

THE JAMBAR

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YSU v. The Nation

YSU STUDENTS HOLD THEIR OWN AT NATIONAL MOOT COURT COMPETITION.

STORY: JUSTIN WIER | JCWIER@STUDENT.YSU.EDU
PHOTO COURTESY OF: JILLIAN SMITH

Two teams from Youngstown State University competed in the American Collegiate Moot Court Association's National Championship Tournament at California State University, Long Beach over the weekend.

In moot court, teams argue constitutional issues before a panel of

judges, similar to arguments made before the United States Supreme Court.

Nearly 400 teams compete at regional tournaments nationwide with 80 qualifying for the national tournament. Only once since 2008 has YSU failed to qualify at least one team for the national com-

petition. This year, two teams qualified: Jacob Schriener-Briggs and Andrik Massaro's team and Jillian Smith and Michael Marshall's team.

The national competition stretches over two days. Everyone participates during the first day, with 64 teams qualifying for an elimination-style tournament

the following day.

Smith and Marshall missed qualifying for the elimination round by one ballot. Schriener-Briggs and Massaro made it to the round of eight before being eliminated with Schriener-Briggs ranking as the competition's third best orator.

Schriener-Briggs had

previously placed third in the national competition during his freshman year at YSU.

"It was really cool to have that come full circle for my last competition," Schriener-Briggs said.

Paul Sracic, YSU's chair of the department of politics and international relations, served as the moot court coach this year. He said moot court is one of the most difficult intellectual exercises in which an undergraduate can engage.

"They really have to be able to think on their feet, and that's what makes it such a challenge," Sracic said. "Not just knowing the information, but being able to creatively answer questions based on that information."

The students receive a case problem in May and have to study the case and 20 accompanying decisions by the Supreme Court and various circuit courts. They need to be able to argue both sides of the case.

"This is very, very difficult to do, and we're very proud of the fact that our students consistently do so well in moot court," Sracic said.

Schriener-Briggs said it was humbling to place third overall, given the level of competition at the event. He attributed his success to Sracic and previous moot court coach attorney, Ronald Slipski.

"We've had good peo-

ple working with us. I think that's the biggest reason as to why YSU has done pretty consistently well over the last five or so years in moot court," Schriener-Briggs said.

Smith, who had never competed before, said Slipski along with appellate Judges Gene Donofrio and Mary DeGenaro played a large role in preparing her for the competition.

"They would let us come over to the court of appeals in a real courtroom and argue in front of them," Smith said. "[The judges at the tournament] were asking incredibly hard, difficult questions, but I felt that we had been very well prepared by the volunteers that we had."

Smith said participating in moot court has been a valuable experience.

"It is one of the best introductions to the practice of law that someone could possibly have," Smith said. "The analytical skills that we developed in this are things I'm going to carry with me whether I actually end up practicing law or not."

Schriener-Briggs said the knowledge he's gained about constitutional law is even more important than the competitive success.

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SEARCH CONTINUES FOR SECOND MENTAL HEALTH COUNSELOR

STORY: GABRIELLE FELLOWS | GFELLOWS@STUDENT.YSU.EDU
PHOTO: KATE HISCOK/Flickr

Youngstown State University's Counseling Services is still looking to add to its staff after an initial search for a new counselor was deemed unsuccessful.

Michael Reagle, associate vice president for Student Success, is leading the search.

"...We simply went through the process and interviewed a couple of individuals, and we did not find the [person] that we were looking for," Reagle said.

The position originally called for the applicant to have an LPCC-S, or a Licensed Professional Clinical Counselor with Supervision designation, which allowed them to supervise other counselors.

In the second posting of the job, the "S," or supervision designation, was removed and changed from being a requirement to a preferred skill.

Reagle said the supervision requirement had most likely limited the pool of applicants. He

said he is hoping to find a new counselor soon, adding that YSU is massively understaffed in psychology personnel.

"We are looking for a person who has the credentials as a psychiatrist, but ideally we need someone who has a leadership vision to create what we need ... which is a more robust counseling center," Reagle said.

He said he wants the new counselor to increase outreach to students and student organizations.

"They need to have ideas on how we could reach a larger percentage of the population using the services we provide," Reagle said.

Gabriella Gessler, executive vice president of Student Government Association, said health services and those who provide them need to become a more accessible resource on YSU's campus.

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TEDX SPEAKER SERIES

PATRICK KERRIGAN: THE CHALLENGES OF REENTRY



STORY: LAUREN FOOTE | LAURENLEONAL@GMAIL.COM
PHOTO COURTESY OF: PATRICK KERRIGAN

Patrick Kerrigan's life started out on the right track.

He began work at the Ohio attorney general's office at 23. He returned to his hometown of Youngstown to practice law in the late '70s and taught classes at Youngstown State University. By 37, he was serving as a municipal judge.

"I always looked at myself as an older boy, always tried to please people. I was kind of a golden child in my family," Kerrigan said.

In 1998, Kerrigan's fortunes changed. He was indicted on extortion charges and ended

up serving two years in prison. When he was released, he encountered new challenges.

"It was hard for me to come out and do something positive with my life," Kerrigan said. "I am a white male. I have privilege in this world. My situation is a whole lot better than other people because I had a family, some money saved and an education."

Kerrigan attributed his crimes to undiagnosed bipolar disorder, which led to mistakes with drugs and alcohol. Going to prison helped him sort that out.

"The federal doctor is the one that helped me

get on my bipolar medication. Going to prison did save my life because I was properly diagnosed in a prison hospital," Kerrigan said.

Kerrigan was the first director of Lien Forward Ohio, the predecessor to the Mahoning County Land Bank, but that was short lived.

"The Vindicator got upset because I was a felon and got on the county payroll, so they blocked me getting hired as a full-time director, and I was only allowed to be there for a few months," Kerrigan said.

Recently, Kerrigan started the Oak Hill Collaborative.

"We do amazing things here. There are people coming in and out. It's a small business incubator. It's community organizing," Kerrigan said. "We have 3-D printers. It's all free and helps people better themselves, giving people the tools, the resources, helping them with a business portfolio, grants and such. I took full advantage of my second chance."

Kerrigan has worked to help others obtain second chances. He said reentry is difficult, and he tries to let felons know hope is out there.

"I try to tell people that it is not that easy. Most people won't hire or give a chance to former inmates," Kerrigan said. "People say they want to give people who were in prison a second chance, but most of the time they don't."

Kerrigan had stum-

bles along the way. He said it took 16 years for him to hit his stride.

"Not even Youngstown State University would hire me as a professor — or even give me an interview although I met all the requirements and have taught there before — because of my background as a felon," Kerrigan said.

Kerrigan's TED talk would focus on bringing awareness to the community about the opportunities former inmates need to have at a second chance at life.

