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Thursday, March 14, 2024

We're *All* About It

\$1

Teen will get up to \$64M for Lyft crash

Injury ‘completely changed the trajectory’ of W-B resident’s life

BY JAMES HALPIN
STAFF WRITER

A Wilkes-Barre teen who was severely injured when a Lyft rideshare driver sped through a red light and struck him in a crosswalk will collect as much as \$64 million in insurance payments to compensate for a crash that “completely

changed the trajectory of his life,” according to a recent settlement agreement.

The victim, Jonatan Rosario Rohena, was 15 years old when Lyft driver Timothy W. Nevel, of Exeter, ran into him in March 2019, inflicting a traumatic brain injury that resulted in “a major cognitive disorder,” according to a

petition for settlement filed by Rohena’s attorneys with the Kingston law firm Hourigan, Kluger & Quinn.

As a result of the crash, Lyft’s insurance carriers have agreed to a \$25 million settlement that could, with interest, balloon to an estimated \$64 million over the course of Rohena’s life,

court documents say.

According to the petition, Nevel — who died on Dec. 14, 2023 of causes unrelated to the crash — had “a history of poor driving,” being involved in multiple at-fault crashes and was the subject of numerous complaints about his driving.

Yet despite the red flags Lyft failed to remove him

from its service, allowing Nevel to operate his 2013 Ford Escape on behalf of Lyft the day he struck Rohena, the petition says.

At 6:47 p.m. on March 1, 2019, Nevel was driving southbound on South Wilkes-Barre Boulevard near East Northampton Street when the light turned yellow. Instead of slowing and stopping, Nevel, who was late for

a customer pickup, “twice accelerated the speed of his vehicle” and sped forward in an effort to beat the light, according to the petition.

In his effort to make up time and pick up the fare, Nevel “put his own profits and those of Defendant Lyft” above the safety of others, the filing says.

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BOB KALINOWSKI / STAFF PHOTO

FOR THE RECORDS

Archivists from Bethlehem will preserve Glen Alden, Blue Coal companies’ history

BY BOB KALINOWSKI
STAFF WRITER

ASHLEY — The history of the Glen Alden Corporation and Blue Coal companies will be preserved for all of time.

Earth Conservancy, which inherited the coal mining giant’s records following its lengthy bankruptcy proceedings that began in 1976, entered into an agreement Wednesday with a Bethlehem-based nonprofit to preserve the archives and make them available for public view online.

Industrial Archives & Library, which was formed in 2015 to preserve the industrial history of the United States, estimated the Glen Alden Corporation and Blue Coal companies left behind nearly 20,000 linear feet of records, which would stretch about four miles. The collection will be the second largest set of records entrusted to the care of the



SEAN MCKEAG / STAFF PHOTOGRAPHER

Terry Ostrowski, left, Earth Conservancy president and CEO, shakes hands with Steve Donches, Industrial Archives & Library founder, president and CEO, after signing an agreement to transfer ownership of local coal companies’ records Wednesday in Ashley. TOP: Some of the records left behind.

Industrial Archives & Library beside the catalog it obtained from Bethlehem Steel.

“The Earth Conservancy collection is a truly unique, one-of-a-kind collection because it is so

complete,” said Nick Zmijewski, an archivist with the Industrial Archives & Library. “In some respects, it’s as if the employees walked out at 5 p.m. on a Friday and just never came back. So many records that otherwise would have been purged have survived through to today, allowing us to put together a full picture of the operations, from sales to mining to legal to personnel to real estate to engineering.”

At a news conference announcing the deal, Zmijewski joked that “everything is covered with coal dust with four layers of regular dust mixed in.”

Employees of the nonprofit said the records, some stored for nearly 150 years, are in remarkable shape for not being in a specialty, climate-controlled environment that they have in their Bethlehem facility.

Please see **RECORDS**, Page A5

Shapiro unveils energy plan

Proposal faces uncertain future in divided Legislature.

BY JEFF HORVATH
STAFF WRITER

SCRANTON — Gov. Josh Shapiro unveiled in the Electric City an ambitious energy plan he said will create 14,500 jobs, fight climate change and save Pennsylvania consumers \$252 million in its first five years.

