THE DAILY UNIVERSE
MAGAZINE

2022

REFLECTING, LEARNING AND IMPROVING

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The weather outside is frightful

But TWO is so delightful

THE DAILY UNIVERSE
MAGAZINE

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2022 DAILY UNIVERSE RESOLUTIONS

President Russell M. Nelson's New Year's Day social media post suggested each of us include being kind to others in their New Year's resolutions. As we enter a new year, The Daily Universe staff is humbly hoping to continue helping our community through good journalism. Through our efforts this year, we hope to tackle stories and topics that affect our community and to report in a way that is helpful.

This edition of The Daily Universe Magazine deals with complex, difficult issues about people in vulnerable situations who need help. There are homeless people who need more help to get back on their feet and Utah is making strides for these individuals. The pandemic has affected everyone, but unfortunately many have been negatively impacted leading to the increase of opioid abuse. Those who face addiction need help. The final article in this issue deals with public speech and government speech and how a court case in Utah plays into nationwide decisions and precedents. Each of these topics are important, poignant, complicated and in need of attention, discussion and solutions.

Our hope with this first edition of 2022, was to examine those difficult topics so we could start looking for solutions. We want to provide facts and context so others may be inspired to make a difference. We cannot ignore difficult things in our community which is why we are dedicated to being a voice for all. Through finding solutions and humbly asking how we can help, we have, and will continue, to amplify the good influences from those we interact with.

By reflecting on these issues and learning more deeply about other people's perspectives, The Daily Universe is hoping to improve the content we provide while making a difference for those around us. We are committed to creating reliable, trustworthy news stories that interest our readers and cover the things that affect our audience.

As editor-in-chief, I will lead the Universe staff and reporters in seeking out the good, being understanding to all and telling the stories that need to be told. Happy New Year and good luck on your goals for 2022.

–Cassidy Wixom
Editor-in-chief

INSIDE

THE DAILY UNIVERSE MAGAZINE is a product of The Daily Universe, the journalism lab of the BYU School of Communications. This is an official publication of Brigham Young University and is produced as a cooperative enterprise of students and faculty. It is published by the College of Fine Arts and Communications and the School of Communications under the direction of a professional management staff.

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BYU TOP ATHLETES OF 2021

2021 was a year to remember at BYU. Between national championships, Top 25 rankings and an invite to the Big 12, success among the Cougar teams became contagious. To recognize this excellence, the Daily Universe sports team identified the Top 10 BYU athletes of the year. Check out the Universe Sports Talk podcast for more on all of these great athletes.

1 CONNER MANTZ

Mantz won back-to-back cross country national championships in 2021, and became the first runner since Bob Kennedy in 1988 and 1991 to win two individual NCAA cross country titles. He turned pro after the fall season and signed a four-year endorsement deal with Nike.

2 WHITTNI ORTON

Orton won the individual cross country national championship in the fall 2021 season, combining with Mantz to form the first champion duo from the same school since 1988, and just the second all-time. In track, Orton was named an All-American and broke school records for the 5,000-meter, 3,000-meter and mile individual races and distance medley relay.

3 MIKAYLA COLOHAN

Colohan was the Top Drawer National Player of the Year for the fall 2021 season and led the BYU women's soccer team to the NCAA National Championship game, where the Cougars lost in penalties to Florida State. She was named West Coast Conference Offensive Player of the Year for the second time and led the country in total points.

4 TYLER ALLGEIER

Allgeier broke the BYU single-season rushing record with 1,606 yards in the 2021 season. He also put up 23 touchdowns and had the highlight play of the season with his "tomahawk takeaway" against Arizona State. He declared for the NFL draft after the season and is projected to be taken in the fourth round.

PHOTOS FROM BYU PHOTO

5 VIOLET ZAVODNIK

Zavodnik was the first-ever freshman to win WCC Player of the Year and Freshman of the Year in softball. She helped the team to an 11-1 conference record and 12th consecutive conference championship. She also scored the game-winning run to give the U-18 USA Women's National Team the 2021 World Baseball Softball Confederation World Championship.

6 KENZIE KOERBER

Koerber made the most of her graduate transfer year in Provo by being named an AVCA Third Team All-American, WCC player of the year and leading the Cougars to a Sweet 16 berth.

7 SHAYLEE GONZALES

Gonzales was named WCC co-player of the year following BYU's second round appearance in the 2021 NCAA tournament. Gonzales is currently leading the No. 18 ranked Cougars with a career-high 19.3 points per game.

8 AUTUMN MOFFAT-KORTH

The WCC pitcher of the year, Moffat-Korth finished conference play with an outstanding 0.72 ERA and seven wins. A true ace in every sense, the dominant right hander struck out 42 batters while only surrendering four walks over 48.1 innings of work.

9 ALEX BARCELLO

The sharpshooting Barcello leads BYU men's hoops with 17.3 points per game this season, fresh off of an AP All-American honorable mention selection earlier this year. Barcello is currently ranked as the most accurate deep shooter in school history, draining a prolific 48.3% of his shots from behind the arc.

