



DIVERSITY IN FILMMAKING

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Natasha Chee

**Entertainment
Attorney
+ Music Supervisor**

- Natasha works with filmmakers, movie and music producers, production companies, content creators, writers, talent, and video game & tech companies to advise and protect their legal and intellectual property rights.
- Sole Attorney of Business and Legal Affairs, Music Supervisor, and Post-Production Supervisor of *Best F(r)iends Vols. 1 + 2* (distributed by Lionsgate), starring Tommy Wiseau and Greg Sestero of *The Room* and inspired *The Disaster Artist*.
- Music Supervisor for the Best F(r)iends Soundtrack composed by Daniel Platzman of Imagine Dragons.
- Presented and taught numerous MCLE's on Entertainment and Technology Law. Authored numerous articles on diversity, equity and inclusion.
- CCCBA: Diversity, Equity, and Inclusion Committee, Website & Communications Committee, Past President of the Women's Section.
- Santa Clara University School of Law – J.D., High Tech Law Certificate
- UCLA – B.S. in Biochemistry, Minor in French

OVERVIEW

■ **Laws & Regulations**

- *California Constitution – Article I, Section 7 & 8*
- *United States Constitution – 14th Amendment*

■ **Various Unions and Guilds (SAG-AFTRA, PGA, DGA, WGA)**

- *A look at their diversity programs and efforts.*
- *Writers/Directors/Actors stats according to race and gender*

■ **History of Hollywood**

- *Motion Picture Production Code & The Hays Code*
- *The Academy of Motion Picture Arts and Sciences new representation and inclusion standards for Oscars eligibility in the Best Picture category (Academy Aperture 2025 initiative)*

■ **Offensive Practices**

- *Black/Yellow/Brown/Redface*
 - *Damaging Legacy in Pop Culture*
- *Whitewashing Characters in Films*
- *Casting Cisgender Actors in LGBTQ+ Roles*
- *Stereotyping marginalized groups in film*

OVERVIEW CONTINUED

- **Destructive Tropes**

- *Blacks, Latinx, Asians, Native American / Indigenous, MENA, LGBTQ+*

- **Ageism**

- **Disability**

- **Accolades**

- **Firsts**

- *Award wins by minority or underrepresented groups*

- **The Future of Hollywood**

- *Will Artificial Intelligence help or hurt diversity, parity and inclusion?*
 - *Independent film*
 - *The role of the consumer*
 - *The role of production counsel and entertainment attorneys*

FEDERAL LAW

■ United States Constitution – 14th Amendment

- No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.



CALIFORNIA LAWS

■ **California Constitution – Article I, Section 7 & 8**

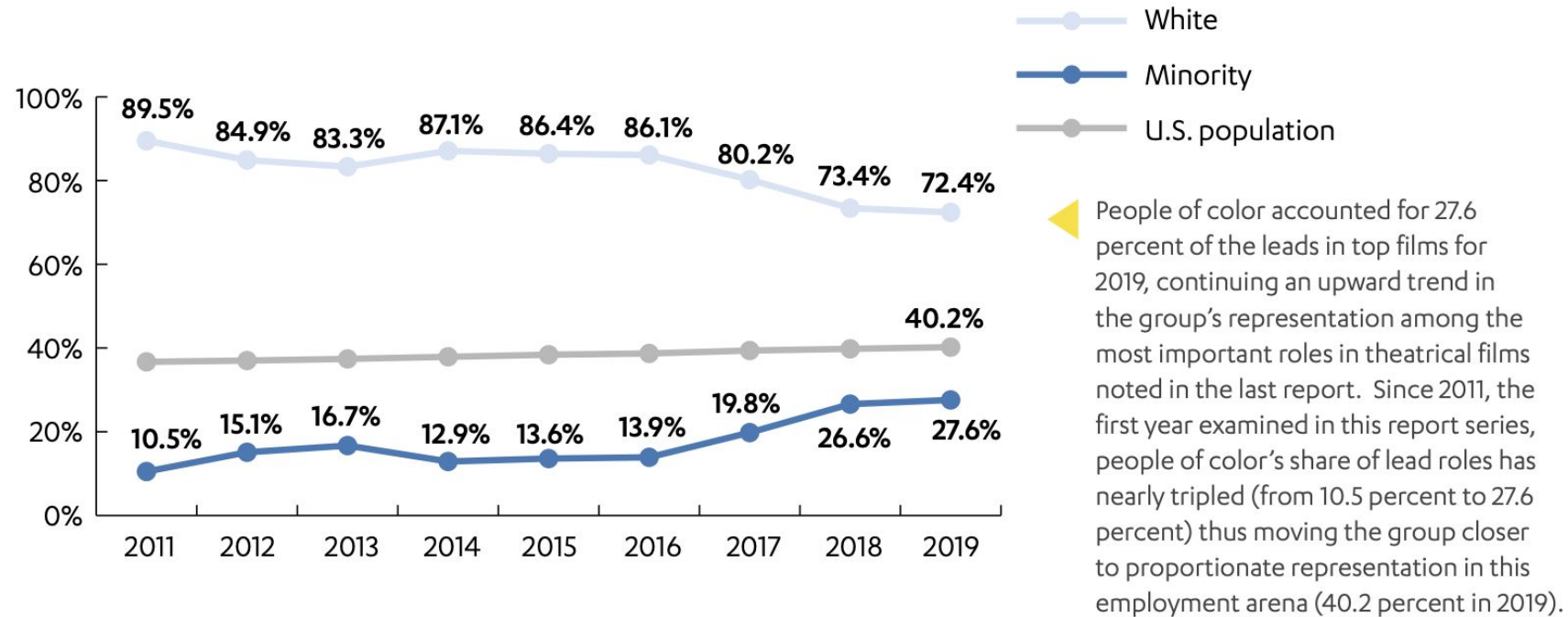
- Section 7 - Explicit requirement that the State Government may not deprive individuals of "life, liberty, or property without due process of law," or deny equal protection of the laws.
- Section 8 - A person may not be disqualified from entering or pursuing a business, profession, vocation, or employment because of sex, race, creed, color, or national or ethnic origin.

