

The Big Chase

True-life made-for-TV movies start with the race for rights. | **By Philippe Perebinosoff**

In the 1980 and 90s, when I was a television movie executive at ABC, the number of chases for the rights to stories based on real-life events was at an all-time high. The huge success of “The Burning Bed” and “Fatal Vision,” both 1984 true-crime TV movies based on books about sensational cases, upped the ante on the genre. On my desk was a list of the true stories with the names of the producers who had queried us about the particular properties. Keeping the list current and making sure that everyone was kept informed — especially about the amount of money ABC was offering to help secure the rights — was an all-consuming task. Hurried meetings were typical. A lot of people needed to be in the loop, including the business-affairs department, programming heads, other executives who were being pitched the same hot stories and producers eager for any bit of information that might give them an edge in their negotiations.

Oftentimes, ABC would go into development with the first person who secured the rights we wanted. If that turned out to be an untested producer, we would “marry” the neophyte with a veteran producer with an established record. At this juncture, the jockeying began to determine *who* became the producer that provided the necessary “comfort level” for the network and *who*

would ultimately be in charge of the project. Would it be the producer who got the rights or the producer who was attached to make sure the story would be properly developed and produced?

My involvement with the breathless chase for story rights — and resulting bidding wars — reached its zenith with the Amy Fisher saga. On an August morning in 1992, a rebellious 16-year old, who was having an affair with a thirty-something auto mechanic named Joey Buttafuoco, shot her lover’s wife in the head. Within six months of the deed, the Big Three broadcast networks had all aired made-for-TV movies about the shocking crime.

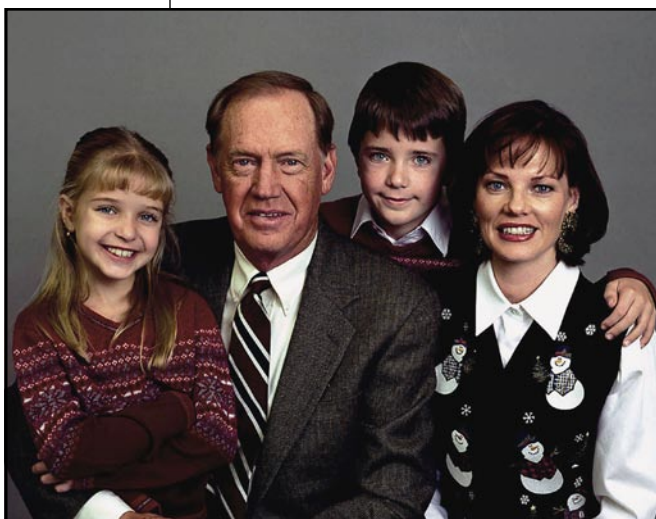
The NBC movie, “Amy Fisher: My Story,” was told from the defendant’s perspective (she sold her rights for a reported \$250,000 to raise bail). The CBS version, “Casualties of Love: The Long Island Lolita Story,” presented Buttafuoco’s viewpoint. Our movie at ABC, “The Amy Fisher Story” starring Drew Barrymore, was drawn from documents in the public domain and the *New York Post* articles of Amy Pagnozzi, who was retained as a technical consultant. The ABC and CBS movies actually aired opposite one another on January 3, 1993, a week after the NBC version. All three got impressive ratings, in a sense justifying one of the hottest chases in television

movie history.

Several years later, I'm in the more reflective role of a college professor, and find it fascinating to analyze industry trends, examine programming decisions and evaluate creative ideas that will generate excitement with producers, network executives and the elusive, hard-to-read viewing audience. "Ripped from the Headlines" movies are a staple of American television, so it's worth considering what makes a story worth chasing.

The conventional wisdom has been that having the rights to a *People* magazine cover story gives a producer a leg up in terms of generating network interest because of the built-in recognition factor. Promoting a movie like "Willing to Kill: The Texas Cheerleader Story" (1992), for instance, was made considerably easier because *People* — along with *Hard Copy* and *The National Enquirer* — had already introduced millions of potential viewers to the storyline of a desperate mother who conspired to murder the mother of her daughter's chief rival.