10 CAMERON TUCKER

Tucker was named to the all-WCC first team twice in the past year as a key asset for BYU's national championship game berth. Tucker proved to be one of the team's most clutch performers, scoring five game-winning goals including a Sweet 16 shot that pushed the Cougars past Virginia on their Cinderella run.

Q&A on faith with DANIEL ANDERSEN

Interviewed by Elena Castro

Daniel Andersen is a senior preparing to graduate in the spring, but not without making his directorial debut. Andersen spent the Fall 2021 semester working on a multiple-city documentary project showcasing how those with disabilities have successful careers in the arts.

A passion project turned capstone garnered the support of students and faculty. Andersen anticipates the premiere of his film "I Am Limitless" next month.

Q ***How has being disabled impacted your faith?***

A I think that having a disability is viewed by many as more of a burden than an upside. For me, the truth is the exact opposite. My reliance on faith in every piece of my life has filled my world with joy. And experiencing weakness, in whatever form it may take, has made me rely on my Savior and helped me understand my Father in Heaven in ways I never could otherwise. In short, my disability has made my relationship with God and my Redeemer intimate and consistent to a degree I don't think I would have achieved otherwise and I am grateful for that.

Q ***What does your faith mean to you and how does it affect your daily life?***

A My life is kind of a practice in daily faith. For me, there are many uncertainties and challenges that can pop up at a moment's notice. My faith is a lifeline. It's a reminder that God loves me and has a plan for me. It's a reminder that I am never alone. The Holy Ghost is with me and my Savior walks alongside me, experiencing everything that I do. Some people are astonished that I am as optimistic and hopeful as I am. That is my faith working in my daily life. It helps me see joy in my life all around me.

Q ***How has being in the journalism program blessed your life?***

A I have been blessed several times over to experience finding my purpose in life. In high school, I learned that I loved people with disabilities and sharing their unique perspective with the world. When I found the journalism program, I realized that I had a passion for stories. Helping people share the most tender pieces of their lives with the world has become a mission for me. The journalism program has given me the tools and encouragement to pursue this mission. And it's given me a home to connect with like-minded people who share in this mission.

DANIEL ANDERSEN PHOTOGRAPHED BY JOSHUA BERNARD

Q ***Why do you think it's important for those who are disabled to speak out on their experiences?***

A I think it's important because for so long, our stories have gone untold. The first step to inclusion is understanding. And the first step to understanding is sharing information. People with disabilities make up a far-ranging cross section of the global population. Anyone could join our community at any point of their lives. Our stories aren't just stories about disabilities. They are stories about life, love, sacrifice, dedication and every other human emotion and topic. By sharing our stories with the world, we are seen as more human.

Q ***What do you hope your documentary project gives to those in the disabled community and those outside of it?***

A For much of my life, I was governed by my doubt and fear. My documentary is my culminating achievement in conquering my doubts and fears and pursuing my dreams. If this film encourages one aspiring performer with a disability, I have achieved my goal. If it helps one person feel more connected with a community of people that understand them, I have achieved my goal. If one of the people I have showcased in the film feels seen and their story heard, I have achieved my goal. And if I show one person who doesn't identify with having a disability that they can and should try and understand, befriend and become an ally with our community, then I have achieved my goal. I have high hopes for this film, but I have no illusions about it. This film will not fix the world. But maybe, just maybe, this film is a stone in the foundation of inclusion and understanding that I and others can build upon. If that happens, then I have achieved my goal.

Q ***You graduate this semester, what has been the highlight from your years at BYU?***

A The highlight of my time at BYU has been the people. I have a profound appreciation for people and their stories. Being in a place where people can come together, learn from each other, grow in the gospel and share their love for one another is a beautiful and awe-inspiring experience. There are no words to describe how much this community means to me. It's not perfect. There have been moments where I have felt like I didn't fit in. But as I engaged with the community through service, activities and the wide range of opportunities to meet strangers that soon become friends, I have made BYU my home away from home. So, for anyone who still has time left at BYU, take time to appreciate it with the people you love. And for those that may feel lost or forgotten, there is a place here for you. There are people who love you and as you share your love for others, you will find them.

THE FOURTH STREET CLINIC

A homeless woman flinches as she gets the COVID-19 vaccine.

TINY HOMES AREN'T JUST FOR MILLENNIALS ANYMORE: Utah looks for homeless housing alternatives

By Cassidy Wixom

With clear blue eyes, a faint country accent and an easy-going manner, you would never expect anything out of the ordinary from Ryan. He doesn't look old enough, or careworn enough, to be homeless. The confident young man who likes to wear his hat backwards could easily pass for a college grad who is just into his first career move.

But he's a long-timer at the Rescue Mission of Salt Lake.

Two years ago he was an oil field worker in Odessa, Texas, barely pocketing enough money to pay for housing, when suddenly he and half of his fellow workers were laid off. He had no warning, no other trade — and no backup plan.