■ **California Fair Employment and Housing Act (FEHA)**

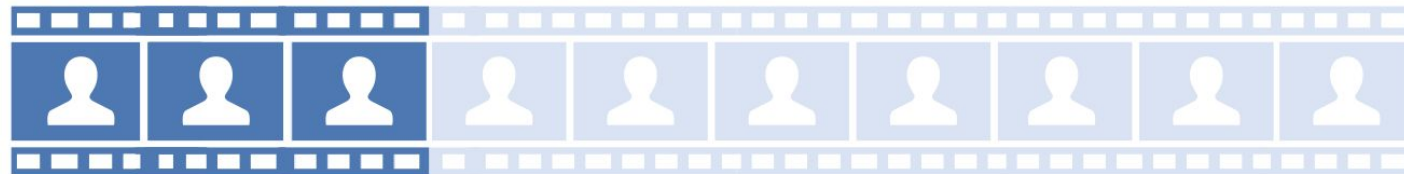
- Prohibits employment discrimination based on race or color, religion, national origin or ancestry, physical disability, mental disability or medical condition, marital status, sex or sexual orientation, age (over 40), and pregnancy childbirth or related medical conditions.

FIGURE 1: Lead Actor Race, Theatrical Films, 2011 - 2019

(n=172, 172, 174, 163, 168, 173, 167, 139, 145)



*UCLA Hollywood Diversity Report 2020



3 out of 10 lead actors in film are people of color

FIGURE 2: Lead Actor by Gender, Theatrical Films, 2011 - 2019
(n=172, 172, 174, 163, 168, 173, 167, 139, 145)

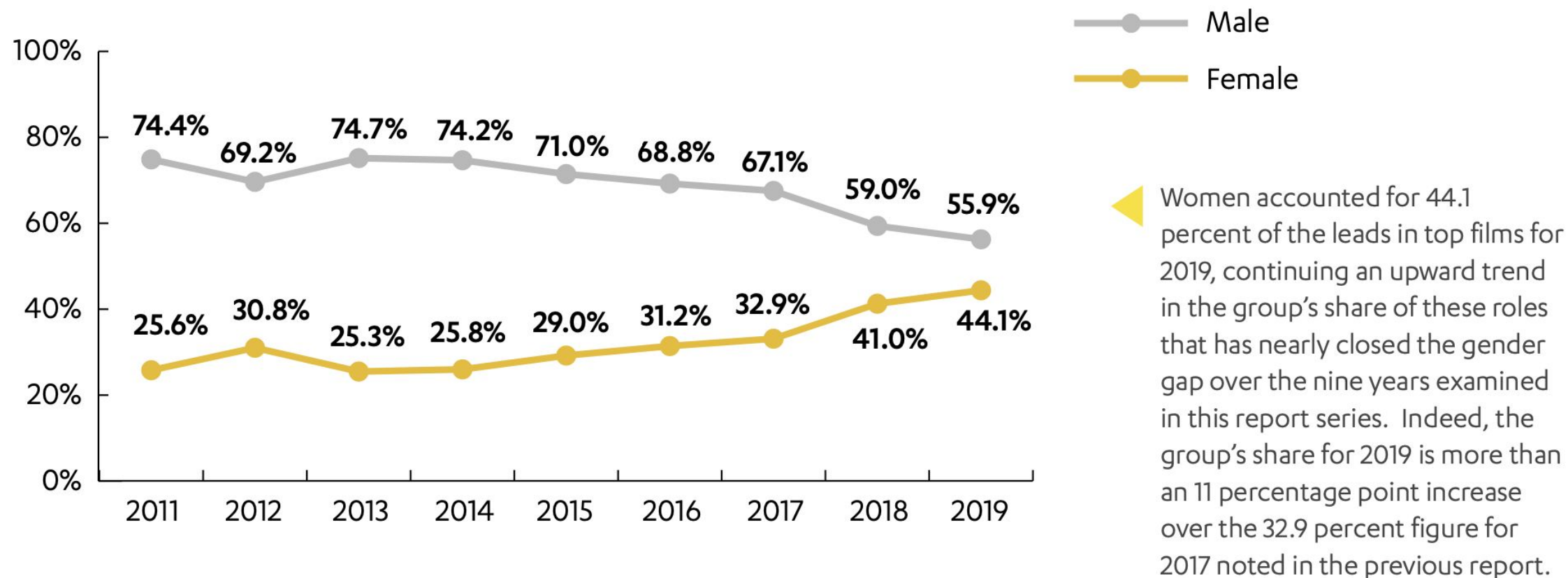
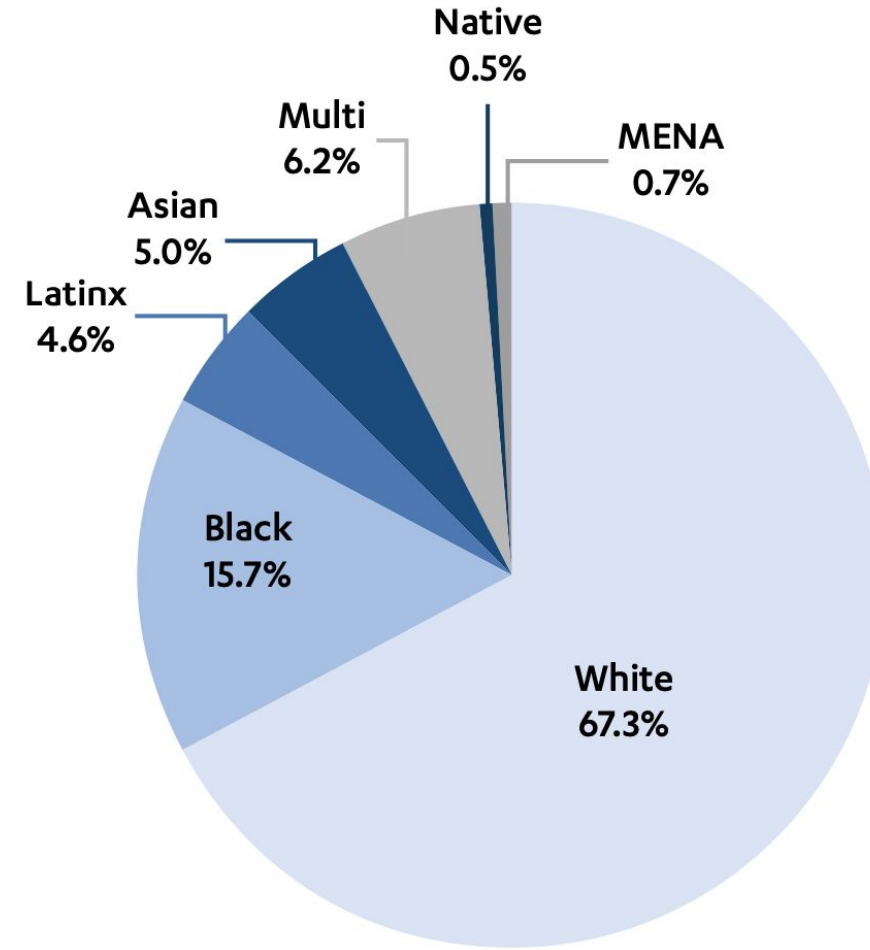