"I understand if it was a violent crime, or drug problem, there are programs out there to help people," Kerrigan said. "But still, people won't get to know the situation. Recently, Oak Hill Collaborative has worked with the Hope channel, which broadcasts to all the prisons

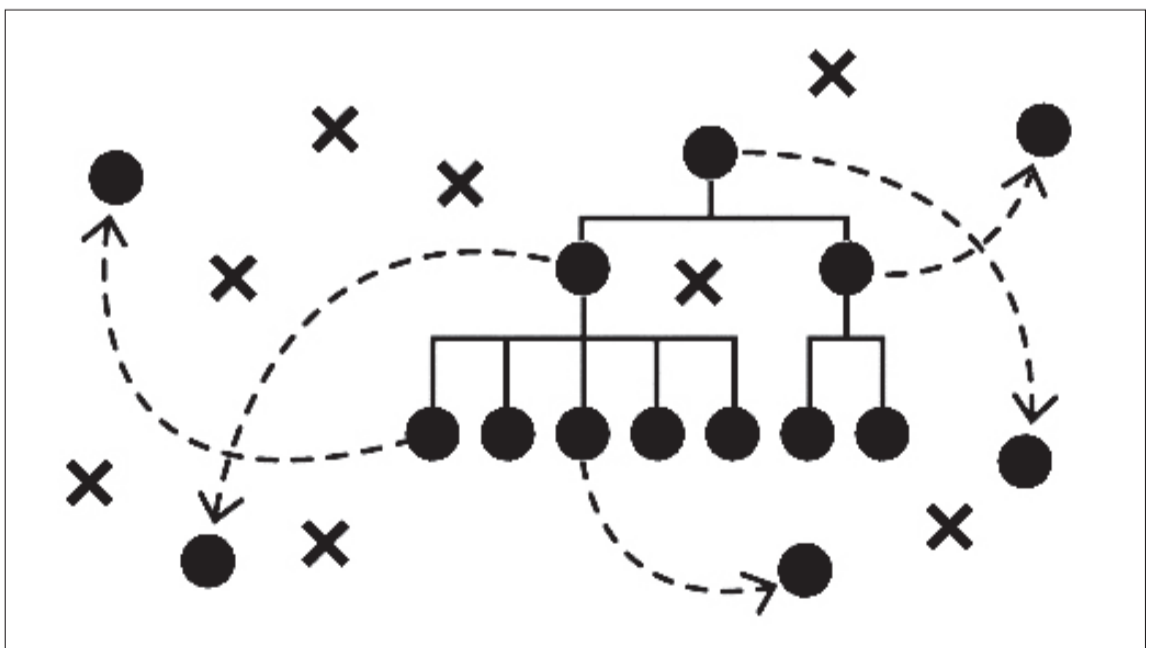
in Ohio and publishes interviews.

"Inmates from the prison system in Ohio interview former prisoners," Kerrigan said. "This gives people in prison a hope for a second chance."

Kerrigan is pursuing a doctoral degree in public policy at Kent State University. He wants people to hear his story and understand how the prison system works, the challenges of reentry and how the community can help improve the situation.

"My story is also for people who are still in prison and who are out — know that hope is out there," Kerrigan said. "I am working to get people to understand the position that others are in and help the community be better."

YSU LAUNCHES NEW COACHING PROGRAM



STORY: DAN HINER | DHINERJR@GMAIL.COM |

PHOTO: "BECOMING AN OPEN LEADER" BY OPENSOURCE.COM IS LICENSED UNDER CC BY-SA 2.0

Becoming a coach at any level has become one of the most specialized professions in the country over the past several years. Now, Youngstown State University has given its students a way to pursue a coaching career post graduation.

Last Fall, YSU's department of health and physical education launched its newly formed coaching minor to give students the skills needed to coach at any level.

Mary LaVine, program director of health and physical education, said the concept of the program started during the spring of 2013. Mar-

cia Matanin, the chair of the physical education department, and LaVine started to develop the program after speaking to students in Beeghly College of Education and members of the Youngstown sports community.

"My colleague, Marcia Matanin, and I were listening to students, as well as community members in the sporting area, looking for qualified coaches that had some education behind them, because coaching education is very big and actually requires coaching certification in other countries," LaVine said.

LaVine said that the minor is open to all students on campus and teaches them to coach sports from youth to high school.

"I had students from the college of business, criminal justice, out of religious studies, and they're coaches," LaVine said. "The timing of it for YSU was really good timing. For me, it's what will better our students, and what will better equip our students to go forward and excel as best as they can."

The classes will be taught by members of the physical education department and will fo-

cus on the interactions a potential coach will have with players, fellow coaches and parents.

"They also take an 'Ethics in Sport' [class], which ... kinda gives them a little bit of help with ethical behavior [and] dealing with parents in youth sport," LaVine said. "And the students this semester are actually taking a course that's related to organization and event planning in sports. If their aspiration is to go into any level of coaching, they may be the head coach and/or running the league."

According to LaVine,

the program will teach students how to plan sporting events including: when and how to book vendors, when teams should arrive, game management, dealing with parents and more. Information like this could better prepare an individual for a job as an athletic director or other forms of sports management.

The minor requires the students to complete an internship with a sport in a student's sport or area of interest.

"For us it was related to the national coaching standard ... coaching education is something

that's becoming more and more prevalent," LaVine said. "When a youth coach is shot or beat up by an angry parent, that makes the education piece even that much more important and relevant."

YSU built its curriculum around the Society of Health And Physical Educators, a group that focuses on developing coaches, administrators and parents to follow the National Standard for Sport Coaches, a set of guidelines used to improve sports instruction and programs.



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- Adam Sullivan | "Taking Care" | Wednesday, January 27 at 12:30 pm | Museum Galleries
- Lauren Baker | Tuesday, February 2 at 5:00 pm | Museum Auditorium
- Dr. Lillian Lewis | "Commodity, Culture, and Collaboration" | Wednesday, February 3 at 1:30 pm | Museum Galleries
- RJ Thompson | "The City of You: Rebranding Youngstown Ohio" | Thursday, February 11 at noon | Museum Galleries
- Dana Sperry | Tuesday, February 23 at 5:00 pm | Museum Auditorium

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YSUnity, Student Activities, Kilcawley Center, Youngstown State University, Housing & Residence Life, Youngstown State University, Youngstown State University

YSUnity hosts its 17th Annual Drag Show Thursday evening in the Chestnut Room in Kilcawley Center at Youngstown State University. The event is from 7-10 p.m. and is hosted by Denise Russell, who has participated in drag shows for over 30 years. The event is open to the public, and attendees must be over 18 to gain admittance. There will be a question and answer session for audience members curious about the LGBTQIA community.

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YSU Pursues Trailblazing MFA Program

STORY: SAMANTHA PHILLIPS | SPHILLIPS@STUDENT.YSU.EDU
 PHOTO: SAMANTHA PHILLIPS

Youngstown State University Board of Trustees approved the proposal for a Master of Fine Arts in Interdisciplinary Visual Arts. On Friday, faculty from the art department will be travelling to Columbus for the final approval process.