Only in his mid-20s, he scrambled for other work but the layoff cost him his house. He moved around, scraping by, but the money he made each day was sufficient only for the hotel he took up residence in; there was nothing left over to buy groceries, or even a Happy Meal. And he definitely wasn't happy.

Everything in life seemed too much for him and because of some choices he made, he says he wound up in jail. When he got out, the COVID-19 pandemic was in full force.

Displaced, lost, hungry, alone and left with nothing, Ryan came to Utah where he says his life was saved by the Rescue Mission, and by Jesus Christ.

Countless other Utah residents face the same challenges that Ryan has. Salt Lake City Mayor Erin Mendenhall has recently pushed forward on initiatives to help deal with the homeless situation in Utah. She is proposing a new solution that could help those who desperately need a hand up.

A tiny home village

Mendenhall is working with The Other

Scan to view this article online where you can watch a video of Ryan's story and hear other homeless people's perspectives.

Side Academy to create a tiny home village that would function as a community for the chronically homeless. Still in the early stages of preparation and planning, The Other Side Academy is working to get approval for plots of land to allocate for The Other Side Village.

The most recent victory for the village came on Oct. 27 when two plots of land west of the city were approved for a rezoning amendment by the Salt Lake City Planning Commission. The rezoning would reclassify the land from "Public Lands" to "Form-based Urban Neighborhood District" which would then allow the village to be built if the Salt Lake City Council gives final approval.

Tim Stay is the CEO of The Other Side Academy, a training school and two-year program that helps convicts, substance abusers and homeless people change their behavior to lead better lives. The program has no cost, but students who attend just need a "real conviction" to come in and make the change themselves, he said.

Stay said the academy has seen positive outcomes from creating a safe, orderly environment for students. The proposed Other Side Village will be based on the community approach the academy has had success with. Stay said the idea is to create a supportive culture with the feel of a family.

Those who live in the village must have a desire to change so community members will be able to reinforce and keep each other accountable as they all progress together.

"We came to a conclusion that while we are helping the criminal and addict population (with the Academy), we weren't doing a lot with those with significant mental health challenges also living on the street. We decided we had something we could offer: principles at the Academy could also work with the village."

If approved, the village will have wraparound services for its members including mental health, medical and behavioral help for those with a "dual diagnosis," meaning they have mental health challenges on top of addiction or another major problem.

According to Laurel Ingham, the development director for the Fourth Street Clinic, The Other Side Village has already been involved in early discussions with the health clinic in downtown Salt Lake where homeless people account for about 90% of all patients.

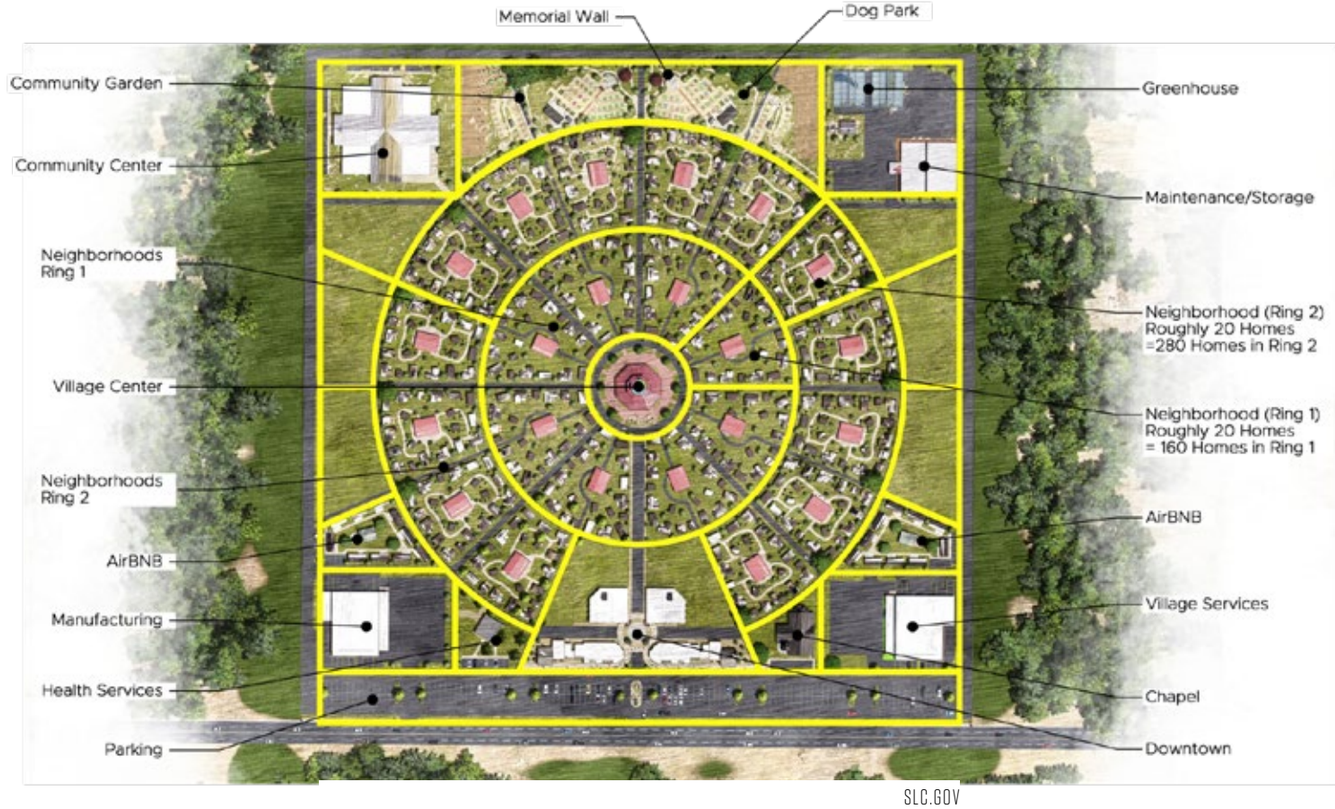
Fourth Street Clinic is a partner of The Other Side Academy already, and most likely the clinic will be involved in providing medical services for the village in conjunction with Valley Behavioral Health providing mental health services, Ingham said. Conversations are being held about these partnerships but no official decisions have been made.

