the county's first Black assistant district attorney, and the elder brother of the late Justin Johnson, the second African American to serve on the state Superior Court, much was expected of Judge Johnson growing up in Wilkensburg.

He didn't disappoint.

Though he excelled academically, it was his time as a Boy Scout that left a deep imprint on his

SEE **JOHNSON**, PAGE A-10



Chris Pizzello/Invision/AP

## AND THE WINNER IS ...

Michelle Yeoh accepts the award for best actress in a leading role for "Everything Everywhere All at Once" at the Oscars on Sunday in Los Angeles. The movie also won best picture. Story, **B-1**.

# BATTLE AGAINST BLIGHT SUFFERS SETBACK

**PG INVESTIGATION:** Judge issues stay in petition to take over houses owned by city

By Neena Hagen and Michael Korsh  
Pittsburgh Post-Gazette

In a blow to Pittsburgh housing advocates who have battled the ravages of blight for years, an Allegheny County judge has issued an order that will stop them from restoring dozens of deteriorating city-owned properties until an

appellate court can take up the case.

Despite already finding that the city's properties are eligible for conservatorship — a legal mechanism for community groups to take control of abandoned and dangerous homes — Allegheny County Common Pleas Judge John McVay Jr. ruled Friday that because the process

against the city has no legal precedent, a stay of the petition filed by the nonprofits was inevitable.

Judge McVay acknowledged that it was "important to move these cases forward" because of the "negative impact on their communities."

But he imposed the stay in the likely event the city's attorneys would appeal — a move that could delay the case for months or longer.

The decision represents yet another setback for community

groups who have been fighting to take control of the homes, saying local officials have allowed the properties to languish and have failed for years to get them back on the tax rolls.

Because such a court stay can last for an extended period, advocates say the homes and barren lots will continue to deteriorate and incur code and health violations in some of the city's most impoverished neighborhoods.

Unlike other cities that have

SEE **HOUSING**, PAGE A-2

## BIG DANCE BOUND



Pitt Athletics

Pitt point guard Nike Sibande reacts Sunday as the Panthers (22-11) are selected to play in the NCAA tournament for the first time since 2016. Coach Jeff Capel's team will face Mississippi State (21-12) in the First Four preliminary round at 9 p.m. Tuesday in Dayton, Ohio. More coverage in Sports, C-1.

## Steps taken to thwart banking upheaval

The Associated Press

NEW YORK — The U.S. government took extraordinary steps Sunday to stop a potential banking crisis after the historic failure of Silicon Valley Bank, assuring all depositors that they would be able to access all of their money quickly.

The announcement came amid fears that the factors that caused the Santa Clara, Calif.-based bank to fail could spread, and only hours before trading began in Asia. Regulators had worked all weekend to try to find a buyer for the bank, which was the second-largest bank failure in history. Those efforts appeared to have failed Sunday.

In a sign of how quickly the financial bleeding was occurring, regulators announced that New York-based Signature Bank had also failed and was being seized on Sunday. At more than \$110 billion in assets, Signature Bank is the third-largest bank failure in U.S. history.

In an effort to shore up confidence in the banking system, the Treasury Department, Federal Reserve and FDIC said Sunday that all Silicon Valley Bank clients would be protected and able to access their money. They also announced steps that are intended to protect the bank's customers and prevent additional bank runs.

"This step will ensure that the U.S. banking system continues to

SEE **BANKS**, PAGE A-5

## 8 dead after smuggling boat capsizes off San Diego coast

By Elliot Spagat and Gregory Bull  
Associated Press

SAN DIEGO, Calif. — At least eight people were killed when two migrant smuggling boats approached a San Diego beach amid heavy fog and one capsized in the surf, authorities said Sunday,

calling it one of the deadliest human smuggling operations ever in the U.S.

A Spanish-speaking woman on one of the panga-style boats called 911 late Saturday to report that the other vessel had overturned in waves off Black's Beach, according to U.S. Coast Guard Petty Officer Richard Brahm.