The MFA in Interdisciplinary Visual Arts will be a two-year residency program with students graduating after completing 60 credits. The curriculum will be a crossover between visual arts disciplines and other areas such as engineering or psychology.

Samuel Adu-Poku, art education coordinator, said the program will allow students to select a combination of different mediums during their graduate studies.

“The interdisciplinary art approach is a means of connecting and integrating diverse art media and distinct creative methodologies of contemporary creative art practices,” Adu-Poku said. “So our MFA program will ap-

plaud approaches that synthesize broad perspectives, ideas, knowledge and skills from within the art department and across other fields.”

If the program is approved on Friday, then enrollment could start as early as fall of 2016.

The need for this program was determined after a survey was sent out to people including YSU alumni. Seventy-one percent of the responses were in agreement that an interdisciplinary degree would be beneficial. To create the program at YSU, faculty from the art department had to present the proposal to several agencies. The final presentation will be this week and is expected to have a positive response.

Greg Moring, chair of the department of art, said once the program is finalized, they will advertise the program to current undergraduate students both in the art department and in other fields, and to other state institutions that have under-

graduate programs in visual arts.

Adu-Poku said it’s a terminal degree, meaning it’s the highest attainable degree in the Fine Arts program. Students will learn from lectures and explore the ideas they learn in class and in the studio. The objective of this program is to graduate professional artists who are able to establish their career or enter careers in art education.

Moring said the program is unique to the state of Ohio.

“There are MFA programs at some of the larger schools: Bowling Green, Kent, Cincinnati and Miami, and they are all discipline specific. We are the only one who will offer this type of program within the visual arts,” Moring said. “As a matter of fact, there are very few of this type of program available nationwide. So it’s going to be a unique program, and we do believe it will be attractive.”

He said contemporary visual arts are going towards an inter-

disciplinary approach. Artists are learning to incorporate several different medias into their work.

“There will be interdisciplinary practice, where students will work on their individual work, and there is interdisciplinary seminars where they get together and discuss it, and there’s also interdisciplinary theory classes, so everything in this MFA is focused on how you work across the disciplines,” Moring said.

Adu-Poku said the enrollment is expected to start with at least five students initially and then grow from there. It can change based on facilities and resources because each student needs their own studio to create and exhibit their art.

“They can do electives, where they can explore things like music, engineering, business, etc.” Adu-Poku said. “They can learn how to apply business skills with their artwork ... That’s why there are electives,”



Adu-Poku said undergraduate programs typically focus heavily on one discipline, but interdisciplinary studies allow students to move across boundaries

Michael Crist, interim dean of the College of Creative Arts and Communications, said the program will benefit students who are pursuing careers as professional artists.

“College-wide, we are working on reaching out into the university and looking at classes and programs that will allow students ... to look at other areas, maybe business, computer science, who knows, whatever direction the student wants to go,” Crist said.

He said the interdisciplinary focus is start-

ing to grow because students and faculty are aware that the art world is changing.

“We’re trying to make these programs as diverse as possible,” Crist said. “This gives a good foundation of what the students will deal with in the real world.”

Crist expressed enthusiasm for the new program.

“It’s exciting for the college; it’s exciting for the department of art,” Crist said “it’s a diverse, open-ended program, faculty, students and prospective students are excited about it as an opportunity for them to go on in their studies, and it gives people a background in real world experience. So I’m excited for it.”

Scene From ‘Making a Murderer’ Echoes in Etan Patz Case

STORY: JOE SEXTON | PROPUBLICA

It is one of the most controversial moments from the Netflix sensation “Making a Murderer” — the graphic pre-trial news conference held by local prosecutors seeking to convict a Wisconsin man and his nephew of murder. The lead prosecutor, in front of television cameras and radio microphones, talks in detail about the alleged confession of the nephew, complete with details of the rape and strangling of a young woman.

The news conference outraged the lawyers defending the man, Steven Avery. And the larger question of a prosecutor’s responsibility to avoid inflammatory publicity before a criminal trial has been a topic of debate on the Internet since the series became available last month.

This week, a variation of that debate surfaced in one of New York’s more controversial murder cases — the prosecution of a former Manhattan bodega clerk for the 1979 killing of Etan Patz, a 6-year-old boy who went missing on his way to school. Defense lawyers have asked the judge in the case to bar the original prosecutor from publicly appearing at the former clerk’s re-trial next month.

Like almost everything about the decades-old Patz case, this latest development requires some background.

Last year, Joan Illuzzi-Orbon, a veteran prosecutor in the Man-

hattan district attorney’s office, spent weeks trying to convince a jury that the clerk, Pedro Hernandez, had lured Patz into a Soho bodega’s basement and killed him. Hernandez had confessed to detectives 33 years after the boy went missing, but then recanted. His lawyer argued that Hernandez was mentally ill and that he had been manipulated into making the confession — one that the lawyer argued did not even match the few known facts about the boy’s famous disappearance.

The trial resulted in a deadlocked jury. Illuzzi-Orbon had persuaded 11 of the 12 jurors of Hernandez’s guilt. The lone holdout, however, gave a detailed account of why he believed prosecutors had failed to meet the burden of establishing guilt beyond a reasonable doubt.

Shortly after the trial, Illuzzi-Orbon left the Manhattan prosecutor’s office and ran to become the district attorney for Staten Island. The Patz case was a feature of her campaign, and the boy’s family even formally endorsed her candidacy. Illuzzi-Orbon eventually lost the race, and just recently returned to her old office. In announcing her return, Manhattan District Attorney Cyrus Vance made clear Illuzzi-Orbon would assist in Hernandez’s re-trial, now set for Feb. 22.

Hernandez’s lawyers, however, on Tuesday filed formal arguments assert-

ing that Illuzzi-Orbon should lose her place at the prosecution table.

“Ms. Illuzzi made the prosecution of Pedro Hernandez the centerpiece of her ultimately unsuccessful campaign, which included public statements stressing the strength of the evidence against him, touting the importance of his confession, her belief in Mr. Hernandez’s guilt, and a public endorsement by the Patz family,” Harvey Fishbein, a lawyer for Hernandez, said in a court filing this week seeking to bar Illuzzi-Or-

“ Patz went missing on the first day his parents permitted him to walk to the nearby school bus by himself. ”

bon from a public role in the re-trial. “While campaigning, Ms. Illuzzi became an outspoken promoter of Mr. Hernandez’s guilt, directly violating the New York Rules of Professional Conduct.”

Fishbein cites both the New York and American Bar Association rules of professional conduct in making his claim:

“Except for statements that are necessary to inform the public of the nature and extent of the prosecutor’s action and that serve a legitimate law enforcement purpose, refrain from making ex-

trajudicial comments that have a substantial likelihood of heightening public condemnation of the accused.”