FIGURE 4: Share of All Film Roles, by Race, 2019 (n=1,134)

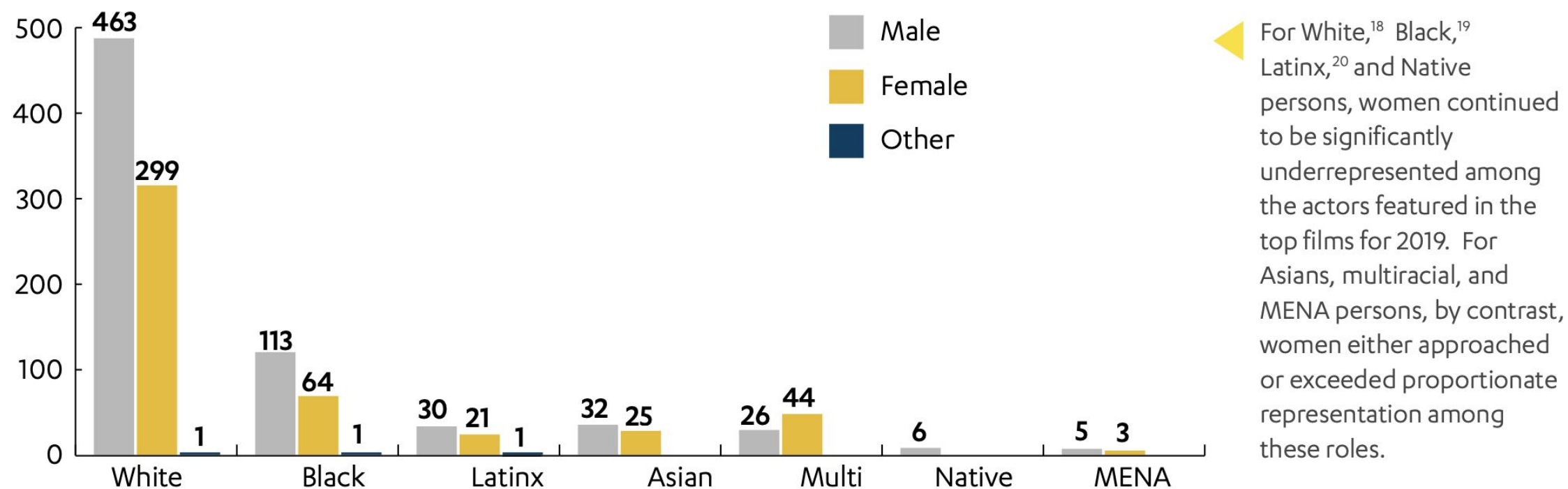
The White share of all top film roles dropped to 67.3 percent in 2019, continuing the downward trend for the group noted in Figure 2 above.

Meanwhile, the Black share of all top film roles increased to 15.7 percent in 2019, the second year in a row for which the group was overrepresented among these roles. As in 2018, Latinx (4.6 percent), Asian (5 percent), and Native (0.5 percent) persons remained underrepresented among all top film roles in 2019. People of color collectively, however, continued to claim an increasingly large share of all top film roles (32.7 percent), moving closer to proportionate representation in this employment arena (40.2 percent for 2019).



*UCLA Hollywood Diversity Report 2020

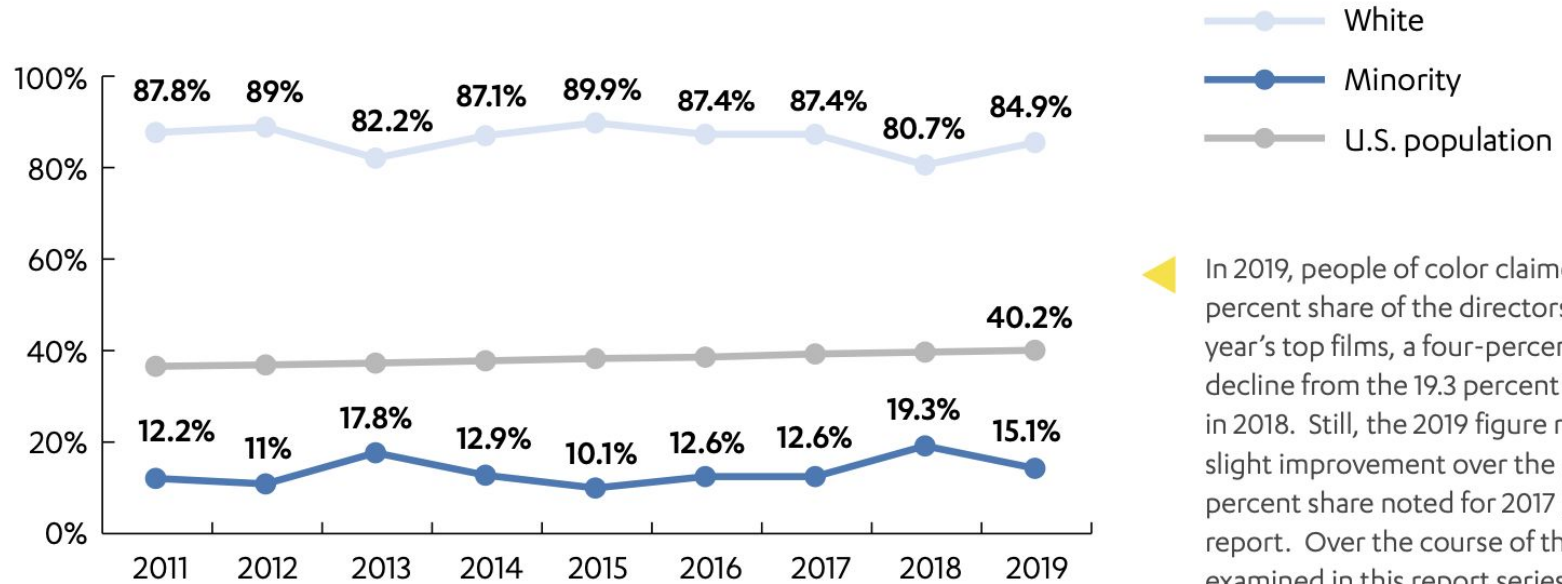
FIGURE 5: Film Actor Counts, by Race and Gender, 2019 (n=1,134)