"The woman who called stated that the boat that overturned had 15 people on it, but that was just an estimate," Petty Officer Brahm said.

Coast Guard and San Diego Fire-Rescue crews pulled the bodies of eight adults from the water, but thick fog hampered the search for additional victims.

San Diego Lifeguard Chief

James Gartland said rescuers found the two boats overturned in shallow waters near the shore. An estimated 23 people were on the two boats, he said.

No additional victims were found in the water and officials said some or all of the remaining

SEE **BOAT**, PAGE A-8



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### Weather

Rain and snow showers.  
Daytime high, 39;  
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## Local

## HOUSING ADVOCATES' BLIGHT FIGHT DEALT BLOW

HOUSING, FROM A-1

established land banks to regularly transfer broken-down homes to private developers, Pittsburgh has a track record of dragging prospective buyers through a labyrinth of red tape that can take upwards of five years — if the effort succeeds at all, records and interviews show.

“It’s the equivalent of someone suffering a heart attack, and we’re trying to bring them back to life. And we have the medics coming — but we have a group trying to fight off the medics who can bring this body back to life,” said Wayne Cobb II, who has represented the community groups in dozens of conservatorship cases against the city.

Local groups have long invoked the state’s Abandoned and Blighted Property Conservatorship Act to take control of dangerous and decaying properties from absentee owners.

But the case against the city of Pittsburgh represents the first time the law has been used against local government in what advocates say is a last-ditch effort to wrest control of 75 homes that have deteriorated for years under the city’s stewardship.

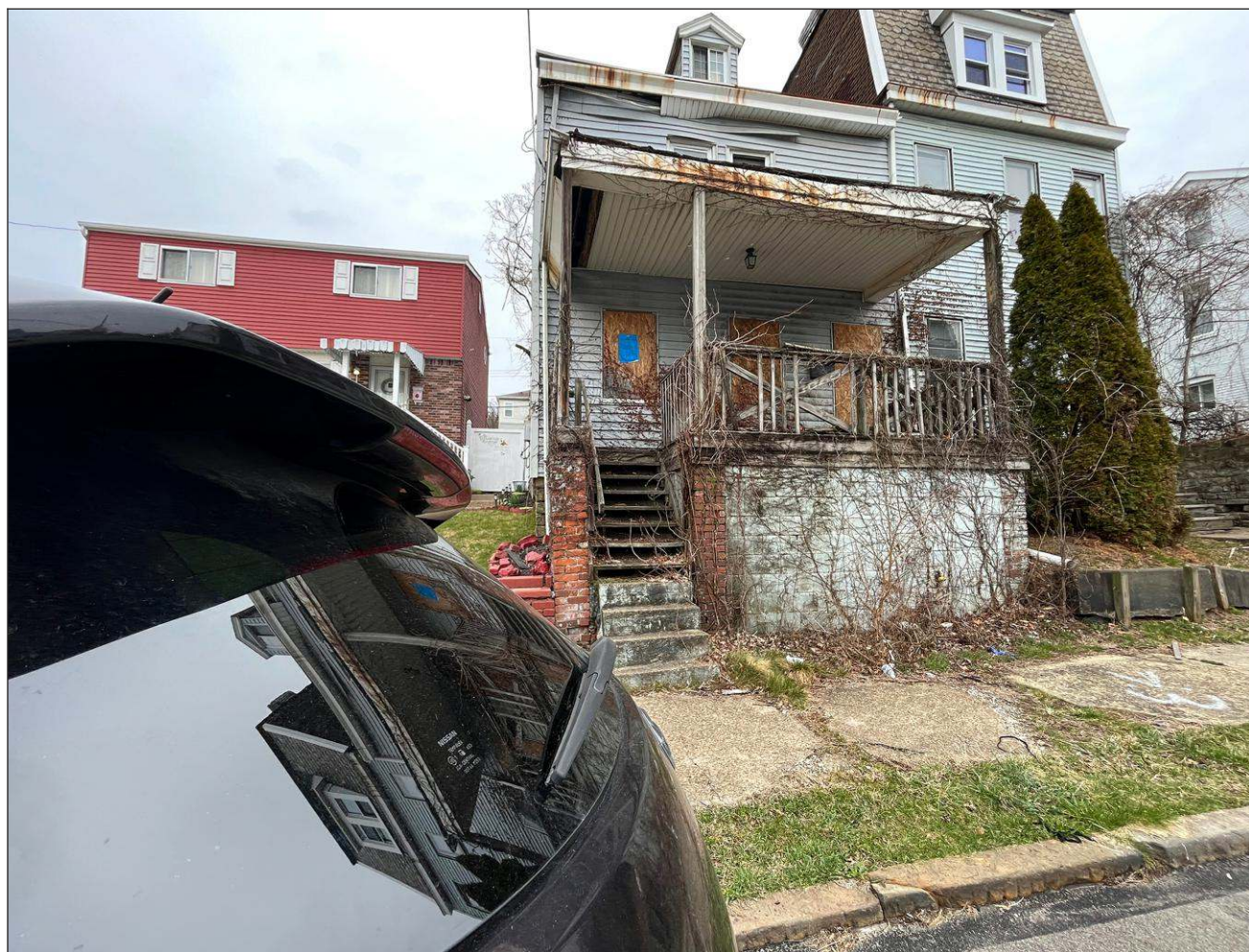
In prior rulings, Judge McVay sided with the housing groups in their attempt to take over the properties. He wrote Friday that advocates were not able to prove that a stay would result in “irreparable harm,” as any expenses incurred to fix the properties would be included in a conservator’s lien.