“We’ve got to reject the false choice between protecting energy jobs and protecting the planet,” Shapiro told a crowd of union workers, legislators, and local officials gathered Wednesday at the United Association Local Union No. 524 building in Scranton. “We can do both. We must do both, and doing nothing at this moment is not an option.”

The governor’s plan consists of two initiatives that will require passage by the state’s divided legislature: the Pennsylvania Climate Emissions Reduction Act, or PACER, and the Pennsylvania Reliable Energy Sustainability Standard, or PRESS.

PACER would establish a Pennsylvania-specific carbon cap-and-invest program, with the state Department of



SHAPIRO

Please see **ENERGY**, Page A5

Electronic poll book training covers all bases

Session preps poll workers ahead of April 23 primary.

BY ERIC MARK
STAFF WRITER

WILKES-BARRE — James Monroe showed up at the wrong polling site to vote.

That was one of several scenarios — most involving former United States presidents as voters — covered in a Wednesday training session on Luzerne County’s new electronic poll book system that will be used countywide for the first time in the April 23 primary.

The system, supplied by Knowink LLC, proved suc-



SEAN MCKEAG / STAFF PHOTOGRAPHER

Poll workers train on how to use new electronic poll books during a session Wednesday at the Penn Place county building in Wilkes-Barre.

cessful during a trial run at 30 of the county’s 186 polling precincts in the November 2023 election, county officials have said.

Wednesday’s training session for poll workers was led by Knowink director of election services Rachel Blackmore at the county-owned Penn Place building.

The session covered issues poll workers might encounter when signing in

voters at polling sites with the e-poll book system, known as Poll Pad.

Blackmore described the system as “user-friendly,” and the 14 poll workers in the training class appeared to quickly get comfortable with Poll Pad, which utilizes a stylus and a tablet form factor for easy voter sign-in.

First things first, the trainees learned how to unpack Poll Pads from their cases and plug in the required cords to activate the system, which includes a printer.

Then came a series of scenarios that featured long-deceased presidents turning up at a polling site to vote.

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TODAY'S WEATHER

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3 face federal firearms charges in Super Bowl parade shooting

Complaint alleges suspects were involved in straw gun purchases, trafficking firearms.

BY JIM SALTER
ASSOCIATED PRESS

Three Missouri men have been charged with federal firearms counts after a shooting at last month's Kansas City Chiefs' Super Bowl parade and rally left one person dead and roughly two dozen others injured, federal prosecutors said Wednesday.

The federal charges were unsealed Wednesday, three weeks after state authorities charged two other men, Lyn-dell Mays and Dominic Miller, with second-degree murder and several weapons counts for the shootings on Feb. 14. Authorities also last month detained two juveniles on gun-related and resisting arrest charges.

Authorities have said a bullet from Miller's gun killed Lisa Lopez-Galvan, who was in a nearby crowd of people watching the rally. She was a mother of two and the host of a local radio program called "Taste of Teja-no." The people injured range in age from 8 to 47, according to police.

Named in the new federal charges were 22-year-old Fedo Antonia Manning, Ron-nel Dewayne Williams Jr., 21, and Chaelyn Hendrick Groves, 19, all from Kansas City. Manning is charged with one count each of conspiracy to traffic firearms and engaging in firearm sales without a license, and 10 counts of making a false statement on a federal form. Williams and Groves are charged with making false statements in the acquisition of firearms, and lying to a federal agent.

Court documents that were part of the complaint said 12 people brandished firearms and at least six people fired weapons at the Feb. 14 rally attended by an estimated 1 million people. The rally was just wrapping up when gunfire erupted and people ran for cover. The shooting happened when one group of people confronted another for staring at them, police said.

According to online court records, Manning made his initial appearance Wednesday. He did not have an attor-

ney listed, but asked that one be appointed for him. The online court record for Williams and Groves also did not list any attorneys to comment on their behalf.

A phone call to the federal public defender's office in Kansas City on Wednesday went unanswered.

The new complaints made public Wednesday do not allege that the men were among the shooters. Instead, they are accused of involvement in straw purchases and trafficking firearms.

"Stopping straw buyers and preventing illegal firearms trafficking is our first line of defense against gun violence," U.S. Attorney Teresa Moore said in the news release. "At least two of the firearms recovered from the scene of the mass shooting at Union Station were illegally purchased or trafficked."