"People are coming from chaotic environments. We believe we can help create something different than many other solutions to the homeless," Stay said. While homelessness efforts have evolved to focus on just housing the homeless, Stay said, The Other Side believes the solution needs to go further to be housing with wraparound services and a supportive, connected community.

"At the heart of homelessness is a catastrophic loss of family," Stay said. Losing support from family and not having anyone to turn to is one of the biggest challenges homeless people face, but the village is meant to fix that. "That's what we understand how to do: create a community that is healthy and clean, a prosperous community of family."

Plans for the village community include more than 400 homes about 250-400 square feet in size, with rent of $300-400 a month. Members of the village have to follow three rules: pay rent, obey civil law and obey community rules. The cost of the village will be covered by resident services in the village, run by members of the community. These will include services such as a barber shop, grocery store, nail salon and more.

BYU sophomore Kelli Rusnak is one of a group of BYU students working with The Other



SLC.GOV

Master plan concept image of The Other Side Village.

CASSIDY WIXOM

The Rescue Mission of Salt Lake provides emergency shelter for homeless individuals and runs a program to help people get back on their feet and out into society again.

Side Village through The Ballard Center. Her group's main goal is to raise awareness of the village and create a list of supporters willing to donate or help with various things in the village such as construction.

"I've backed a lot of organizations that the ideas are good, but I'm not passionate about how it works. But I feel like for this model, it sells itself," Rusnak said. "It's very clear that it will change lives and make a difference and that has driven me to keep working on it and I know it will help change lives."

Laurie Hopkins, executive director of the private nonprofit Shelter The Homeless, said the village is "a welcome option" for those who experience homelessness.

She said the Salt Lake Valley Coalition to End Homelessness and Shelter The Homeless support the village concept, as it offers one more option for the homeless population, but it cannot be the only solution as it won't help everyone. "There needs to be many options to different solutions," she said.

Chris Croswhite, executive director of the Rescue Mission of Salt Lake, said the village is a strategy well worth pursuing to see the long term success of tiny home complexes. Having the ongoing friendship, social community, counseling and case management will progressively help his clients become more successful, he said.

What does Utah's homeless situation look like?

Shelter the Homeless, the Fourth Street Clinic, The Road Home and almost all the other homeless resources in Salt Lake County are part of the Salt Lake Valley Coalition to End Homelessness.

According to Salt Lake County's website, the coalition hopes to end homelessness by doing three things: "identifying gaps in the system," "utilizing data, research and resources to establish creative, effective strategies to address gaps," and "supporting, informing, and collaborating on funding; educating the public and stakeholders regarding homelessness prevention and solutions."

The coalition acts as the umbrella organization to bring together different agencies and organizations so homeless individuals can have "a system-wide commitment of resources, services, data collection, analysis, and coordination among all stakeholders," their website says. This includes providing housing, food, healthcare, counseling and various services and resources.

The United States Department of Housing and Urban Development's 2020 Annual

CASSIDY WIXOM

Michael is a guest at the Rescue Mission of Salt Lake who is working to get out of homelessness. He thinks people should withhold judgement of homeless people and be more compassionate and helpful rather than casting them aside.

Homeless Assessment Report recorded Utah having 3,131 homeless people in 2020. According to a point-in-time estimate broken down by Continuum of Care, 1,958 of them are living in Salt Lake County.

Similarly, the majority of homeless resources are located in Salt Lake County.

Utah ranks 33rd in the country on the total number of homeless in 2020, but 5th overall for largest percentage change of homelessness from 2019-2020 with an 11.9% increase, according to data from the point-in-time estimates by state.

According to the 2020 Annual Homeless Assessment Report, approximately 77.5% of the homeless population in Utah is sheltered. Croswhite said there are a couple hundred homeless people choosing to camp along the Wasatch Front because they either don't trust the shelters, don't want to follow the rules of the shelters or don't feel comfortable living in a communal environment.