City officials have not yet filed a formal appeal. But if they choose to do so, it could take months or even years for a higher court to issue a ruling, experts say.

Pittsburgh’s land bank, launched in 2014, was supposed to address blight city-wide by turning over languishing city properties to private owners. It has only acquired one vacant lot since then. And the city government has not passed legislation to expedite property transfers.

Currently, there’s no legal framework in place allowing the land bank to acquire properties. Legislation was filed last May to create a Tri-Party agreement that would permit both the city and the Urban Redevelopment Authority to transfer homes and lots to the land bank, but the proposal has stalled in City Council.

When asked by reporters, Councilman Ricky Burgess said Friday at a land bank board meeting that officials expect to schedule a hearing on the legislation in “the next week or so.”



Pittsburgh Post-Gazette photos

The property located at 4911 Broad St. is reflected on the rear window of a vehicle on Sunday. The string of abandoned properties along Broad Street offers a snapshot of the city’s portfolio of decaying homes. Nonprofit groups have tried to acquire the properties through a conservatorship and other means, but so far they’ve come up short.

Councilwoman Deb Gross, who is responsible for calling the hearing, has not confirmed Mr. Burgess’ statement. She declined repeated requests for comment.

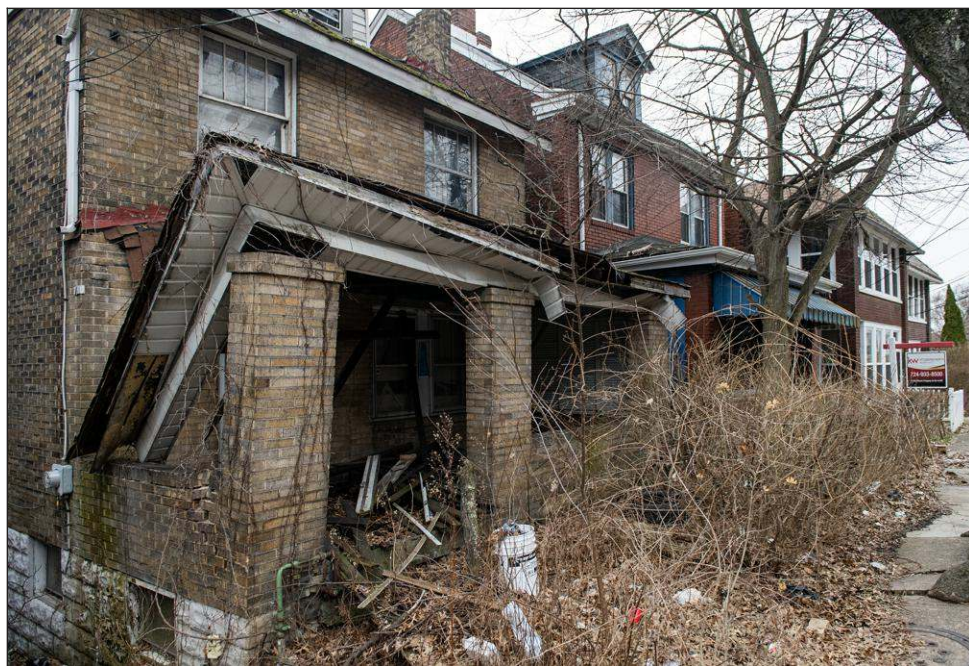
“There’s no political will for us to have an effective land bank,” said Mr. Jamil Bey, president of the UrbanKind Institute and Pittsburgh Land Bank board member.

There’s renewed urgency to establish a process: Last year, city officials earmarked \$7 million in federal stimulus money for the land bank, hoping to kick-start property transfers. The funds must be obligated by the end of next year or they will expire.