The tabloids are tops as an indicator of what stories capture and hold the public interest, but good stories have also been mined from more respectable and traditional news sources. *The New Yorker*, *Vanity Fair*, *60 Minutes*, *Dateline* and *Texas Quarterly* all carried pieces that put a producer on the right track. In a marketplace that values the quality of "edginess," *Reader's Digest* seems like an unlikely source. But one of the best



(l-r) Dyanne Landoli as JonBenet Ramsey, Ronnie Clark as her father, Tyler Sharp as her brother and Marg Helgenberger as her mother in "Perfect Murder, Perfect Town," the made-for-TV movie about the murder of JonBenet Ramsey.

television movies ever made, "Who Will Love My Children?," starring Ann-Margret, sprang from that wholesome publication.

Regardless of the specific source, though, what are the ingredients in a story that create a chase? Some of the most experienced players in the true-life genre took the time to talk with me about their experiences.

For Marc Lorber, a producer and international production consultant, a story that addresses the human condition in a unique way can develop into a sought-after property. He was co-producer of the 1994 *Movie of the Week* "Moment of Truth: Cradle of Conspiracy" that was inspired by the true story of a teenage girl whose boyfriend secretly plans to make her pregnant to sell the baby to eager adoptive parents. Lorber feels that hot stories can be "uplifting and aspirational," as "Cradle of Conspiracy" turns out, but he also feels that part of what fuels the chase is

a story that reveals a uniquely insane or criminal mind. The likes of the angel-faced serial killer Ted Bundy or the Boy Scout leader next door who turns out to be the wretchedly depraved “Bind-Torture-Kill” pervert will always be in the crosshairs of programmers.

Ken Kaufman, who produced eleven *In the Line of Duty* telefilms, including “Ambush at Waco,” seeks stories that have complex bad guys with unique attributes, such as a political or social obsession. An unusual relationship with a family member, for example, a twin, always piques his interest. Kaufman also looks for cops who have special characteristics that could be brought to life to distinguish them from “run-of-the-mill good guys.”

Docudramas, he believes, aren’t so much about accuracy, but credibility. As Kaufman told *TV Guide*: “Omission, compression — those are things we have to use in order to tell a story. There are composite characters whose essence is truth.”

Once a story with unique elements is discovered, what’s next? For many, deciding whether or not to pursue a given story comes down to one basic question: Is there a buyer? Judith A. Polone, who has produced over 50 movies for television, says there is no point in chasing a story that doesn’t have a buyer. To do this, she commits to doing her homework by being in regular contact with her buyers to know exactly what they’re looking for.

Polone, now president of movies and miniseries at Lions Gate Television, refers to the process of vying for rights to a good story as a “beauty contest.” Several suitors line up to gain favor with the individuals who are essential to a given project. Polone has won her

fair share of competitions, including convincing Nigel Hamilton, the author of *JFK: Reckless Youth*, to join with her and forsake his many other suitors hoping to make a TV movie of his work. The secret to winning such beauty contests, she says, “is being fully prepared and coming up with a specific approach that will set you apart from the other producers competing for the project.”

Helen Vernon, Executive Vice President, Sony Pictures Television, has done numerous true-crime stories, notably “The Perfect Husband: The Lacy Peterson Story,” which went into development at USA network *before* a verdict had been reached in the murder trial of Scott Peterson. She has an impressive list of what she calls “guilty as charged” films: “Murder in Greenwich,” based on the book by Mark Fuhman about the murder of Martha Moxley; “Honor Thy Father and Mother: The True Story of the Menendez Murders,” about two sons who killed their affluent parents; and “In a Child’s Name,” based on the book by Peter Maass, about a woman’s fight to have her sister’s husband found guilty of murder. Playfully citing her track record, Vernon says it seems likely that if she selects to make a movie about a crime, the person accused of the crime will be convicted. She adds, with a smile, that if she had chosen to make movies about O.J. Simpson and Michael Jackson, *they* would have been found guilty!