“A lawyer who is participating or has participated in a criminal or civil matter shall not make an extrajudicial statement that the lawyer knows or reasonably should know will be disseminated by means of public communication and will have a substantial likelihood of materially prejudicing an adjudicative proceeding in the matter.”

“Given the extraordinary amount of publici-

ty surrounding this case in the 37 years since the disappearance of Etan Patz, and the enormous difficulty — or impossibility — of Mr. Hernandez obtaining a fair and impartial jury, Ms. Illuzzi’s actions were reckless and damaging,” Fishbein wrote.

In its formal response, the district attorney’s office said Fishbein’s motion “falls far short of demonstrating how ADA Illuzzi’s statements and/or presence will necessarily and materially prejudice the defendant’s right to a fair trial.” The response

noted that portions of Hernandez’s confession had been played in public during the first trial and developments in the trial had been widely covered in the news media.

Vance’s office said Illuzzi-Orbon’s discussions of the case were limited and came only after her opponent in the campaign blamed her for the mistrial. The office said the potential jury pool in Manhattan — not the borough where Illuzzi-Orbon ran for office — was so vast there was no chance her remarks would poison the process.

Finally, the response cited what it called Fishbein’s own public discussions of the case, including during the trial, calling it a “campaign that has not ended to this date.”

The defense motion filed this week is among a flurry of legal wrangling in the run-up to the second trial.

Hernandez’s defense team lost its latest effort to have the case dismissed. Back in November, Fishbein argued that Hernandez’s first trial had proved that so much time had passed since Patz’s 1979 disappearance that

it was impossible for Hernandez to actually get a fair hearing.

“The passage of 36 years has seen the death or disability of a number of essential witnesses, the erosion of the memories of myriad witnesses, including police officers involved in the 1979 investigation, and the loss of critical employment and government records of the defendant,” Fishbein wrote in his motion to dismiss the case.

Patz went missing on the first day his parents permitted him to walk to the nearby school bus by himself. Fishbein argued in November that two witnesses who saw the boy on the morning of May 25, 1979, could be vital to Hernandez’s defense. But one was dead and the other, Fishbein said, was suffering from a psychiatric disorder. Fishbein also cited the testimony at the first trial of Juan Santana, the manager of the bodega where Hernandez worked. Santana testified that he could not remember when Hernandez had started working at the bodega, how long he had worked there or the date he left. Establishing Hernandez’s work record at the bodega, Fishbein said, was also critical to his defense.

NEWS BRIEFS

YSU Holds First 'White Coat Ceremony' For Its Nursing Students

Youngstown State University will be holding an inaugural "White Coat Ceremony" for nurses on Jan. 25 at 6 p.m. in the Chestnut Room of Kilcawley Center. During the inauguration, YSU will bestow 112 sophomore nursing students with white coats and pins from the Arnold P. Gold Foundation that represent humanism and excellence. YSU President Jim Tressel and Joe Mosca, dean of the Bitonte College of Health and Human Services, will also be attending the ceremony.

YSU Business College Invites Employers to 'Meet the Employers Day'

Youngstown State University's Williamson College of Business Administration is inviting Ohio's and its surrounding region's employers to take part in "Meet the Employers Day" on Feb. 9 from 1 to 3:30 p.m. in Williamson Hall. The event will allow employers to inform WCBA students about internship career opportunities, spot potential candidates for future employment and connect with other business professionals, YSU faculty and staff.

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MENTAL HEALTH FRONT

"Mental health services on campus are extremely prevalent to each individual student ..." Gessler said. "If we look at the mission of a University ... it is to provide an education and environment that assures security, services and tools to provide sustainable success and growth for students beyond their time in college, further requiring learning and health services to become an accessible resource for each student."

Ashley Orr, president of SGA, said she believes college campuses and their environment tend to create or mul-

tiply high-risk mental health behaviors.

"Mental health is uniquely vital for college campuses — students are faced with new problem sets and self and mental care may be needed," Orr said. "I hope to convey that mental health hurdles should not have a stigma associated with them."

Orr said that SGA has developed a mental health committee that is in the process of planning a mental health training and awareness day that will educate attendees about campus and community resources. It will also educate students about recognizing mental illness in themselves and others and seeking treat-

ment.

"The committee is led by Jen Outland and Jerrilyn Guy and the event, scheduled for March 25, will be open to all faculty, staff and students," Orr said.

Reagle said counseling services is looking to get a new counselor as soon as possible.

"Typically in a position like this, we'd want to search nationally, which we are ... We want to offer the candidate of our choice the job in mid-March or so," Reagle said. "Ideally, we want to get someone on board by April 1."

Reagle said YSU President Jim Tressel named finding another mental health counselor a top priority for his administration this year.

YSU V. NATION FRONT

"Moot court has confirmed for me my desire to actually practice law in the real world," Schriener-Briggs said. "I've fallen in love with constitutional law because of moot court."

Smith said moot court helped her make the decision to attend law school as well.

"For a long time, I was very much back and forth on that, but this convinced me that that's definitely a route I want to take because even though it's difficult and can be scary, that's also what makes it fun," Smith said.

Schriener-Briggs said he's grateful he's had the opportunity to participate in moot court.

"It was a wonderful opportuni-

ty, and not many students necessarily have access to that opportunity, so I'm definitely grateful for that," Schriener-Briggs said.

Sracic said YSU is the only public university in Ohio that has a moot court team. In reaching the round of eight, Schriener-Briggs and Massaro bested teams from the University of Virginia, the University of Chicago and Duke.

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2016-2017 Financial Aid Awareness Week

Stop by one of our tables for information on financial aid for the 2016-2017 academic year. The priority deadline to complete the online Free Application for Federal Student Aid (FAFSA) and the YSU Institutional Aid Application is **February 15, 2016.**

Please join us for our fourth annual Financial Aid Night on campus. Students and parents are invited to participate in this great opportunity to learn the basic about applying for financial aid. Professional aid counselors will be on hand to assist with online applications. Resister online for the event at www.yсу.edu/finaid/night.

It is scheduled for Wednesday, January 27, 2016 from 6:30p.m. to 9:30p.m. in the Kilcawley Center Chestnut Room.

The following is a list of places, dates and times when staff from the office of Financial Aid and Scholarships will be available to distribute forms and answer questions:

| | | |
|-----------------------------|------------------|--|
| Monday, January 25, 2016 | 10 a.m. – 1 p.m. | *Kilcawley Center – 1st floor across from Bank |
| Tuesday, January 26, 2016 | 10 a.m. – 1 p.m. | *Kilcawley Center – 1st floor across from Bank |
| Wednesday, January 27, 2016 | 10 a.m. – 1 p.m. | *Kilcawley Center – 1st floor across from Bank |
| Thursday, January 28, 2016 | 10 a.m. – 1 p.m. | *Kilcawley Center – 1st floor across from Bank |

MAKING A MURDERER PAGE 4

The prosecution rejected Fishbein's arguments, and in December Justice Maxwell Wiley denied the motion to dismiss the case.