*UCLA Hollywood Diversity Report 2020

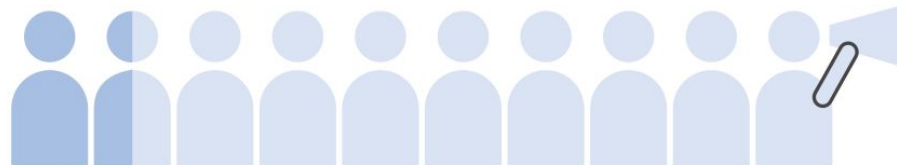
FIGURE 1: Director Race, Theatrical Films, 2011 - 2019

(n=172, 172, 174, 163, 168, 174, 167, 140, 146)

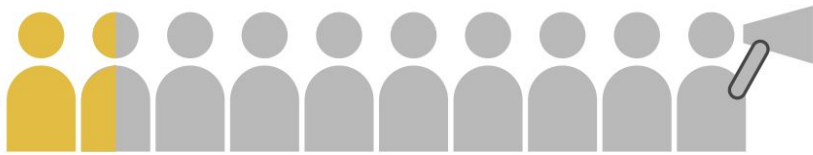


▶ In 2019, people of color claimed a 15.1 percent share of the directors from that year's top films, a four-percentage-point decline from the 19.3 percent figure posted in 2018. Still, the 2019 figure represents a slight improvement over the group's 12.6 percent share noted for 2017 in the previous report. Over the course of the nine years examined in this report series, people of color's share of directors has increased only marginally beyond the 12.2 percent figure reported for 2011. People of color would have to nearly triple their share of directors in 2019 to attain proportionate representation (40.2 percent).

*UCLA Hollywood Diversity Report 2020

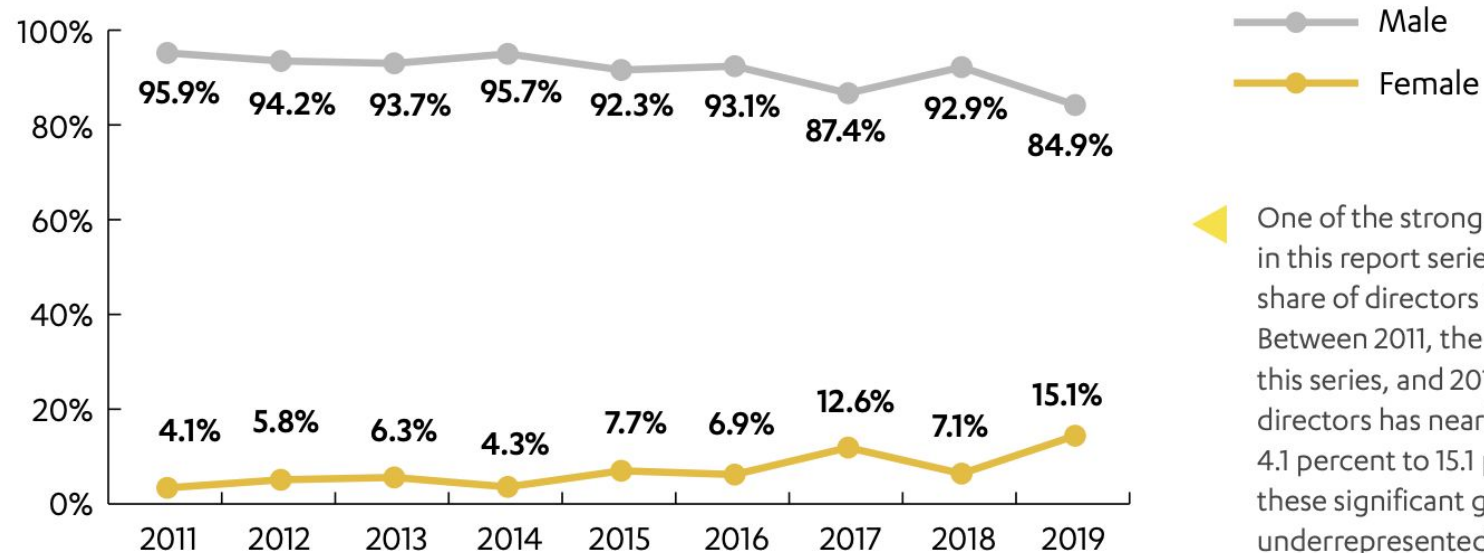


only 1.5 out of 10 film directors are people of color



only **1.5 out of 10** film directors are female

FIGURE 2: Director Gender, Theatrical Films, 2011 - 2019
(n=172, 167, 174, 163, 168, 174, 167, 140, 146)

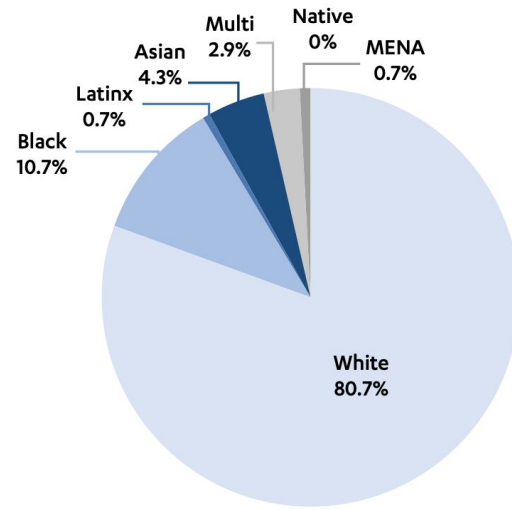


One of the strongest upward trends noted in this report series concerns women's share of directors for top Hollywood films. Between 2011, the first year examined in this series, and 2019, women's share of directors has nearly quadrupled from 4.1 percent to 15.1 percent. Despite these significant gains, women remained underrepresented by a factor of more than 3 to 1 in this employment arena in 2019.

*UCLA Hollywood Diversity Report 2020

FIGURE 3: Share of All Film Directors, by Race, 2018 (n=140)

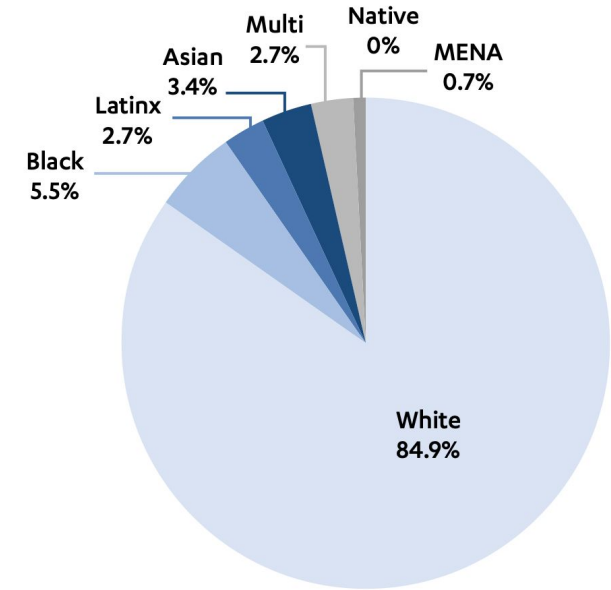
In 2018, 80.7 percent of the directors for top Hollywood films were White. Among people of color, only Blacks claimed a sizable share of these positions (10.7 percent), though the group remained underrepresented in the employment arena. The shares for Latinx (0.7 percent), Asian (4.3 percent), multiracial (2.9 percent), Native (0 percent), and MENA (0.7 percent) persons were all significantly smaller, though multiracial persons (about 2.9 percent of the population²¹) attained proportionate representation in this employment arena in 2018.