An intervention is badly needed, advocates and residents say. More than 1,000 properties owned by the city have been slapped with code or health violations.

“Every day is an irreparable harm,” said Aaron Chaney, a real estate investor who proposed the idea of conservatorship to the community groups.

Take, for example, the property targeted in the petition that Judge McVay addressed in his Friday ruling: a boarded-up row home on Edwards Way in the South Side Slopes that has amassed 90 code violations from the county health

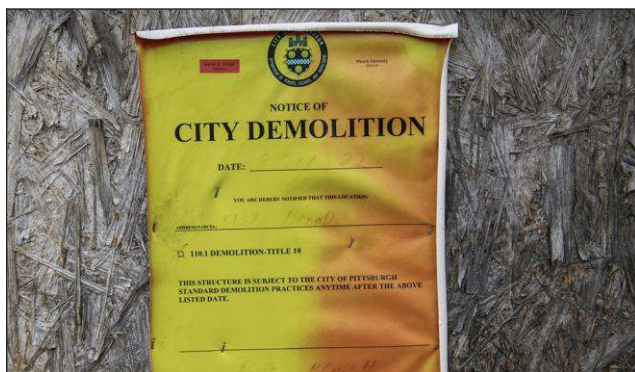


The property at 5466 Broad St. sits abandoned.

department in the past decade for problems that include mold in the walls and a rotting foundation.

At another home in Garfield, the porch has collapsed and there’s a small hole in the roof. As the years wear on, that hole is slowly growing.

Rising Tide Partners, which is trying to acquire the property through conservatorship, estimates it would take \$250 to patch the roof today, but in a year, those costs could balloon to \$10,000.



A weathered “Notice of City Demolition” sign is posted at the property located at 5137 Broad St. on Sunday.

“It’s the equivalent of someone suffering a heart attack, and we’re trying to bring them back to life. And we have the medics coming — but we have a group trying to fight off the medics who can bring this body back to life.”

— Wayne Cobb II, who has represented the community groups in dozens of conservatorship cases against the city

“It’s this cascading effect of destruction,” said Kendall Pelling, executive director of the Downtown-based nonprofit.

The stay order comes at a time when Pittsburgh is mired in an affordable housing crisis that has left thousands of residents waiting for homes. A 2016 study commissioned by then-Mayor Bill Peduto found the city had a shortage of about 17,000 affordable rental units.