The defense did score one recent victory when it persuaded Wiley to reject the prosecution's request to permit the next jury in the case to visit the SoHo neighborhood where Patz went missing

and where Hernandez once confessed he had stashed the boy's body. In his disputed confession, Hernandez said he had strangled Patz in the bodega basement after luring him inside with the offer of a soda. He said he had put the still-breathing boy in a trash bag and then inside a cardboard box. He said he had taken the box in broad daylight several blocks away and left it in an alley. The SoHo neighborhood has

changed radically since 1979. The bodega no longer exists. The block where Hernandez said he left the boy has been transformed.

But prosecutors wanted to bring the jury to the neighborhood during the trial. Fishbein argued such an event would turn into a media circus and would unfairly color the jury's thinking.

Judge Wiley sided with the defense last month.



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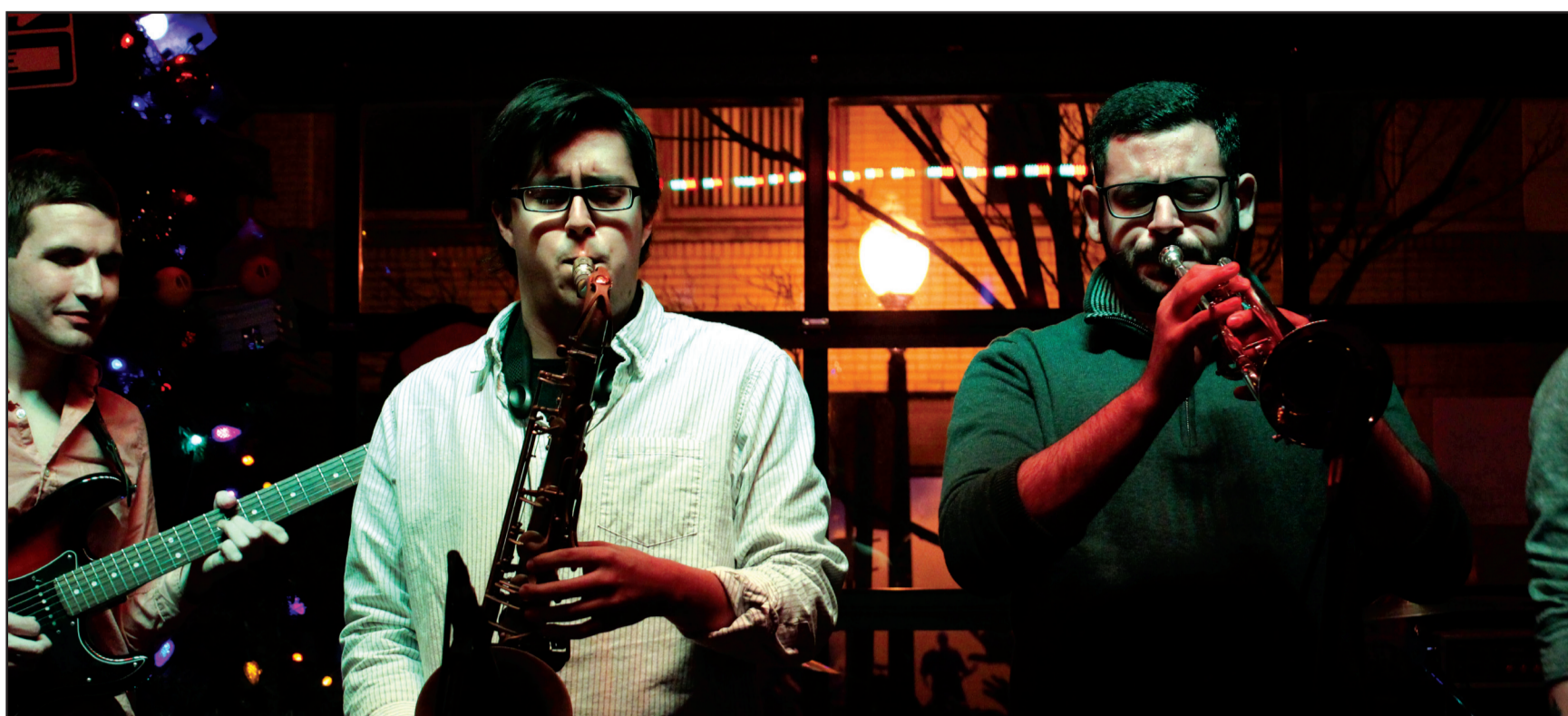
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Prepare For Cosmic Lemons' 'Lift Off'

STORY: **ASHLEY CUSTER** | AKCUSTER@STUDENT.YSU.EDU | PHOTO: **ASHLEY CUSTER**

Cosmic Lemons held a release party for their latest EP, "Lift Off," at Suzie's Dogs & Drafts in downtown Youngstown on Saturday night.

The band played a slew of new covers and originals, as well as some fan favorites and original songs from their new EP.

Cosmic Lemons plays a fusion of jazz, funk and reggae, and they hail from Youngstown, Ohio. All members of the band are currently enrolled in Youngstown State University's Dana School of Music, each pursuing various degrees. Their current lineup is Anthony Kunovic on guitar, Frank Toncar on bass, John Guido Vitullo on drums, Nathan Negro on percussion and keys, Michael Barkett on trumpet, Justin Randall also on trumpet and keys, Alex Miller on saxophone and Colton Randall on trombone.

"It's our first show of the year, the release of our first recorded material

and the first weekend after the spring semester started back up, so we figured we have to give it all we got in terms of high energy and musicality," Toncar said.

The idea for Cosmic Lemons was born out of Barkett, Miller and Toncar hanging out and listening to the early 2000s ska band, Streetlight Manifesto

"We had the idea to start a band with similar instrumentation, with the initial idea of combining jazz, reggae, ska and funk. We began talking about if this could actually be feasible and had a tentative lineup by the end of the day. All the guys we came up with were very interested, and voila, Cosmic Lemons," Toncar said.

There are five original tracks on "Lift Off." Toncar feels the band put a lot of work into it and is confident with the product.

"Over the summer, we spent a lot of time rehearsing and learning covers, as

well as trying to find our own original sound and get our own stuff mixed into the set," he said. "We kept writing and progressing and decided we wanted to record these tracks, so we set dates in October and began recording.

"We ended up doing everything live, which was a great experience for me, and then once the semester was over, I began mixing and mastering the songs to get them sounding their best for the release," Toncar said.

Barkett says his favorite part of being in Cosmic Lemons is the experience of performing in front of a crowd.

"It exemplifies the reason I became a music performance major. I am putting in my own time and efforts to write/arrange and play music. At the same time, it is one of the most gratifying experiences I've ever had. To stand on stage and watch people enjoying the music you created is the most fulfilling feeling possible in my eyes," he said.

Toncar agrees that the audience enhances his favorite memory.