Federal prosecutors said that one weapon recovered at the rally scene was an Anderson Manufacturing AM-15 .223-caliber pistol, found along a wall with a backpack next to two AR-15-style firearms and a backpack. The release said the firearm was in the "fire" position with 26 rounds in a magazine capable of holding 30 rounds — meaning some rounds may have been fired from it.

The affidavit stated that Manning bought the AM-15 from a gun store in Lee's Summit, Missouri, a Kansas City suburb, on Aug. 7, 2022. It accuses him of illegally trafficking dozens of firearms, including many AM-15s.

Also recovered at the scene was a Stag Arms 300-caliber pistol that the complaint said was purchased by Williams during a gun show in November. Prosecutors say Williams bought the gun for Groves, who accompanied him to the show but was too young to legally purchase a gun for himself.

Prosecutors say Manning and Williams also bought firearm receivers, gun parts also known as frames that can be built into complete weapons by adding other, sometimes non-regulated components.

The complaint said Manning was the straw buyer of guns later sold to a confidential informant in a separate investigation.

CRASH: Victim needs 24-hour supervision

FROM PAGE A1

The light turned red and Nevel ran through it — a fact recorded on surveillance footage — hitting Rohena as he used the crosswalk to traverse South Wilkes-Barre Boulevard with a friend.

Rohena's head hit the windshield and he was thrown 15 feet in the air, with his body landing 35 feet from Nevel's vehicle, the petition says.

Rohena sustained a traumatic brain injury that caused cognitive damage resulting in limitations in his ability to understand and process information, according to the filing. In addition, he sustained a broken leg and other injuries, including post-traumatic stress and depression.

As a result of the crash, Rohena requires 24-hour supervision and needs assistance with everything from bathing and grooming to managing his finances and taking medication.

"He cannot work and has been rendered totally disabled by his treating physicians," says the petition, signed by attorney Joseph A. Quinn Jr. "Jonatan now spends the majority of his time at home struggling

with multiple neuropsychological, psychiatric, cognitive and physical deficits that impact every aspect of his daily life."

Reached by phone on Wednesday, Quinn said a confidentiality agreement prohibited further comment and that the petition speaks for itself.

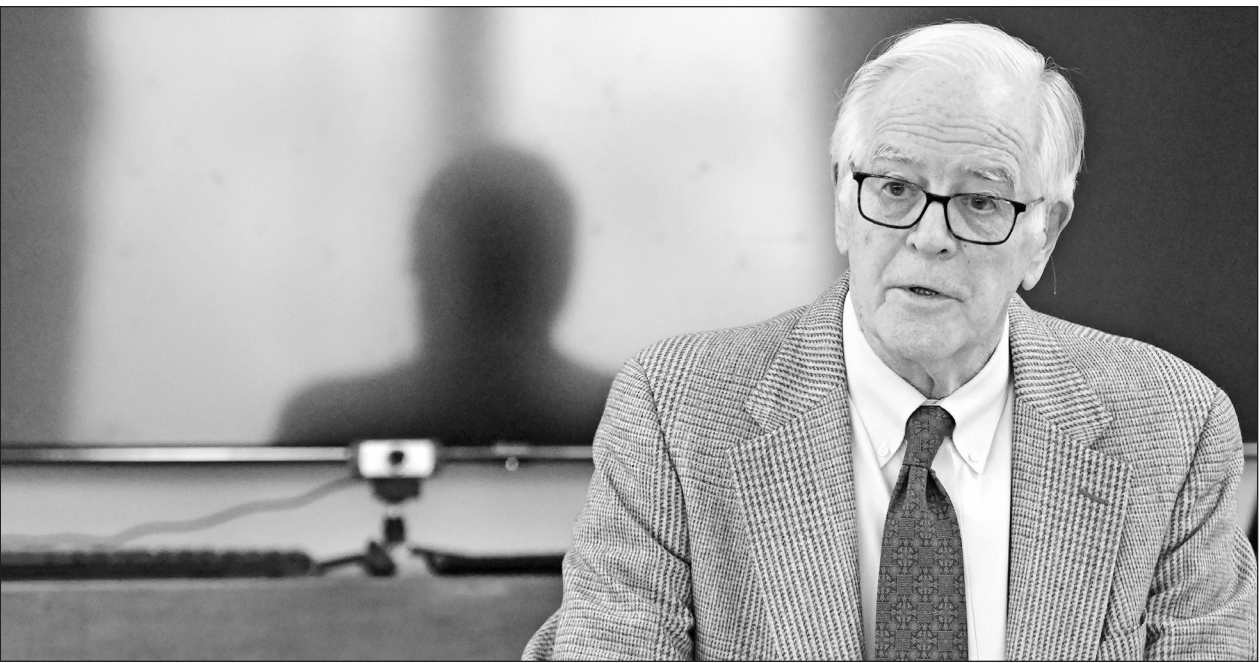
The agreed settlement called for Rohena's guardian to receive an initial payment of roughly \$16.7 million from Lyft's insurance carriers. The Great American Spirit Insurance Co. also agreed to purchase an annuity for \$8.3 million, the interest of which will be used for future payments to Rohena's guardian, Yazmin M. Rohena.