"Some homeless friends say 'why would I go to the Rescue Mission when people give me stuff' and they don't need to worry about it," Croswhite said. "When they move, they don't take possessions with them and just walk somewhere else and get handed everything they need. That has shifted to they aren't being helped, but enabled."

Croswhite said the incentive of living in a shelter increases when it is harder for a homeless person to camp. Especially with the cold weather and police breaking up tent cities more often, Croswhite said the hope is eventually homeless people will start making the change and have a desire to improve and stay in the shelters.

The 'housing first' approach

Shelter the Homeless focuses on emergency shelter for individuals, then supporting people to get out of emergency shelter and into better housing, Hopkins said. She said they take a lot of their work inside the homeless resource centers out to the unsheltered as well, but "in the end, connecting with services is their choice."

The Road Home is one such shelter that provides emergency housing for people who don't have a safe location to stay. Executive Director Michelle Flynn said all of the emergency housing shelters operate off the basic philosophy of getting people stably housed.

"We make sure that is accessible and available, that is the start to sustainability," she said. "We keep people safe and connected with us to achieve their goal of housing."

She said all of the services they provide are housing focused but by meeting with individuals to understand where their goals are they can help them rebuild the network of support they lost.

Flynn said long term, over 80% of people in the shelters are from Utah. Homelessness in Utah has grown, she said, because of the cost of housing has skyrocketed, making it harder for those working minimum wage to keep up with expenses.

While getting people stably housed is a great first step, Croswhite said the housing first approach many shelters take is not the "silver bullet" or "cure" for homelessness.

"I think it's a component of homelessness, but if all we are doing is giving people housing, we aren't addressing the real issue which is why did the person become homeless?" he said.

Having some housing first resources is important, Croswhite said, but further resources are needed. "Our philosophy at the Rescue Mission is to address the cause of it, address housing and employment and treat the whole person, not simply just give them

housing," he said.

The Other Side Village hopes to also treat the whole person and help individuals make lifelong changes, Stay said.

COVID-19's effect on an already vulnerable population

At the beginning of the pandemic when little information was available on the virus, how it spread and who was in danger, it was a frightening time for all, Flynn said.

"We have seen the effect on the community as a whole, and it was magnified times 100 for the homeless," she said.

Hopkins said the shelters run by Shelter the Homeless are typically filled to 90% capacity every night, so when COVID-19 became a public health emergency, they had to quickly adjust operations to make their congregate facilities as safe as possible.

"It was quite the situation as you can imagine," Hopkins said.

Hopkins said that in their shelters, they tracked the cases very closely and actually ended up with a rate of infection lower than the rate of the community at large.

Across the shelters and service providers, there were mass amounts of testing, mask mandates, increased sanitary and distancing protocols, a county quarantine overflow shelter that provided meals and health care and a push for vaccination once it was available.

Ingham said the vaccination rate of the Utah homeless population is only about 25%. She said the Fourth Street Clinic has offered incentives and tried to educate people on the importance of keeping the community healthy through vaccination.

"I think we have all learned over the last 19 months that our health is the most important thing," she said. Providing that care when everyone else is turning the homeless people away is vital in closing that gap in service, she said.

As government programs end, people who lost their jobs in the pandemic or decided to not return to work because of government stimuluses will start facing risks of homelessness as landlords start evicting tenants for lack of payment, Croswhite said.

The stress factor of losing jobs or housing can also increase addiction tendency, he said, leading to further risk of homelessness.

"In that aspect, when government services are taken away, then homelessness and the effects of COVID will have a lingering effect for the next several years," he said.

CASSIDY WIXOM

Frederic is a homeless guest at the Rescue Mission of Salt Lake. He has battled alcoholism, lost jobs and lived in and out of shelters for many years and has lost all ties with his family.

Case stemming from Utah County 'Ten Commandments' monument now being invoked in Confederate statue disputes

By Maddie Christensen

VERONICA MACIEL

A Ten Commandments monument in Pleasant Grove was involved in a Supreme court Case about free speech of private citizens and messages promoted by the government.

A small monument in an obscure park in Pleasant Grove, Utah, ignited a Supreme Court case on the clash between the free speech of private citizens and messages promoted by the government, and the echoes are still being felt today in cases involving the maintaining or removal of Confederate monuments.

In the landmark 2009 case Pleasant Grove City v. Summum, a unanimous court ruled that a Ten Commandments monument in Pleasant Grove's Pioneer Park was government speech instead of private speech, and that the government could selectively choose which messages are memorialized in monuments in public parks.

Summum, a small religious sect based in Salt Lake City, brought a lawsuit against the city of Pleasant Grove for displaying the monument, and for declining a request to display a monument of Summum's "Seven Aphorisms."

The precedent from that case is being invoked in courtrooms across the southeastern United States in battles over Confederate monuments. According to a 2020 article in the Kentucky Law Journal by scholar Richard C. Schragger, the Pleasant Grove case could enable cities that want to get rid of Confederate monuments to overrule their state legislatures' demands that the monuments stay. At the same time, cities that want to keep the monuments could oppose efforts to the contrary by claiming the monuments are government speech and their presence cannot be challenged under the First Amendment.