Two years ago, Mayor Ed Gainey made affordable housing a key priority in his mayoral campaign, saying that he would “make good on the promise to unify our city, put resources into all of our neighborhoods, and invest in housing every Pittsburgher can afford.”

The city’s hesitance to allow community groups to act as conservators contradicts that promise, advocates say.

A spokeswoman for Mr. Gainey declined to provide comment Sunday, or to make the mayor available for an interview. Mr. Gainey has pledged not to speak with the Post-Gazette during an ongoing labor dispute with the newspaper.

“We know homeownership anchors a community. That’s how you bring a community back to life: You give it homeowners; you give it housing; you give it quality construction, and you let it breathe,” said Mr. Cobb, the attorney.

“For this particular administration to be such a strong advocate around housing, but to allow policies to flow that literally undercut and bifurcate the very fabric of what could be a very strong blanket to provide a real, tangible difference of support ... it flies in the face of progress.”

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## Corrections &amp; 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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## ALMANAC

## On this day, March 13

**1862** President Abraham Lincoln signed a measure prohibiting Union military officers from returning fugitive slaves to their owners.

**1933** Banks in the U.S. began to reopen after a “holiday” declared by President Franklin D. Roosevelt.

**1938** Famed attorney Clarence S. Darrow died in Chicago.

**1943** Financier and philanthropist J.P. Morgan Jr., 75, died in Boca Grande, Fla.

**1946** U.S. Army Pfc. Sadao Munemori was posthumously awarded the Medal of Honor for sacrificing himself to save fellow soldiers from a grenade explosion in Seravezza, Italy; he was the only Japanese-American service member so recognized in the immediate aftermath of World War II.

**1954** The Battle of Dien Bien Phu began during the First Indochina War as Viet Minh forces attacked French troops, who were defeated nearly two months later.

**1995** Two Americans working for U.S.

defense contractors in Kuwait, David Daliberti and William Barloon, were seized by Iraq after they strayed across the border; sentenced to eight years in prison, both were freed later the same year.

**1996** A gunman burst into an elementary school in Dunblane, Scotland, and opened fire, killing 16 children and one teacher before killing himself.

**2011** The estimated death toll from Japan’s earthquake and tsunami climbed past 10,000 as authorities raced to combat the threat of multiple nuclear reactor meltdowns while hundreds of thousands of people struggled to find food and water.

**2020** Breonna Taylor, a 26-year-old Black woman, was fatally shot in her apartment in Louisville, Ky., during a botched raid by plainclothes narcotics detectives; no drugs were found, and the “no-knock” warrant used to enter by force was later found to be flawed. (A grand jury brought no charges against officers in her death, and

prosecutors said two officers who fired at her were justified because her boyfriend shot at them; one officer was found not guilty of endangering Taylor’s neighbors by firing into the side of her apartment during the raid.)

**Today’s birthdays:** Jazz musician Roy Haynes, 98. Songwriter Mike Stoller, 90. Singer-songwriter Neil Sedaka, 84. R&B/gospel singer Candi Staton, 83. Opera singer Julia Migenes, 74. Actor William H. Macy, 73. Comedian Robin Duke, 69. Actor Dana Delany, 67. Rock musician Adam Clayton (U2), 63. Jazz musician Terence Blanchard, 61. Actor Christopher Collet, 55. Rock musician Matt McDonough (Mudvayne), 54. Actor Annabeth Gish, 52. Actor Tracy Wells, 52. Rapper-actor Common, 51. Rapper Khujo (Goodie Mob, The Lumbarjacks), 51. Singer Glenn Lewis, 48. Actor Danny Masterson, 47. Actor Noel Fisher, 39. Singers Natalie and Nicole Albino (Nina Sky), 39. Actor Emile Hirsch, 38. U.S. Olympic gold medal skier Mikaela Shiffrin, 28.

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