*UCLA HOLLYWOOD DIVERSITY REPORT 2020

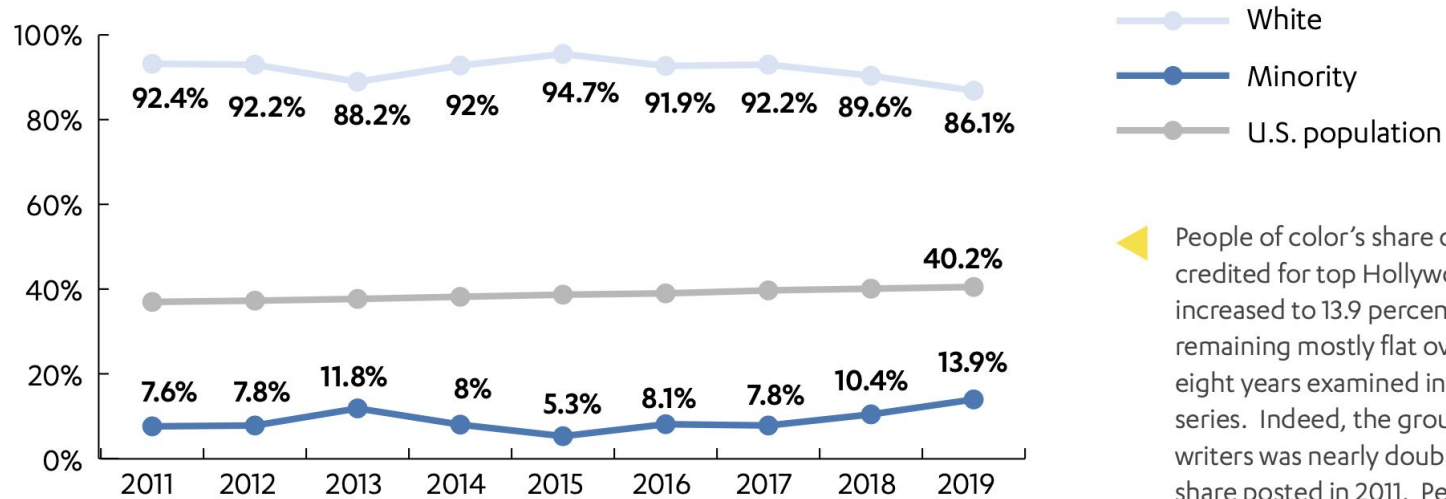
FIGURE 5: Share of All Film Directors, by Race, 2019 (n=146)

In 2019, 84.9 percent of the directors for top Hollywood films were White, a nearly five-percentage-point increase over the 80.7 percent figure the group posted in 2018. The shares for Black (5.5 percent), Latinx (2.7 percent), Asian (3.4 percent), multiracial (2.7 percent), Native (0 percent), and MENA (0.7 percent) persons were all significantly smaller, and of these groups, only multiracial persons (about 2.9 percent of population) individually approached proportionate representation in 2019.



The percentage of minority directors for top Hollywood films decreased from 19.3% in 2018 to 15.1% in 2019. That's a 4.2% decrease from 2018 to 2019.

FIGURE 1: Writer Race, Theatrical Films, 2011 - 2019
(n=172, 167, 170, 163, 168, 173, 166, 135, 144)



People of color's share of the writers credited for top Hollywood films increased to 13.9 percent in 2019, after remaining mostly flat over the previous eight years examined in this report series. Indeed, the group's 2019 share of writers was nearly double the 7.6 percent share posted in 2011. People of color nonetheless would have to nearly triple their 2019 share of writers in order to reach proportionate representation in this employment arena (40.2 percent).