According to the petition, Yazmin Rohena will receive monthly payments of \$20,150.52 for the rest of Jonatan Rohena's life out of that annuity.

The agreement calls for a guaranteed yield of \$18.2 million over 40 years, and says the lifetime yield is expected to be around \$47.7 million.

For its services, Hourigan, Kluger & Quinn will receive 40% of the gross settlement, according to the petition.

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SEAN MCKEAG / STAFF PHOTOGRAPHER

Steve Donches, Industrial Archives & Library founder, president and CEO, views his organization's work as 'a labor of love.'

RECORDS: Full processing will take years

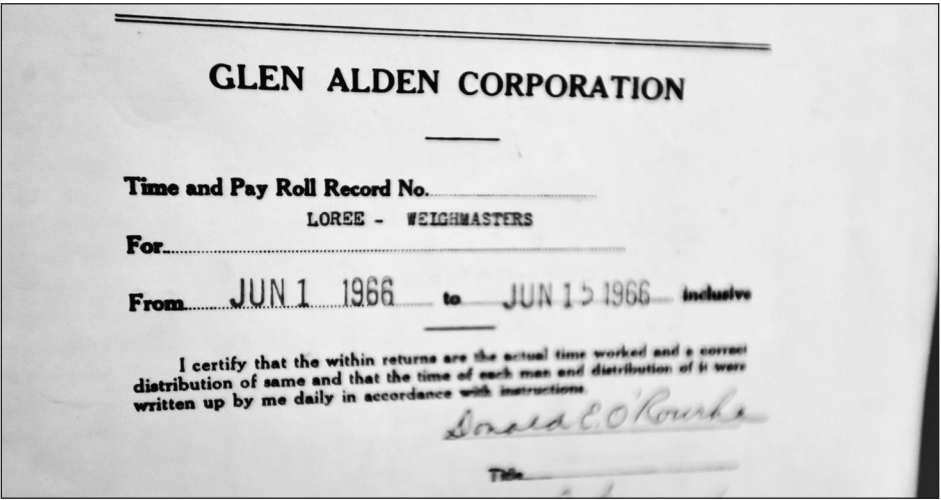
FROM PAGE A1

The Glen Alden Coal Company was the largest coal producer and employer in Luzerne and Lackawanna counties in the early 1900s, Earth Conservancy said in a news release. At its peak, the company operated 26 collieries and employed 34,000 people in Northeast Pennsylvania, the release said.

At one point, Glen Alden started to dye its coal blue to distinguish itself from other companies, leading to the formation of the Blue Coal Corporation in 1966. A decade later, the company filed for bankruptcy, a process that took nearly a quarter century and even involved former union leader Jimmy Hoffa, who, according to The New York Times, launched an ill-fated buyout of the company as a secret partner before he disappeared in 1975, right before the bankruptcy was filed.

Earth Conservancy was founded in 1992 to return the mine-scarred former Blue Coal land back to "productive use." Then-U.S. Rep. Paul Kanjorski, of Nanticoke, helped secure a \$20 million federal grant in 1994 to purchase and acquire all of the abandoned Blue Coal property, including its offices in Ashley near the Huber Breaker, which has since been demolished.

The former Blue Coal



SEAN MCKEAG / STAFF PHOTOGRAPHER

Glen Alden Corporation time and payroll records from June 1966 are part of the trove of records that will be preserved.