Schragger wrote that more than 1,000 Confederate monuments exist in the United States. Three of them sit in Charlottesville, Virginia, where a clash between groups of protesters in 2017 brought attention to ongoing issues of racial injustice. Virginia, Alabama, Tennessee and other states attempted to pass legislation so that cities in those states could not remove the monuments.

In the Pleasant Grove case, Summum claimed that the Aphorisms are part of the higher law initially given to Moses in

Mount Sinai before he was given the Ten Commandments and include statements like "Nothing rests; everything moves, everything vibrates" and "Summum is mind, thought; the universe is a mental creation." Practices of the religion, founded in 1975 by Claude "Corky" Newell, include the Egyptian-inspired practice of mummification and meditation on the aphorisms.

Summum argued that because the city of Pleasant Grove denied their request to erect their "Seven Aphorisms" monument, the city was inhibiting their free speech, and discriminating in favor of the Christian religion. The Tenth Circuit court agreed, reversing an initial decision made by a district court, saying that because public parks are public forums, the government was not allowed to accept a request to place one monument and deny a request to place another.

The Supreme Court reversed the decision again, unanimously deciding that monuments are government speech, and the government has the right to choose which messages take up limited space in public parks. The Ten Commandments monument, donated by an organization with longstanding ties to the community, and representing the historical pioneer heritage of the area, did not need to be removed and the Summum monument was not required to be accepted.

The Court argued that though activities like distributing leaflets or giving talks in a public park are protected under the free speech clause, that same protection did not extend to monuments.

"I mean, you have a Statue of Liberty; do we have to have a statue of despotism?" Chief Justice John Roberts asked during the oral arguments in favor the case. "Or do we have to put any president who wants to be on Mount Rushmore?"

Pamela Harris, the lawyer presenting oral argument for Summum, said Pleasant Grove should issue a statement publicly claiming that the monument was the official speech of the city, if the Ten Commandments monument was indeed government speech. Justice Samuel Alito pushed back.

"If somebody came up to you and said I'd like to put up a monument in your front yard, and you said sure go ahead, do that, aren't you accepting that — whatever the monument says, in a sense?" Similarly, the judges decided a monument in a public park was government speech. The city of Pleasant Grove won the case 9-0.

What is government speech?

Government speech, the ability of the government to not merely regulate speech but also to participate in it, is a relatively recent development in First Amendment jurisprudence. It began in 1990 with the case Rust v. Sullivan, when the Court ruled that if the government is the speaker, it can't be found guilty of First Amendment violations such as viewpoint discrimination. It's a paradoxical concept on its face: traditionally the government's role has been to protect the speech of those who are marginalized, not to void speech by participating in the conversation itself.

The ability of government speech may not always be a negative thing: In 2003, the infamous Reverend Fred Phelps wanted to erect a statue of Matthew Shepard, the gay University of Wyoming student who was tortured and murdered, in a historic plaza in Casper, Wyoming with the epitaph: "Matthew Shepard entered Hell October 12, 1998 ..." According to the government speech doctrine, the city of Casper is free to decline Phelps' request.

Government speech means that not everyone will have a monument in a public park — and indeed, some organizations like Summum, with little representation in a city like Pleasant Grove, may not — but it also means (hopefully) that the statues that are memorialized will be representative of the entire city.

However, government speech is also extremely broad and at times difficult to distinguish from private speech. In Rust, government speech involved the ability of government-funded healthcare workers to recommend abortion, but Summum said privately donated monuments on government property constituted government speech. A later case, Texas v. Walker Division of Sons of Confederate Veterans, said that privately-sponsored images on government-issued license plates were government speech. As legal scholar Helen Norton has noted, government speech goes beyond the easily-recognizable State of the Union address and congressional resolutions — government speech is also Smokey Bear, warning us that "Only you can prevent wildfires."

The transparency principle

BYU law professor John Fee said problems with accountability can arise when the government initially doesn't claim a message as their own speech, but then later claims government speech when they get sued, in order to protect the government from free speech claims. In the case of Pleasant Grove, Fee said the city may have been reluctant to claim the Ten Commandments monument as government speech because of concerns with the Establishment Clause, but chose to do so after Summum brought the lawsuit.

"You don't want a government that's trying to have it both ways, where they are essentially creating a forum that is available to some people, but if they get sued, their lawyers simply claim government speech," Fee said.

Fee said if government is upfront about when it is "speaking," citizens will know whom to hold accountable. Norton calls this the "transparency principle" and argues that if individuals know when the government is speaking, they can hold the government accountable for the messages it chooses to promote by using the political process.

"Under this transparency principle, the government is not free to claim the government speech defense to a First Amendment challenge unless it has made the contested message's governmental source clear to the public," Norton said.