"We played a show at Suzie's at the beginning of the 2015 fall semester with a group called 718 from New York though, and that show was really awesome," he said. "A lot of friends came out, and it seemed like everyone had a really great time, which is certainly important to me."

Justin Randall says Saturday night's performance at Suzie's was definitely one he will remember.

"Last night was honestly an incredible experience. It was really remarkable to see the amount of people who showed up to see us perform and also the reactions from the crowd as we played some of our new music," he said. "The energy from the band was at an all new high, and the energy from the crowd along with the overall good vibes made last night so great."

Upright Citizens Brigade Visits YSU

STORY: **BILLY LUDT** | WRLUDT@STUDENT.YSU.EDU

PHOTO: **BILLY LUDT**



Timmy Wood (left), Caitlin Puckett (left center), James III (center right) and Matthew Starr (right) perform an improvised skit about their band SISI, quarreling over Wood's mistake of spelling their band's name backwards, misbranding them as the militant group, ISIS. All performers are members of the Upright Citizens Brigade, an established improv comedy theater based in New York City and Los Angeles.

Akron comedian James III leaned over to an imaginary bowling ball return, picked up an invisible bowling ball and sauntered over to a theoretical bowling lane that stretched from the stage into the audience.

He brought the ball to his chest and shot a seductive glance at troupe mates Matthew Starr and Caitlin Puckett as they fanned themselves. James lined up his shot and rolled the ball. He nods approvingly at his shot, but Timmy Wood, James's third troupe mate, states that he missed every pin.

The crowd bursts into laughter.

Upright Citizens Brigade, the New York and Los Angeles-based improvisational comedy troupe, performed at the Ford Theater in Bliss Hall on the evening of Jan. 14.

The snippet of described scene was taken from a one-sentence text message that was read from the audience, stating that bowling is the antithesis of masculinity. Starr and Puckett played a couple of hot-and-bothered women in a bowling alley, observing James and Woods as they bowl.

UCB is an improvisational theater group, founded by comedians Amy Poehler, Matt Besser, Ian Roberts and Matt Walsh. They currently have theater locations in Los Angeles [Hollywood and Sunset Boulevard] and New York City [East Village and Chelsea].

Improv comedy is a stage performance that generally begins from word, sentence or idea. From a single subject, the performers play out a scene that is not scripted and will never be depicted again.

"You always want to keep it original," Wood said. "Whereas, with standup you do a lot of open mics and you spend a lot of time traveling," Starr said. "Here, like, you still travel, but you mostly just work and hone your five minutes, rather than creating new things with other people on stage."

Some of the methods used for gathering ideas for the evening's performance were out-of-context text messages, strange recent experiences and unique people or stories at Youngstown State University.

Starr described the general philosophy of improv comedy as a single phrase: "yes, and." The idea is that the performers do not say no to an idea, because it is immediately established. Saying no to an idea would slow the pacing of the performance.

"Those little, happy accidents are almost better than if I were to get it right," Wood said.

"Some of my favorite moments are the mistakes," Puckett said.

A few of the skits acted out ranged from YSU's rock painted with ISIS sentiments and a ghost that haunts Buechner Hall, to "Bar Rescue" visiting Youngstown.

All of these examples were pooled from the audience.

"That's part of the joy of improv, because the audience is with you as you're making it up," Wood said. "It has this, like, tight rope act aspect to it — that we can fail at any point. The fact that we're making it up as we go I think elevates all the material. If we were to stage that, it would be funny, I'm sure, but not quite as exciting as seeing it happen in the moment."

"That's actually one of my favorite things," Puckett said. "Yeah, I want to be committed to a character and stay in the scene, but it's very important for me to find my teammates funny, and that's one of the greatest things about it."

The UCB touring company has 12 people working, going out in groups of four for each performance. It is made up of improvisers, actors and writers that are involved in the comedy community.

To be placed in a theater or on the Tour Co., people enroll in UCB's training center.

UCB's stop in Youngstown was part of Wood's final tour in the Tour Co. The four said that they plan to continue to hone and perform comedy back in New York City.

JAMBAR COLUMN

Don't Do It For Yourself

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Imagine the comfiest couch you have ever laid on. Now on top of that, add a handful of warm, beautifully hand-woven blankets swaddling you, creating a human cocoon. The smell and sound of a crackling wick from a subtly firewood scented candle burning across the room, giving off a slight omniscient light; just enough to give the room the relaxing, yet focused feel.

Are you falling asleep yet? Imagine being immersed in that scenario and having to write a thought-out article that is due the next day. It is pure torture!

I could have easily given up and not turned in an article for your lovely viewing pleasure, but that's normally not the mindset I have for myself. I began to think of all of the wonderful work and amazing ideas I had created in the same exact circumstances I had put myself in at the moment. I thought to myself, "I can't let everyone that has helped me get to this point in my life down."

It got me thinking. Nobody is where they are in life because they did it by themselves. Someone followed you, guided you and pushed you beyond your limits because they saw greatness in you. Having the thought in my head of giving up or calling it a lost cause to write another article gave me that "sick to my stomach" feeling.

Amy Poehler once stated to the Harvard University class of 2011, "No matter who helped you, whether it be your parents, family or a even a higher power; God, Allah, Buddha, Gaga, whomever it is you pray to, they all helped you get to where you are in your life." So whenever you feel as if you can't go anymore or that you just need to give up, remember who helped you get there. They helped you feel less scared.

As you navigate through your adult life, don't be afraid of that feeling of hitting a brick wall. Be open to the idea of collaboration, accepting help from others and having that 'hand-holding friend' follow you through life. It will help you keep your mindset where it needs to be.

I believe a lot of what helped me get past that sluggish slump of laziness is the fact that A) I kept pushing for the people that helped me in the past. And B) I surround myself with people that inspire me, challenge me and force me to do my best at all times. I encourage everyone to do the same as well.

I understand whole-heartedly that everyone hits roadblocks and sometimes you just want to throw in the towel. But the next time you feel like that, just think of everyone that went out of their way and sacrificed time in their life to help you get to where you are at that exact moment. It will change your perspective immensely.

I mean look at me; this article practically wrote itself after changing my perspective on the situation. Who knew my advice worked?

JAMBAR POLICY

Since being founded by Burke Lyden in 1931, The Jambar has won nine Associated Collegiate Press honors. The Jambar is published twice weekly during the fall and spring semesters and weekly during the first summer session. Mail subscriptions are \$25 per academic year. The first copy of The Jambar is free. Additional copies of The Jambar are \$1 each.

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The editorial board that writes Our Side editorials consists of the editor-in-chief, the managing editor, the copy editor and the news editor. These opinion pieces are written separately from news articles. They draw on the opinions of the entire writing staff and do not reflect the opinions of any individual staff member. The Jambar's business manager and non-writing staff do not contribute to editorials, and the adviser does not have final approval.