'Our promise is we will give our best professional effort to preserve for the ages the records of the Glen Alden/Blue Coal Company.'

STEVE DONCHES
Industrial Archives & Library
founder, president, CEO

offices at 101 S. Main St. in Ashley is now home to Earth Conservancy.

Earth Conservancy, which continues to work to reclaim and rehabilitate abandoned mine-scarred land, had sought a worthy custodian of

the Glen Alden and Blue Coal record "for many years," said Terry Ostrowski, president and CEO of Earth Conservancy.

"Fortunately, several years ago, the IAL was brought to our attention and our joint efforts since then have been dedicated to setting the stage for today's action," Ostrowski said.

Discussions with Industrial Archives & Library began in early 2020 just before the global COVID-19 pandemic put a pause on the partnership, he said.

Archivists with the Industrial Archives and Library say it will "take years, if not decades, to fully process" the voluminous amount of records.

Steve Donches, founder, president and CEO of Industrial Archives & Library, said the nonprofit, which has a paid staff, was created thanks to and funded by the generous donation of "one individual" donor to preserve history.

Donches said the organization sees its work as a "labor of love" and is glad to be the custodian of the records, which are being donated by Earth Conservancy.

"Our promise is we will give our best professional effort to preserve for the ages the records of the Glen Alden/Blue Coal Company," Donches said.

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ENERGY: Governor unveils plan in Scranton

FROM PAGE A1

Environmental Protection setting a cap on the amount of carbon large power plants can produce and release.

It would generate revenue through the sale of carbon offset credits to power producers.

Of the total revenue generated, 70% would be returned to resident consumers as electricity bill rebates. The other 30% would be reinvested in large energy-producing facilities, support efforts to further lower energy bills for low-income residents and fund investments in new clean-energy projects, creating jobs, Shaprio said.

PACER would also take Pennsylvania out of the Regional Greenhouse Gas Initiative, or RGGI, a multi-state program to reduce carbon emissions championed by Shapiro's predecessor, Gov. Tom Wolf.

"So, in a nutshell, PACER will lower costs for consumers, reduce pollution in our communities and protect and create energy jobs," Shapiro said. "If the legislature passes my plan, known as PACER, I will sign it and immediately



SEAN MCKEAG / STAFF PHOTOGRAPHER

Gov. Josh Shapiro talks with supporters at the United Association Local Union 524 in Scranton Wednesday.

remove the Commonwealth from RGGI. Instead we will have in its place a Pennsylvania-made and Pennsylvania-run system."

The PRESS initiative, meanwhile, would require Pennsylvania to get 50% of its electricity from a range of different sources by 2035, including 35% from solar, wind, fusion, small modular nuclear reactors and other

clean energy sources; 10% from sustainable sources, such as hydropower and battery storage; and 5% from ultra-low emission forms of natural gas and traditional fuels, according to a press release.

"It's going to incentivize innovation, it's going to help us move toward more clean energy and, hear me on this, it's going to create thousands

of good-paying jobs right here in Pennsylvania," Shapiro said.

Legislation implementing both parts of the energy plan, PACER and PRESS, will be introduced in the General Assembly in the coming days, the governor said.

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POLLS: 'Fairly intuitive and fairly simple'

FROM PAGE A1

The first few examples went smoothly, with the system showing no cautions regarding voter information.

Then things got trickier. President Monroe was registered to vote in another precinct, while one former president was flagged as an inactive voter and another was shown as having voted by mail ballot.

Another problem arose

when workers had to research information about a modern-day voter, not an ex-president, whose name was not spelled phonetically.

The system's advanced search function allows poll workers to look up voters by date of birth or address, as well as by name.

The training session lasted slightly more than an hour and covered other issues that could arise, such as the need to add paper for the printer

or to reset the system.

Peter Wolman, a longtime judge of elections in Jackson Twp., said after the session that the new poll book system is "fairly intuitive and fairly simple."

It is functionally similar to the poll book system the county used previously starting in 2018, Wolman said.

That system, supplied by Election Systems & Software, reached the end of its service life last year.

The county used a portion of its funding from an Election Integrity grant to purchase the Knowink Poll Pad system.

All polling locations in the primary will have paper poll books on site that can be used as a backup if needed.

Training classes on the Poll Pad system continue through next week.

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