Application to Confederate (and other) monuments

Claiming the government is violating the free speech clause by allowing some statues in public parks and not others (for example, Confederate generals rather than Civil Rights heroes) is unlikely to work, based on the ruling of Pleasant Grove. The city will make the government speech claim and exempt itself from free speech clause scrutiny.

This is why Fee says the transparency principle becomes important: If city and state governments are transparent about whether memorials constitute messages from government officials or private individuals, citizens can take action. They know where to apply political pressure. In cases of government speech, people can vote public servants out of office when they promote messages the citizenry finds offensive.

If the transparency principle is applied, Fee said government speech doctrine as laid down by the Supreme Court has the potential to make government more responsible to the desires and preferences of its citizens, because city and state governments will have to own the messages they promote.

"Pay attention to what messages your own government is sending and take responsibility for those," Fee said. "Speech is powerful, and government speech is powerful. Ultimately, it's in the control of the people, and we are responsible for the content of whatever the government speaks."

PANDEMIC COMPLICATES COMMUNITY STRUGGLES WITH DRUG ABUSE

By Martha Harris

Patrick Alverson has been sober for about six years. When the COVID-19 pandemic first started and in-person meetings were cancelled, a friend of his started a daily Zoom meeting for people in recovery from addiction.

"Without that support group during the pandemic, I wouldn't say I would be in a horrible place, it just would suck even more," he said.

But Alverson also knows people who relapsed or struggled with substance addiction during the pandemic. He thinks that is because of how isolated people were.

"One of the things I hear in recovery is like, the opposite of addiction is connection," he said.

There was a 29.4% increase in the number of drug overdose deaths nationwide between 2019 and 2020, according to the Centers for Disease Control and Prevention. In Utah, overdose fatalities increased by about 7% between 2019 and 2020, according to preliminary data from a Utah Drug Monitoring Initiative report released in October 2021. However, an earlier report from the Utah Department of Health, released in January 2021, said there was not an increase in drug overdoses during the pandemic.

Opioid misuse in Utah County

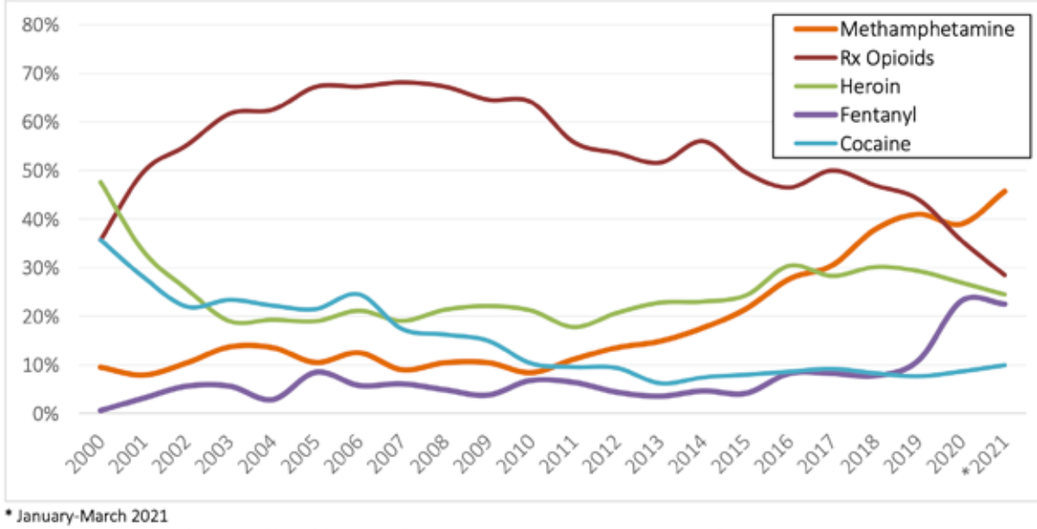
Gabriela Murza leads Utah State University Extension's HEART Initiative in Utah County. The HEART Initiative partners locally and nationally to address the opioid epidemic and other public health issues, according to Utah State's Extension HEART website.

Murza said it's hard to fully understand how the COVID-19 pandemic has affected drug-related fatalities in Utah because the most recent data is usually a year or two behind.

"2020 data for the state has been coming out recently. And just in general, Utah County is kind of following a similar trend to the state of Utah, and also to the United States," she said.

Murza gave a presentation to the Utah County Commission in June about the opioid epidemic in Utah and the HEART Initiative. Murza told the commission the rate of opioid use disorder in Utah had been decreasing.

Figure 1. Percent of All Drug Overdose Deaths in Utah, By Select Drug Types



* January-March 2021

Note: Preliminary data from the Office of the Medical Examiner; Drug categories are not mutually exclusive

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The Utah Drug Monitoring Initiative Annual Report shows that 2020 was the first year in about 20 years that prescription opioids were not the most common drugs involved in overdose deaths.

"Then 2020 hit and everywhere the numbers went up; they did increase as far as deaths due to opioids," she told the commission.