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The Jambar encourages letters to the editor. Submissions are welcome at thejambar@gmail.com or by following the "Submit a Letter" link on thejambar.com. Letters should concern campus issues, must be typed and must not exceed 500 words. Submissions must include the writer's name and telephone number for verification, along with the writer's city of residence for printing. The Jambar does not withhold the names of guest commentators. Letters are subject to editing for spelling, grammar and clarity. Letters will not be rejected based on the views expressed in them. The editorial board reserves the right to reject commentaries and letters if they are not relevant to our readers, seek free publicity, fail to defend opinion with facts from reliable sources or if the editorial staff decides that the subject has been sufficiently aired. The editorial board will request a rewrite from the submitting writer based on these requirements. The Jambar will not print letters that are libelous, threatening, obscene or indecent. The views and opinions expressed in letters and commentaries on the opinion page do not necessarily reflect those of The Jambar staff. Editorials do not necessarily reflect the opinions of the faculty, staff or administration of YSU.

EDITORIAL: Making An Islamic Terrorist

A Kent State University professor under investigation for alleged ties to the Islamic State has been dominating local headlines.

The Kent Stater, KSU's student publication, published a story on Jan. 19 stating that the FBI was investigating associate history professor Julio Pino for involvement with the Islamic State.

The media quickly picked up on this story in a matter of hours with headlines popping up today on Fox and CBS News.

The problem with this story, and many others like it, is that because of its viral nature and the public's tendency to jump to conclusions, people may — and likely will — assume this man is guilty as charged before any trial takes place. Even though his involvement is alleged, Pino's reputation — guilty or not — may already have sustained irreparable damage.

The Kent Stater article is careful to use measured and reasonable language in their reporting saying that the FBI is investigating Pino for "alleged involvement with... ISIS or ISII [sic]," but the reactions on Kent Wired's online Twitter plug-in suggest there are plenty of readers whose minds are already made up.

Pino told the Kent Stater that he knows there are stories circulating, but his "current status ... [is] a citizen of the United States with all the rights and obligations that entails."

Kent State President Beverly Warren seems to understand how quickly bias can spread. She sent out a university-wide email saying that although Pino's comments do not reflect the university or their

values, the development is "an ongoing investigation" and said "it is not prudent to speak further about the case."

In a follow up piece, Pino told the Kent Stater, "I follow the law. I advocate that others do so also. And I ask others to respect my freedom of speech as I respect theirs."

The issue here is not Pino's guilt or innocence. It's the media's disruption of the due process granted to all U.S. citizens. While that concern isn't new, it's been exacerbated by the proliferation of social media.

Consider the aftermath of the Boston Marathon bombings and the Reddit witch-hunts.

Suni Tripathi, a Brown University student, was briefly misidentified as a suspect after the FBI released grainy images of the two bombers. The student went missing a month before the bombing, which — paired with his ethnicity — led some internet sleuths to name him a suspect.

His family said they were "being harassed" and by the time names of the actual bombers came out days later, Tripathi was considered a terrorist by much of the public. His name was linked to attacks by major news organizations. He was found dead of suicide a little over a week after the bombing. His grieving family was burdened with the stigma of having their son's name associated with the Boston Marathon Bombing.

The Netflix documentary series "Making a Murderer" is a ten-hour-long case study of trial by public opinion. The documentary presents a compelling argument

suggesting that police framed its subject, Steven Avery, during a murder investigation. By showing clips of news reports and interviews with citizens in the county where the trial took place, the directors illustrate how quickly the public's biases set in regardless of facts or evidence.

Following the documentary's release, the pendulum swung the other way with legions of outraged fans of the program petitioning the White House for Avery's release and harassing the "villains" of the documentary through social media. Again, rather than waiting for researched facts, the public leapt to a collective conclusion on the matter.

It's good to consume media, but in doing so, we must remember that truth is often slow to service our desire for instant gratification. Social media has given everyone a voice, but not everyone's voice is authoritative. To speak on an issue before there are facts to support an argument is an exercise in ignorance.

Sites like Reddit, Twitter, Facebook and Instagram are all wonderful platforms for expressing yourself, but not for convicting criminals or sniffing out terror suspects.

The Universal Declaration of Human Rights, Article 11, says "everyone ... has the right to be presumed innocent until proved guilty according to law in a public trial."

We need to reprioritize as a society. When speed becomes more important than accuracy, those who end up in the spotlight suffer.

Preparing Ph.D.s for the Real World

STORY: LEONARD CASSUTO | LOS ANGELES TIMES (TNS)

People who study for doctorates in the arts and sciences are typically driven by love — for a particular historical period, author or field of inquiry. But graduate school isn't just a place to dive into 18th century novels, Medieval art or neurobiology. It's also, necessarily, a place to prepare for a career.

Most graduate programs encourage their students to set their sights on jobs teaching or conducting research at a college or university. They also endorse the notion, whether intentionally or not, that taking a position outside of the professoriate is some kind of failure.

That's insanity. It takes nine years on average for students to obtain a doctorate in the humanities, and the sciences are almost as bad. At the end of that process, students encounter a job market for professors that is a mostly dry well. Only about half of doctoral candidates in the arts and sciences will eventually obtain jobs as college and university instructors. An increasing number of those openings are short-term gigs, many less than a year long, with no promise of future employment.

Even the lucky graduate students who secure a tenure-track position are likely to find a mismatch between their training and their future job requirements. As students, they learn how to become research specialists. But most professors spend most of their time teaching. Only a sliver of the doctorate population gets top-tier, research-first jobs.

We would hardly expect a modern journalism school to have a single-minded focus on print newspapers. Yes, there are still jobs to be had at newspapers, but only a small fraction of the number that there once were. A single-minded focus on professorships — on research-dominated professorships in particular — is just as irrational.

This attitude is a hangover from the Cold War, when the federal government spent heavily on academic research and higher education for its citizens, first returning World War II soldiers and then the children of the baby boom. Government investment in new public universities and federal loan programs made college affordable for more Americans than ever before. There was a corresponding shortage of teachers for all those new students, which meant that pretty much anyone who could finish a doctorate could become a professor. The result was the largest generation of professors in the history of American higher education.

That one generation turned out to be a historical

anomaly. It ended in the 1970s. College and university administrators waited a long time for it to come back. Only now, two generations later, are we finally accepting that the golden age is over.

I talk to graduate students all over the country, and they know which way the wind is blowing. They want an education that bears some relation to the diverse career possibilities they know they'll have to consider when they're done. A graduate student in math recently confessed to me that he wants to get a job at a bank. I just met a Ph.D. in English who works as a technical writer for a software firm in Silicon Valley. Yet I've also heard countless graduate students say that they fear disapproval, even scorn, if they tell their advisors they're considering work outside academia.