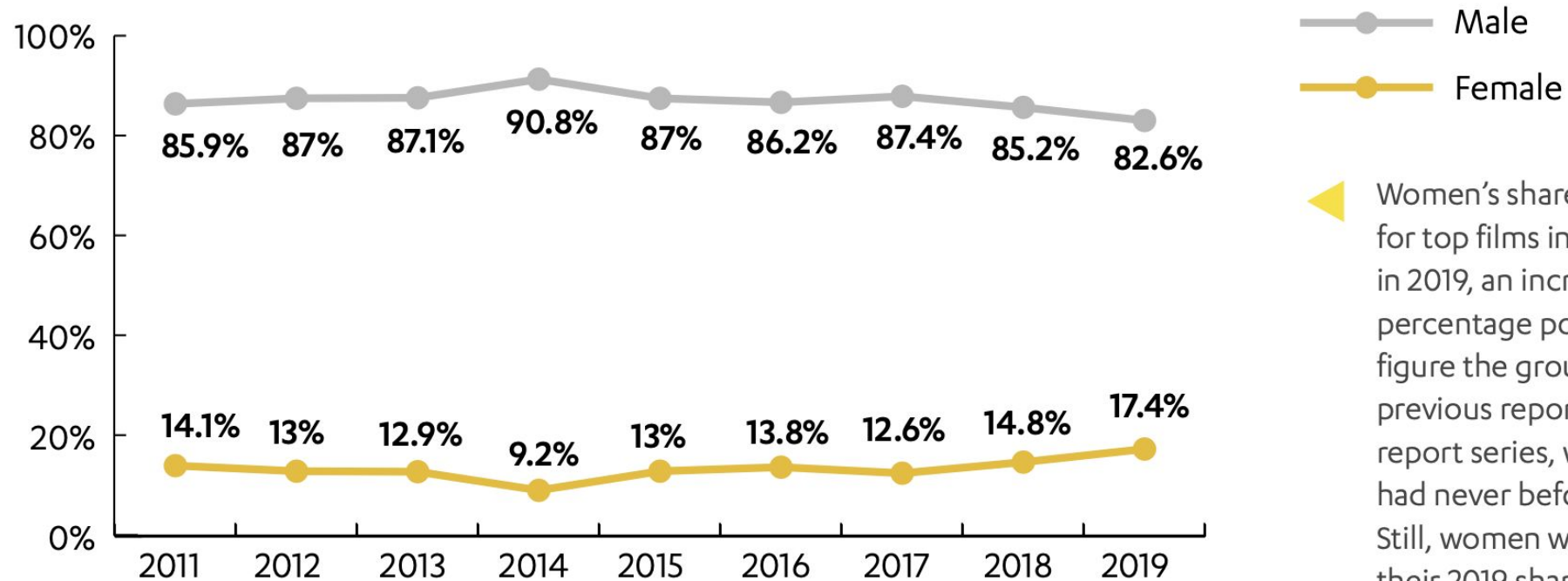
*UCLA Hollywood Diversity Report 2020



Only 1.4 out of 10 film writers are people of color

FIGURE 2: Writer Gender, Theatrical Films, 2011 - 2019

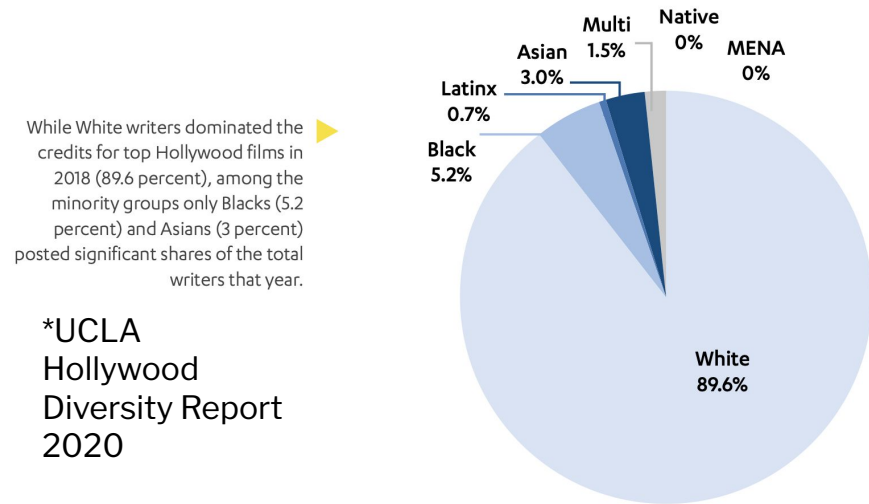
(n=170, 169, 170, 163, 168, 174, 167, 135, 144)



Women's share of the writers credited for top films increased to 17.4 percent in 2019, an increase of nearly five percentage points over the 12.6 percent figure the group posted for 2017 in the previous report. Over the course of this report series, women's share of writers had never before exceeded 15 percent. Still, women would have to multiply their 2019 share by nearly three to reach parity with men in this employment arena.

*UCLA Hollywood Diversity Report 2020

FIGURE 3: Share of Film Writers, by Race, 2018 (n=135)



*UCLA
Hollywood
Diversity Report
2020

- There are small gains for minority writers, year-to-year from 2018 to 2019.
- However, it is still largely dominated by White writers.

FIGURE 5: Share of All Film Writers, by Race, 2019 (n=144)

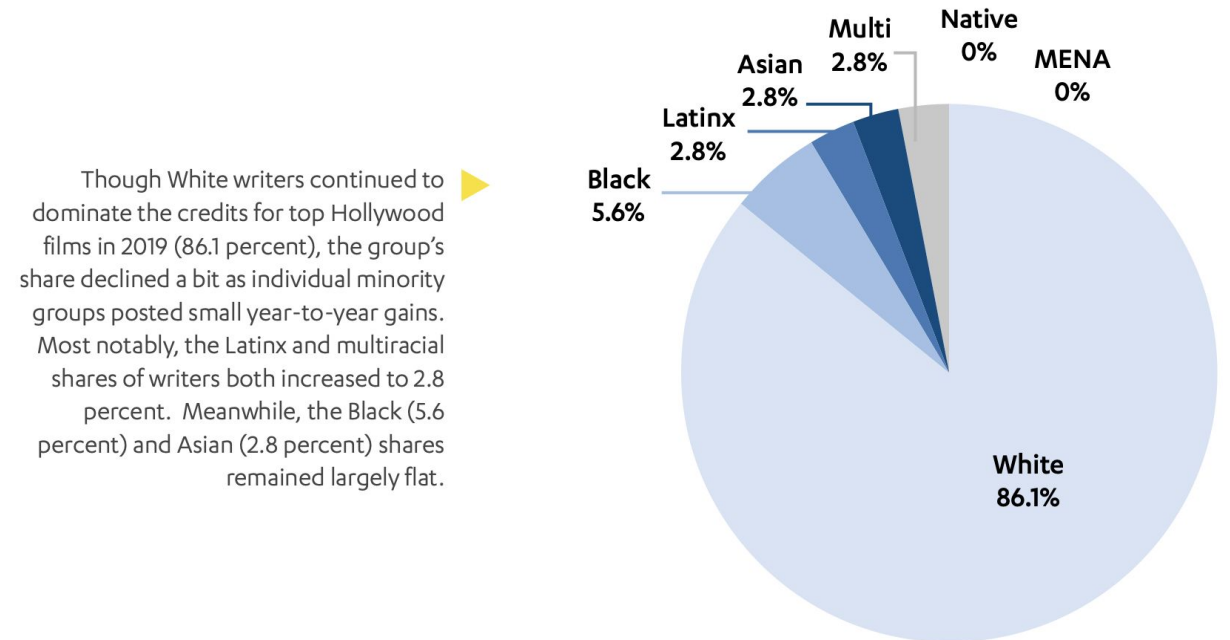
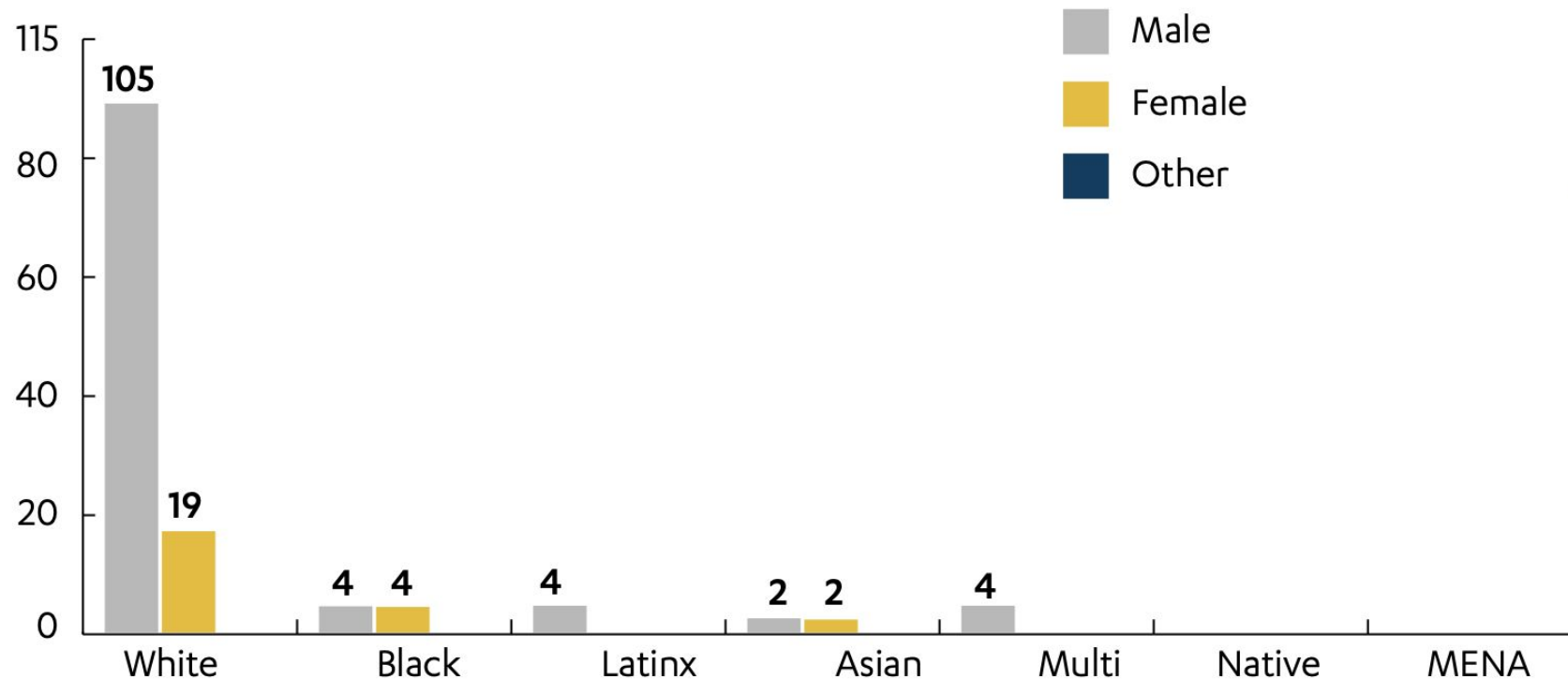