Lawrence Schiller also knows a good story when he sees one, but he looks behind the headlines for multiple layers of drama. He prefers stories that are “flushed through the written word” by means of a book or major magazine

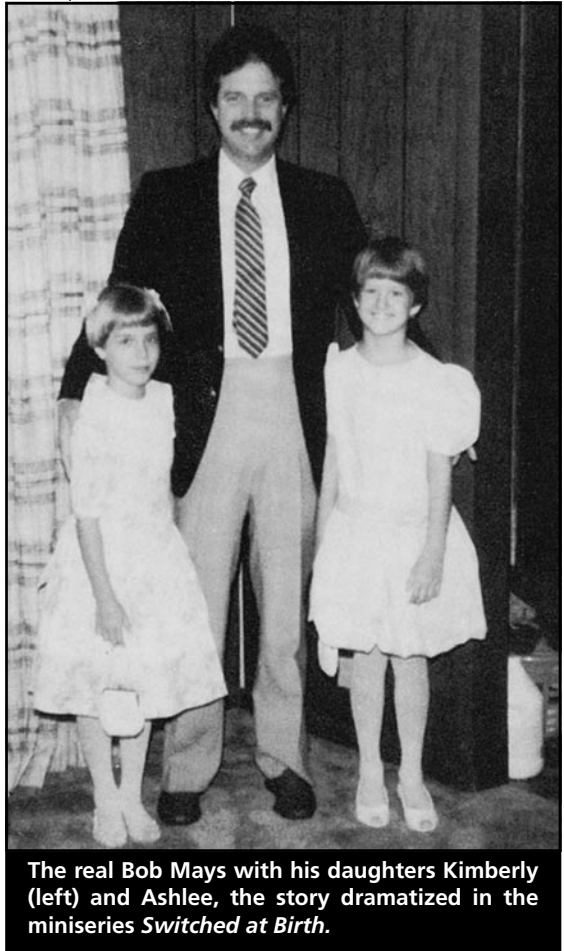
piece. One of his earliest projects, “Executioner’s Song” (1982), highlights that wisdom. The Emmy Award-winning TV movie was based on Norman Mailer’s Pulitzer Prize-winning book depicting the events surrounding the execution of Gary Gilmore.

Schiller used his own best-selling book, *Perfect Murder, Perfect Town* about the Christmas-night murder of six-year-old JonBenet Ramsey and the 18-month investigation as the basis of his 2003 TV movie. He believes it’s essential to secure the rights of some of the principal players when producing a true story in order to achieve dramatic perspective.

Other producers, such as Ilene Berg, feel comfortable working without rights if an extensive public record exists. Her telefilm, “Baby M” (1988), about a surrogate mother’s custody battle that riveted public attention, was praised by supporters of both camps as an accurate representation of a controversial case.

In my own experience at ABC, I can recall reviewing scripts in which the power of the story was obliterated by elevating the significance of the individual whose rights had been secured. The glorification of a particular detective, for instance, can easily tilt the tale in the wrong direction. But, for the most part, networks want the rights secured — and going after them can be a complicated process.

Switched at Birth (1991), one of television’s most successful miniseries, reveals how intricate and contentious chasing the rights for true stories can



The real Bob Mays with his daughters Kimberly (left) and Ashlee, the story dramatized in the miniseries *Switched at Birth*.

be. The story involved a custody battle of epic proportions that, according to producer and writer, Michael O’Hara, played into everyone’s worst nightmare. Briefly, the daughter of Regina and Ernest Twigg died at age 10, and through tests, it is discovered that she could not be the Twiggs’ natural daughter. In fact, their biological daughter, Kimberly had been “switched at birth.” The Twiggs wanted Kimberly to be turned over to them, and a custody battle began between the Twiggs and Bob Mays, the man who up to this point had believed that Kimberly was *his* daughter (Mays’ wife at the time of the birth had since died.)