Professors and administrators need to get over their self-importance and honor nonprofessorial career choices. When professors teach graduate students to disrespect the work that many of them must eventually consider, they're sabotaging their prospects. But it's worse than that. When we teach our students that professors' jobs — preferably research-intensive ones — are the only ones worth having, we're teaching them to be unhappy.

More practically, professors and administrators have to develop programs to help their graduate students professionalize for the job market of today, not 50 years ago.

This is already happening here and there. The University of Louisville, for example, runs a series of about 25 professionalization workshops each semester. These help new graduate students get their bearings, and older ones prepare for different kinds of job searches.

These changes have to continue, and multiply. Our students' professional lives depend on it. Thousands of graduate students have unionized to protest the conditions of their educational workplaces. Their discontent sends a message that needs to be heard. If tomorrow's talented college students believe that graduate school is a fool's errand, they'll simply vote with their feet and stay away.

That would be a loss not just to universities but to the whole country — because as Thomas Jefferson famously observed, a more educated population makes for a healthier democracy. Ph.D.s don't all have to labor in the proverbial ivory tower. All of us benefit when more Ph.D.s are in public life. Let's teach graduate students about all the things they can do, not just one of them.



Penguins Prep for YSU College Invitational

During a high jump event, Youngstown State University's Arnaldo Morales contorts his body around the bar for a successful jump.

STORY: JEFF BROWN | JRBROWN02@STUDENT.YSU.EDU | PHOTO COURTESY OF: YSU SPORTS INFORMATION

The Youngstown State University men's track and field team is off to a hot start and looking to continue their success as they host the YSU College Invitational on Friday.

In YSU's first meet of the season, the Penguins dominated Duquesne University, and four Penguins, Arnaldo Morales, Chad Zallow, Nina Grambling and Jaynee Corbett, all won weekly Horizon League Awards for their performances. Morales and Corbett both received Field Athlete of the Week awards, while Chad Zallow and

Grambling were tabbed as Running Athlete of the Week.

Both Morales and Chad Zallow broke school records in the meet. Morales beat his own high jump record, breaking seven feet one-quarter inch, and Chad Zallow ran 7.89 seconds in the 60-meter hurdles, breaking the record in his first meet as a Penguin. Chad Zallow's time is the second fastest in the National Collegiate Athletic Association this season and has qualified him for the Olympic Trials later this year.

"It's just great to get off to a good start like that, and hopefully I continue to drop that time down this season," Chad Zallow said. "So it just gives me something to shoot for, and hopefully I can keep improving on that."

Thanks to athletes such as Morales and Chad Zallow, this year's YSU men's team has the chance to be one of the best in school history.

"This men's program, after the first meet, is the best in the history of the program just based on results and talent. We have the top hurdle

sprinter in the nation, which would be Chad [Zallow]. To have that with Austin McLean, the reigning Horizon League Athlete of the year, and Conner Neu is a top five or six throwers," YSU's head coach Brian Gorby said.

The men's team has five guys who could all potentially compete for the title of Horizon League Athlete of the Year. Neu, Chad Zallow, Carl Zallow, McLean and Morales are among the best in the conference at their events.

"We have four or five guys that could compete

to be Horizon League Athlete of the Year. And they'll be competing against each other, which is pretty neat," Gorby said. "You got to be excited about that."

The women's team is coming off back-to-back championship seasons in both indoor and outdoor and will likely be one of the top teams in the conference again this season.

"Oakland got really, really good on the women's side," Gorby said. "But you can't count out a group of girls that won back to back triple crowns."

This weekend, YSU will look to continue to impress as they host over 40 teams in the YSU College Invitational at the Watson and Tressel Training Site. Morales thinks having the meet at home, where the team practices, is a huge benefit.

"It's beneficial. I know the area. I know the surface," Morales said. "Basically, this is my home. I train here. I work here. So if they come here, I have to show off and say 'no you can't beat me here. This is my house.'"

PRESSBOX PERSPECTIVE

Browns Should Cut Ties With Manziel

STORY: DREW ZUHOSKY | DTZUHOSKY@STUDENT.YSU.EDU

On Jan. 13, the Hue Jackson era began in Cleveland, when the Browns hired him as the team's head coach, making him the ninth head coach since NFL football returned to Northeast Ohio in 1999.

Jackson intends to make changes right from the get-go. For one, the team won't employ an offensive coordinator, as he'll handle those duties himself. Prior to coming to Cleveland, Jackson was most recently the offensive coordinator for the Browns' AFC North Division rival, the Cincinnati Bengals.

Perhaps a bigger change that Jackson will make has to do with who Cleveland's

next quarterback might be. The buzz is that Jackson's version of the Browns will not have Johnny Manziel under center in the 2016 season.

Manziel generated plenty of excitement during his two seasons as a college quarterback for the Texas A&M Aggies, passing for over 7,800 yards and 64 touchdowns over the 2012 and 2013 college football seasons.

His play won him the 2012 Heisman Memorial Trophy, in a year where he was also a consensus All-American selection. After the 2013 season, Manziel, then a redshirt sophomore, was declared for the 2014 NFL Draft, where he was ultimately

chosen by the Browns in the 22nd overall selection.

At the time, all of Cleveland was ecstatic. They thought Manziel would lead the Browns to a championship at long last.

Unfortunately for Browns fans, Manziel's play hasn't translated well to the pro ranks. His behavior has also been an issue.

Too often, Manziel has exhibited immaturity when not playing football. Case in point: back in November, during Cleveland's bye week, a video which showed Manziel partying in Texas made the rounds online.

Because of Manziel's actions in the video, now-former Browns

head coach Mike Pettine chose to strip Manziel of his starting quarterback duties, and instead gave those responsibilities to Josh McCown for a game versus the Baltimore Ravens on Monday Night Football on Nov. 30.

More recently, on Jan. 2 Manziel, who had already been announced as out for the next afternoon's game versus the Pittsburgh Steelers with a concussion, went to Las Vegas sporting a wig, phony mustache and glasses.

Manziel was supposed to be in Cleveland the next day to undergo concussion tests. Instead, he decided to act immaturity again.

If Manziel had a nor-

mal job, he would have been fired by now. This is a guy who was given an opportunity that few people have. However, because of his actions, that chance could very well be gone.

When you work for any company, firm, boss or individual, you are expected to follow company rules and regulations. You are responsible for your own actions. You're expected to act maturely and appropriately as well. Manziel has not done any of this as a member of the Cleveland Browns.

If Jackson does elect to sever ties with Manziel, fans will be grateful for the change. The big question now is "where does Manziel go from

here?"

An even bigger question is "does anyone even want to take a chance on Manziel?" Given the behavior he's exhibited and the trouble he's been in over the past few years, it remains to be seen if he'll be given another chance at playing pro football.

Manziel shouldn't be retained by the Browns. He's not exhibited the proper behavior needed to be a NFL quarterback. If I was Manziel and I wanted to play football again, I would call my realtor and enquire about houses in Canada. The CFL is really Manziel's best possible avenue, should he decide to go there.