FIGURE 6: Film Writer Counts, by Race and Gender, 2019 (n=144)



◀ In 2019, Black and Asian women reached parity with their male counterparts among the writers credited for top Hollywood films. Meanwhile, women were severely underrepresented among White writers and nonexistent for the other racial and ethnic groups.

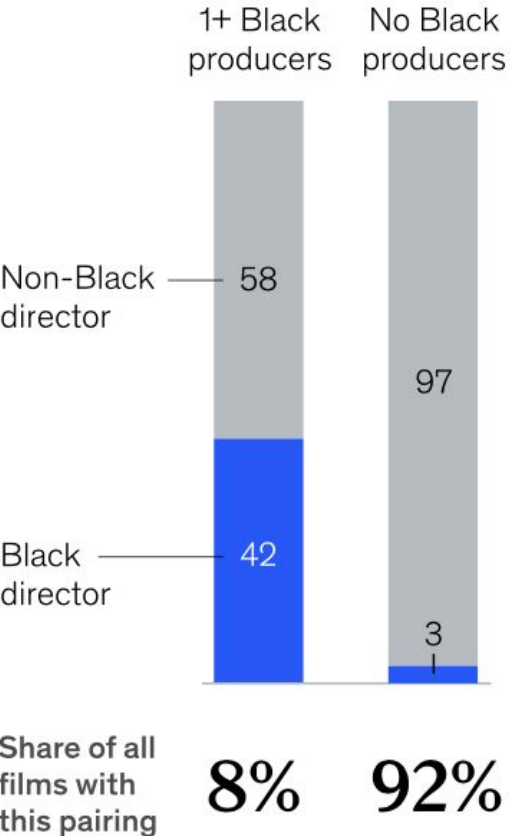
*UCLA Hollywood Diversity Report 2020

- **There is a disproportionate number of White male writers versus White female writers.**
- **Native American and Middle Eastern North African (MENA) writers are non-existent.**

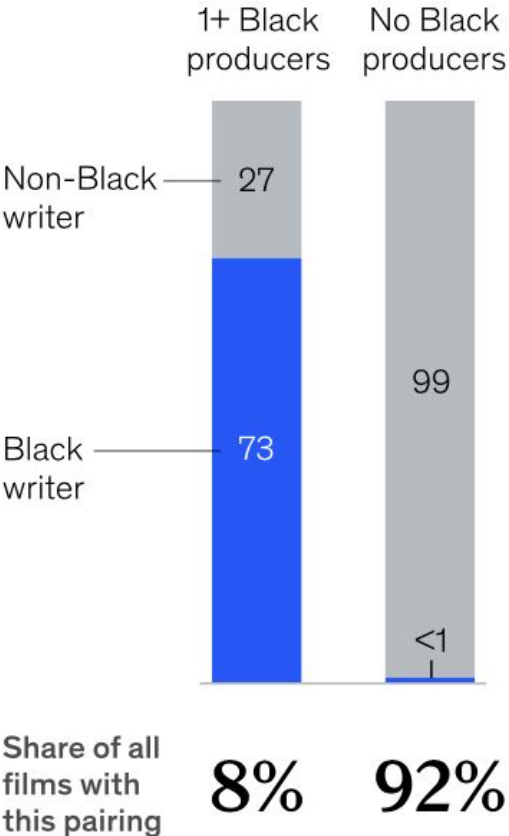
Black off-screen talent is primarily responsible for creating opportunities for other Black off-screen talent.