The HEART Initiative operates in nine counties, including Utah County, that have higher rates of opioid abuse and deaths related to opioid use. Carbon and Emery counties have the highest rates of opioid overdose deaths in the state, according to the Utah Department of Health.

Changes in opioid prescriptions

Alverson lives in Orem and was first prescribed an opioid after an emergency gallbladder surgery at the age of 16. He had previously used other substances, like alcohol and marijuana.

"They (opioids) did nothing for me at the time," he said. "My first opioid addiction came in when I was 21, when I hurt my back."

Alverson said he was prescribed 30 milligrams of oxycodone when he was 16 and was prescribed 80 milligrams of oxycontin when he was 21. After his back surgery, he started getting prescriptions from multiple doctors.

"I was able to 'doctor shop,' so I can go to one doctor to get a prescription and go to another doctor and get another prescription," he said. "One prescription will be paid by insurance, and the other prescription you gotta pay in cash."

Around 2013, some of Alverson's friends told him "doctor shopping" was becoming riskier and Alverson said his insurance stopped covering his opioid prescription, so it was too expensive.

Over the last decade, several laws in Utah have been passed to combat the opioid epidemic. For example, HB 175 "Opioid Abuse Prevention and Treatment," passed in 2017, requires "substance prescribers to receive training in a nationally recognized opioid abuse screening method." HB 50 "Opioid Prescribing Regulations," also passed in 2017, limited the number of days an opioid can be prescribed for a patient.

But after Alverson couldn't get prescription opioids, he started using heroin.

"I had never done heroin until 2014," he said. "Besides, heroin is so much cheaper and a lot

HOLLY CLUFF

Patrick Alverson battled opioid addictions and hopes going forward more doctors can be transparent about the risk of addiction with prescribed drugs.

more potent than synthetics."

About 80% of people who have used heroin first misused prescription opioids, according to the National Institute on Drug Abuse.

Alverson said he suspects more people turned to illicit drugs, like heroin, during the pandemic since many medical offices were closed or seeing fewer patients.

The annual Drug Monitoring Initiative report for 2020 includes preliminary data from the Utah Office of the Medical Examiner on drug-related fatalities. The report shows that for the first time in 20 years, prescription opioids were not the most common drugs involved in overdose deaths.

Methamphetamine was the most common drug involved in fatal overdoses in 2020 and fatal fentanyl overdoses increased by 125% from 2019 to 2020 according to the Utah Drug Monitoring Initiative report. Fentanyl is a synthetic opioid but is several times more powerful than other opioids, according to the CDC. Non-prescription drugs can be laced with fentanyl. Murza said the increase of opioids laced with fentanyl has played a big role in the rise of opioid-related deaths.

"People just don't know what they're buying. They don't know if it has fentanyl in it," Murza said. "Fentanyl by itself is pretty potent, so to mix it with something else that's potent as well, it's not a good thing."

Alverson said most of the people he knew who used opioids did not get them from a doctor's office.

"You can buy more drugs on the street than you can in a doctor's office," he said.

Stigma

Murza said that while there have been legislative changes, there is still a lot of stigma surrounding opioid addiction. She said from talking with people in Utah, the biggest misconception she's seen is the idea that if a person has opioid use disorder, they are to blame for their addiction. Murza also said she prefers the term "opioid use disorder" as opposed to "opioid addiction."

"A person is not their addiction, a person is not the challenge that they're facing," she said. "The biggest thing is helping people understand that there are humans behind any challenge, anything that somebody is experiencing."

To help humanize the issue, the HEART Initiative created a digital library collection that features stories from Utahns affected by the opioid crisis.

Nathan Ivie, a former Utah County Commissioner, told The Daily Universe that another misconception in Utah County is that only certain types of people have opioid addictions.

"It's non-discriminatory, it affects a lot of people," he said.

Ivie's mother had a knee replacement and was prescribed a heavy narcotic. He said she had struggled with depression before the surgery and narcotics not only took away the physical pain, but also helped with the emotional pain.

"That led to an addiction. We found out about it when she came off of it, she went through withdrawals," he said.

She had her other knee replaced a couple of years later and had a similar problem. Except this time, Ivie and some of his family members told her doctor about his mother's experience during her last surgery.

"What happened that second time, it was kind of a similar thing, we had to take them away," he said. "We had to highly regulate her medication intake, she went through withdrawals again."

But Ivie said he doesn't think his mother would've considered herself addicted to the medication because she was just taking what was prescribed to her.

"Utahns, particularly members of the LDS faith, are taught to trust authority figures, right," he said. "And so if the doctor is saying to do this, it's inherently OK."

Alverson had another back surgery in 2017, while he was in recovery, and he said that was the first time he had a prescribing doctor talk with him about how opioids can be addicting. The doctor also talked with him about his recovery, what medication might be right and the dose.

"They only gave out a week's worth of medication and not the whole month," he said. "If my previous doctors had done what this doctor did while I was in recovery, it would've been a tremendous help."

Alverson wishes more people knew about and had access to naloxone or Narcan, medications that can reverse an opioid overdose and said there are a lot of unnecessary deaths because of overdose.

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