The battle for the television rights was fierce. Citing the story's universality and emotional appeal, all the broadcast networks wanted to "get" the story. The chase began for O'Hara when he received a call from a journalist in Florida, where the true story took place. Was O'Hara interested? O'Hara said he was.

The journalist had contacted Mays, who had many suitors seeking to get his cooperation. O'Hara flew to Florida to meet with the father. O'Hara was one of many meeting with him in this particular "beauty contest," but O'Hara was able to convince Mays to work with him instead of another producer who, O'Hara warned, might put a writer on the project whom Mays didn't like.

It was a full-day meeting with O'Hara steadily advancing his case. To bolster his cause, he said he would write the script himself. O'Hara had sent Mays a copy of the telemovie he had written, "Those She Left Behind." Mays liked the script, and O'Hara won the contest. Mays' rights went for \$250,000, at the time, 1990, the highest price every paid for a set of rights.

But what about the Twiggs? O'Hara made a strategic decision not to seek their rights, but NBC wanted both sets of rights. Another production company had the rights to the Twiggs and a "shotgun marriage" between them was arranged in order to beat out CBS for the story. Word was that CBS would go forward with the project with only the rights to the Twiggs.

With the hastily created union in place, O'Hara arranged a lengthy meeting with the Twiggs to convince them that he was not Mays' guy and that he would be fair and balanced in the telling of the story, and would avoid

taking an advocacy position.

Was CBS bluffing about doing the project with only the Twiggs? It's hard to say, because in chases, misinformation is often part of the game plan. Placing a story in the trades that a network or producer is going ahead with a project is often a way to get the competition to "blink" or back off even before anything concrete has been set. Networks feel it's important to get their version of a hot story on the air first, thus creating intense competition.

Getting on the air first is not always a sure indicator of high ratings, however, no matter how many executives believe that their jobs depend upon it. ABC aired its Charles and Diana movie first during the 1981-82 season, but the subsequent CBS movie received significantly higher ratings. No matter that rushing a story on the air to beat the competition might mean less time for adequate promotion, networks insist on getting there first.

The trades themselves seemingly encourage the "get there first" approach. In 2005, hoping perhaps to ride the religious coattails that made Mel Gibson's "The Passion of Christ" a resounding international success, ABC and CBS both had telefilms in production about Pope John Paul II. *Daily Variety's* July 13th headline proclaimed, "Hallmark Trumps B'casters with John Paul Bio" in an article that almost gleefully announced that the Hallmark Channel was getting its story on the air ahead of the big guys, a real David and Goliath story. Thus the press, as well as the networks, seeks to generate excitement with chases. Bored executives can easily get the competitive juices flowing wanting to win the race first and the press is happy

because it gets a media-worthy story *about* a chase.

How should the chase game be played? Must networks and producers play fair? Should a city-slicker dress in overalls to be seen as “one of the guys,” as one dapper producer did during the beauty contest for the rights to the story of the rescued coal miners in Pennsylvania in 2002? When the stakes are so high, anything’s worth a try.

Can a network executive steer a project to a favored producer or studio? You bet. Can an agency that controls key rights exclude those players who aren’t represented by that agency? Certainly. In order to spark interest and get competitive juices flowing, can a producer tell a nervous network executive that another network is putting up money to land a project when that isn’t the case? Risky if caught in the lie, because executives at competing networks keep close tabs

on one another and are often “best friends,” but there are times when being “aggressive” (another term for lying?) reaps significant rewards.

As the market for broadcast television movies decreases and as cable outlets pay lower and lower license fees, chases, though perhaps not as numerous as before, become increasingly intense. With round-the-clock news and *Law & Order* clones chewing through today’s headlines, it becomes more difficult to find stories that have not been over-exposed, stories that still have revelations that the public will want to watch. There will, however, always be stories that capture the interest of the public, no matter how many news broadcasts have been done, and it becomes the daunting challenge of producers and executives to determine which of those hot stories have the necessary elements to warrant an all-out chase.

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