Racial mix of off-screen talent based on race of film leadership, 2015–19, %

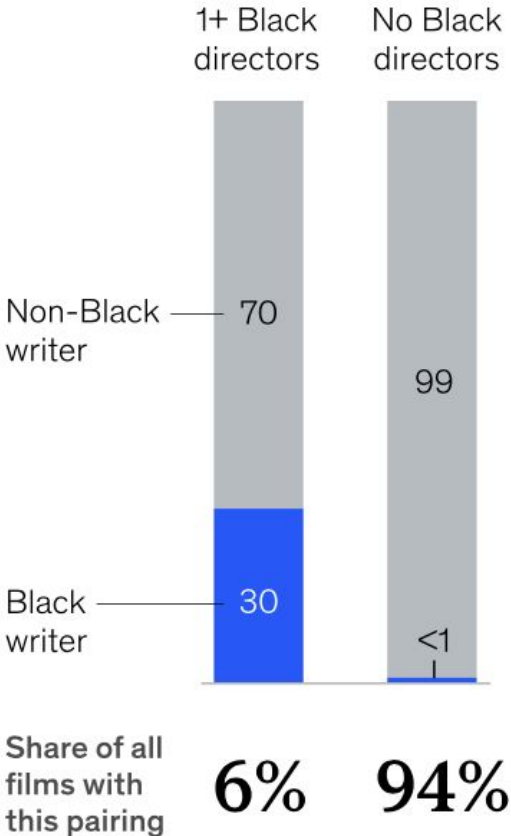
Likelihood of a film having a **Black director** based on whether 1 or more **producers** are Black:



Likelihood of a film having a **Black writer** based on whether 1 or more **producers** are Black:



Likelihood of a film having a **Black writer** based on whether 1 or more **directors** are Black:



Source: Variety Insight by Variety Business Intelligence, n = 4,616 talent, 2015–19

MOTION PICTURE PRODUCTION CODE - THE HAYS CODE

■ Pre-Code

- *In 1927, prior to enactment of the Hays Code, a long list of "Dont's" and "Be Carefuls" were used, prohibiting certain subject matter, including miscegenation (sexual relations between White and non-White actors) and sex perversion (homosexual themes fell under this).*

■ The Hays Code essentially codified the Pre-Code.

- *It is a set of industry moral guidelines for the self-censorship of content that was applied to most United States motion pictures released by major studios from 1934 to 1968.*

■ The Production Code spelled out what was acceptable and what was unacceptable content for motion pictures produced for a public audience in the United States.

■ 1968 – Abandonment of Hays Code & Enactment of MPAA

- *In 1968, abandonment of the Hays Code shifted from restricting filmmakers to alerting audiences, by enacting the MPAA film rating system (G, M, R, and X) still used today.*

**BLACK
YELLOW
RED
BROWN**

FACE

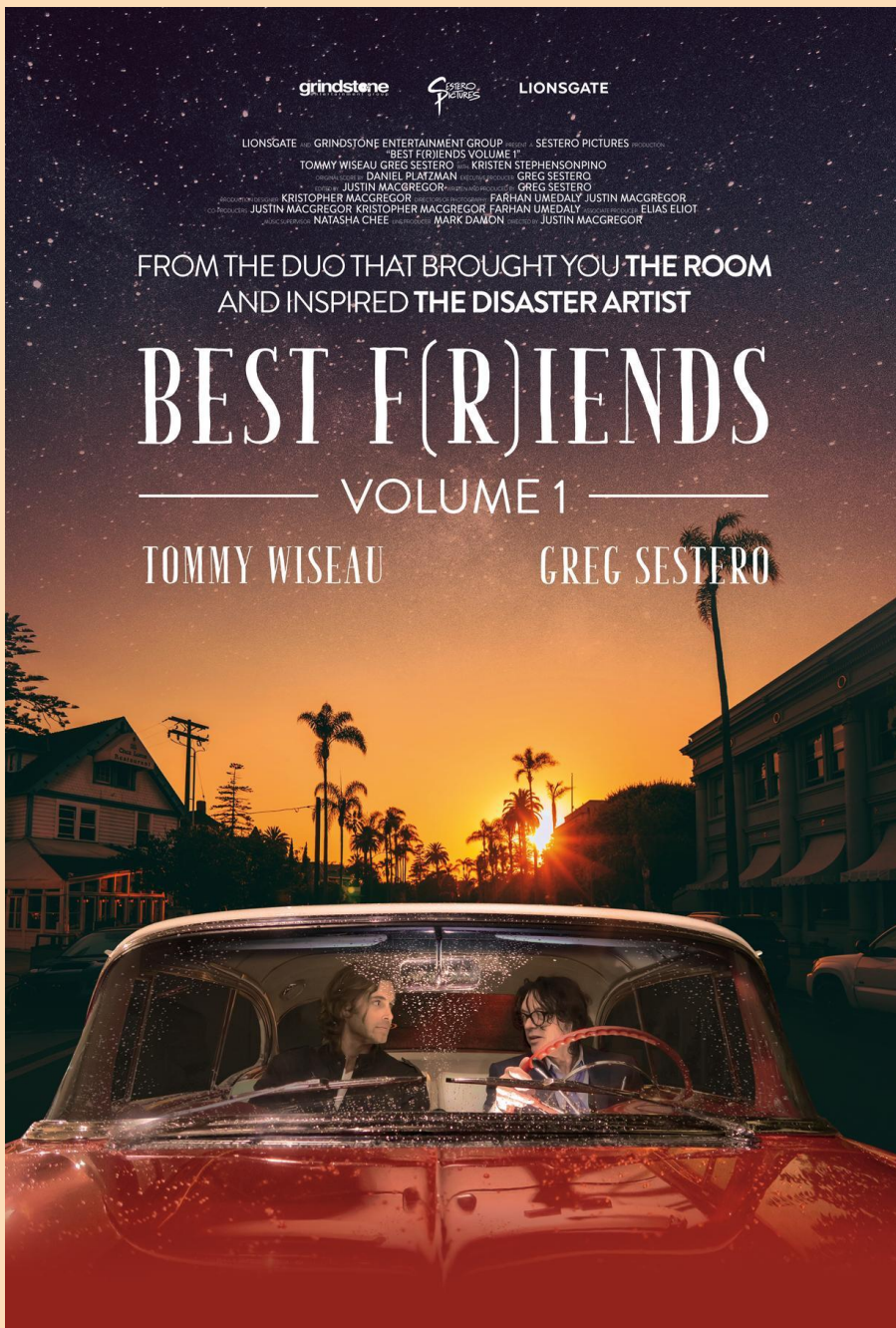
- **What is Black, Red, Yellow and Brown Face?**
- **Blackface began around 1830 in Minstrel shows.**
- **Early years of film, black characters were routinely played by white people in blackface.**





THE FUTURE OF HOLLYWOOD

- Will Artificial Intelligence help or hurt diversity, parity and inclusion?
- Independent film.
- The role of the consumer.
- The role of production counsel and entertainment attorneys.



BEST F(R)IENDS VOLS. 1 + 2

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ATTORNEY OF BUSINESS
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MUSIC SUPERVISOR
POST PRODUCTION
SUPERVISOR

