

Sherwood, Elizabeth@POST

From: Barnes, Michael@POST
Sent: Wednesday, September 25, 2019 9:16 AM
To: Dane Wygal; Ellsworth, Larry@POST
Cc: terry; Crook, Ron@POST
Subject: RE: First look at Use of Force Legal Update

Good morning Gents,

I've watched with a semi-critical eye and noted everything below. Some of the comments are likely for a later review, but I wanted to get the notes down in case adjustments are preferred prior to the EXO review occurs.

Mike

Hosts:

01:17: clearer, good tone and pace; first choice
10:29: deeper voice; second choice
00:20: a bit higher pitched and scratching voice; third choice
00:38: a bit fast speaking for my taste; fourth choice

Generally:

- I like the use of the actual sections' text on screen. This is what cops are used to looking at and it is better at reinforcing the topic being discussed over just talking about it.
- I like the host script content. It guides and moves it along in a concise and understandable way.
- Nicely done on the interviews—you pulled out good, useful lines
- Don't know about that Barnes guy being shown—I don't think he signed a waiver

Lead in:

- The Newsome intro seems ominous, as if there's a bad thing coming. It gave me a very negative feeling about the law and a negative expectation as to what the video was going to tell me. Also, I fear the Governor's speaking along with this background tone could be very polarizing to our audience and resurrect officers' original, extremely negative feelings they had with the original versions of this bill---versions not in effect today but which could still taint their belief in what the actual new law says.
 - I'd offer an alternative could be to show the signing at the podium but overlay with the host saying, "on august 19, 2019, AB 392 was signed into law...[then continue with host's "Aware of the pending changes in law, CA POST....)"
- Music: Not sure the background music is needed so long here in the beginning. It keeps a 'pulse' going in the background and feels like something's going to happen, like a hammer is going to fall. Fades out at 04:16. It works elsewhere though, including with the final thoughts of the DAs at the end. Perhaps end around Manny's start at 00:45 and intermix with other views where a subject isn't speaking.

Concerns:

- Length:
 - Agreed. 27 minutes is a long time and may affect others' willingness to view it.

- I must say, though, that the content requires more than just 10 minutes if we want to use the SMEs comments to explain the new law. The graphics of the text alone can't do that and I think, somewhat unfortunately, that the discussion-style approach as used is likely the best way to vet out the changes and nuances.
 - The only 'short' alternative I see is to show the law and have voiceovers explaining it. But that seems chunky and not as good as what we have now.
 - There's some overlap in various places (e.g., 08:08- to 08:18 is a bit of a repeat of his piece just before Joyce who precedes him) but I don't think we'd gain but a minute or two (maybe) if such were reviewed microscopically and removed.
- Last resort comments at 10:00:
 - He says, "Deadly force has to be used as a **last resort**" at 09:58 to 10:04. Although I get what he's saying, this term's usage is very troubling.
 - I fear a couple things:
 - Legal:
 - We're saying necessary means last resort (which the law doesn't actually say).
 - This production of the State allows for the basis of training an officer receives to be used in court. Then we can have asked, "Officer, did you have any other options...was this truly your *last* resort?"
 - Historical: This term has been rejected by cops for years since it implies everything else was tried, or that no other viable options existed (that I should have used first).
 - The law says "necessary," a term whose conditions are further explained with the text showing at 10:29.
 - The discussion on these (i.e., to defend, to apprehend) follows and further explains "necessary" to a degree, I think, allows us to omit the "last resort" standard.
 - Perhaps working with 10:16 may offer a different starting place without using that phrase.
- Disclaimer: Do we have canned language we can use about this being a review of the new law and it's the opinion of the SMEs, but that agencies and officers should confer with local counsel for interpretation on the law? Perhaps something up front at beginning and/or attached to the reference link near the end (i.e., "for further info on PC 835a...")?

From: Dane Wygal [REDACTED]@dop.com>
Sent: Tuesday, September 24, 2019 9:00 PM
To: Barnes, Michael@POST [REDACTED]@post.ca.gov>
Cc: Ellsworth, Larry@POST [REDACTED]@post.ca.gov>; terry [REDACTED]@dop.com>
Subject: First look at Use of Force Legal Update

Hi Mike,

Below is the link ad password for a first look at the Use of Force Legal Update video. Larry had an opportunity to see it at lunch today and we wanted to get it over to you as well.

A couple of "rough cut" disclaimers:

The audio is not sweetened, so audio levels vary throughout.

There are several places that the graphics need to be refined where the language in the law will be highlighted more specifically.

Lower-third ID graphics for Manny and the Attorneys will be redone with official titles.

The voiceover that is heard includes some sample reads from 4 potential professional talent. The bulk of the voiceover is done by me as a placeholder and will be replaced with a professional voiceover once we finalize the script.

It is about 27 minutes long, which is much longer than I was hoping, but it was the only way I saw to cover the points discussed in our meeting using the interviews we had. There could be room to shorten it if we removed introduction statements and final thoughts, but those help to tell the story.

That is it for now. I am anxious for you to take a look and share your thoughts.

<https://www2.dop.com/dopbb/viewtopic.php?f=102&t=470>

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