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Does Crime Pay?

Yes, especially in Hollywood

EARLIER THIS SUMMER, SWARMS OF scavengers descended upon the Long Island Lolita. Among throngs of press and publicity-hungry lawyers were the real birds of prey — Hollywood agents and TV producers. The Lolita is seventeen-year-old Amy Fisher, a high school student accused of shooting housewife Mary Jo Buttafuoco after an alleged affair with her husband, Joseph. Before you could say, “upfront option,” Paramount’s *Hard Copy* reportedly offered \$200,000 for the rights to Fisher’s story, and the networks were deluged with movie-of-the-week memos. Saying “publicity is her only asset,” Fisher’s attorney offered an exclusive to anyone who will post her \$2 million bail.

At press time, no one had taken Fisher up on her offer, but more and more it seems that crime does pay. In addition to the rash of reenactment shows on television, the networks now devote up to forty percent of their prime-time movie lineup to “true” stories, most of which involve criminal acts. However, the victims’ stories are the most sought-after

because, as ABC’s Judd Parkin points out, “You want to focus on the sympathetic character.” Tales with a suburban, it-could-happen-here flavor are especially favored. Both HBO and ABC bought rights to the same story about a Texas mother who tried to have her daughter’s cheerleading rival killed. Because it has all the right elements, Fisher’s saga could command up to \$125,000 in movie rights, although Mary Jo Buttafuoco’s story is the real prize. Meanwhile, husband Joseph is shopping *his* version around.

But when a criminal sells his or her story, the troubling question is, who

should get the money? Disturbed by the prospect of a murderer profiting from his or her crimes, New York lawmakers in 1977 passed the “Son of Sam” law, named for serial killer David Berkowitz. That law required anyone who bought the story of an accused or convicted criminal to notify the Crime Victims Board, which had the power to seize any deal money

and redistribute it to the victim. Some thirty states and the federal government followed New York’s lead. But the law’s direct effects have been minimal. It stopped deals from being made more often than it redistributed money to victims. Only ten books have been brought before the board, which has frozen \$165,000 (\$75,000 of which has been given to three victims). And last December the Supreme Court ruled “Son of Sam” laws unconstitutional. The case against the law had been pressed by Simon & Schuster, which paid Henry Hill some \$96,000 for collaborating on *Wise Guy*. That book later became *GoodFellas*.

The publisher’s main point was that “Son of Sam” laws violated the First Amendment. The Court agreed unanimously, adding that the law was too broad. Under it, *The Autobiography of Malcolm X* might never have been written because it mentions illegal activities.

New York’s Crime Victims Board decried the ruling and set to work drafting a new law. The bill, which was expected to pass in June, would require up to \$10,000 restitution assessed on criminals, regardless of their ability to pay. That way, when the big deal comes through, the criminal will get a taste of how it feels to be victimized. —Martin Kihn



The Fisher tale is the catch of the day.