Best Practices to Prevent Film Theft

MOTION PICTURE ASSOCIATION OF AMERICA, INC.

Table of Contents

The Problem……2

Zero Tolerance Policy……4

Preparation……4

Identifying Camcording Activity……6

Camcording Prevention Tips……7

Pre-Release Screening Security……9

Guidelines for Private Security……9

Contacts……11

Appendix..……12

The Problem

The motion picture industry is a vital sector of the U.S. economy. It employs millions of U.S. workers and generates revenue for local businesses and communities. The theft or piracy of copyrighted films costs the U.S. entertainment industry billions of dollars in revenue each year. That loss of revenue hits directly at bottom-line profits and negatively impacts those millions of workers who earn their living in this industry.

- Movie thieves use recording devices to record and steal movies directly from theater screens. These devices include, but are not limited to, video camcorders, digital cameras, cell phones & smartphones, audio capturing devices as well as innovative, emerging technology designed to be worn.

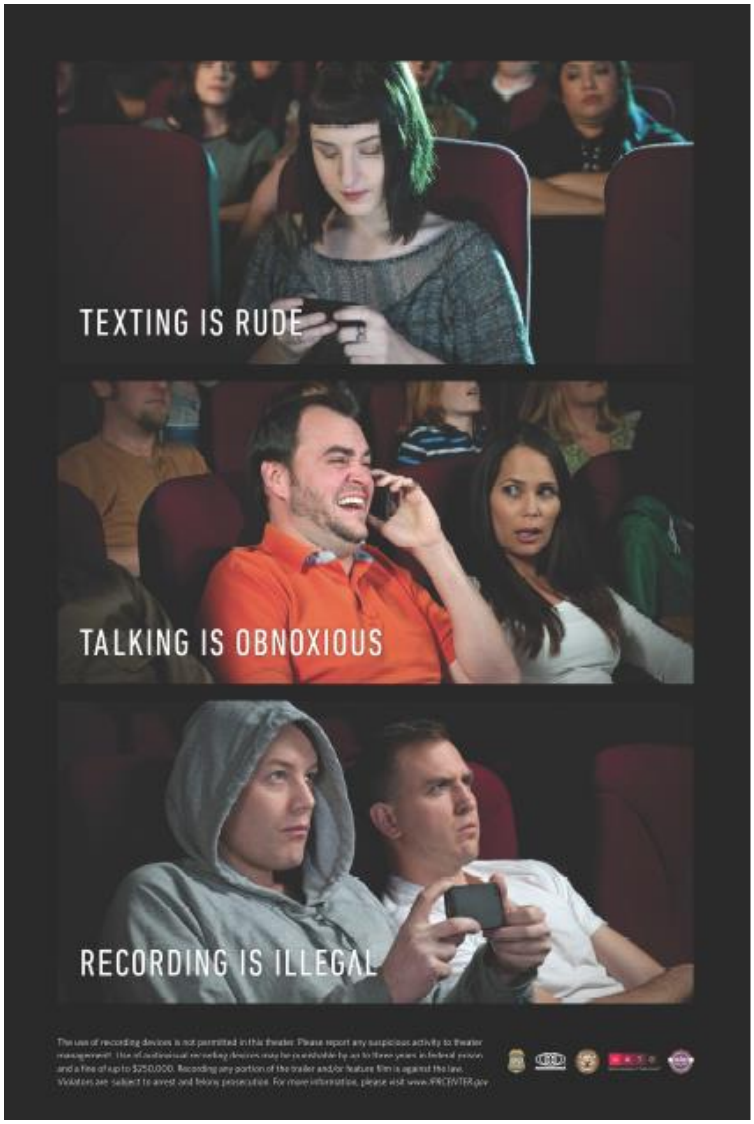
- Sophisticated thieves often combine the stolen video sourced from one theater with the stolen audio sourced from an entirely different theater.

- Copies of camcorded movies are acquired by so-called "release groups" for distribution over the Internet and by organized pirate networks that illegally produce counterfeit discs in DVD replication plants and burner labs. These discs (commonly referred to as "bootlegs") are distributed and sold throughout the world.

- It is estimated that over 90% of the illegal film content available during the theatrical release of a film is due to camcording.

- Movie theft causes economic harm to everyone in the industry, from film makers to theater employees. Furthermore, it jeopardizes the future of movie making.

Anti-Camcording posters are available for display in your theater. Anti-Camcording signage is available for download from NATO's website (www.natoonline.org). Below is an example of an Anti-Camcording poster. (This poster is only distributed in the United States).



The following information provides <u>general guidance</u> for conducting anti-camcorder theater security. Many exhibitors and theater owners have established specific policies and rules for conducting theater security. Theater employees should review the policy of their own theater before implementing any of the procedures contained in this document.

Zero Tolerance Policy

- The use of smartphones, and other devices, to record video and to take still photographs is increasingly prevalent in theaters. With technological advancements, many smartphones are capable of recording and storing a film in its entirety. Many digital cameras, PDA's, and smartphones, including wearable technology, have robust video and audio recording capabilities. As with the evolution of cell phones, the recording capacity of these multi-function devices continues to grow.

- The National Association of Theatre Owners (NATO) and the Motion Picture Association of America (MPAA) have a long history of welcoming technological advances and recognize the strong consumer interest in smart phones and wearable "intelligent" devices. As part of our continued efforts to ensure movies are not recorded in theaters, however, we maintain a zero-tolerance policy toward using any recording device while movies are being shown. As has been our long-standing policy, all phones must be silenced and other recording devices, including wearable devices, must be turned off and put away at show time. Individuals who fail or refuse to put the recording devices away, may be asked to leave.

- If theater employees **<u>observe patrons recording video or capturing audio of a movie or taking of photographs of any portion of a movie</u>**, the MPAA recommends that action be taken to report and stop the activity. Theater managers should immediately alert law enforcement authorities whenever they have clear indications that prohibited activity is taking place—the proper authorities will determine what laws may have been violated and what enforcement action should be taken. (*Please see Page 7 for further guidance on possible indications of prohibited activity)*

- Many laws enacted to prevent the recording of a movie being shown on a theater screen also prohibit the taking of still pictures and the recording of audio. Theater owners, managers, and employees should learn what specific laws apply to their geographic location. A list of applicable federal and state laws by region can be found at: www.fightfilmtheft.org.

Preparation

- **Before instituting any of the security measures recommended in this document, theater managers should consult and comply with their own corporate policies and procedures as well as become aware of the laws[1] that apply to illegal camcording in their area. Theater management should also contact their local law enforcement authorities to determine their agency's procedures for responding to camcording complaints.**

  - Theater management should determine whether a theater employee or any other competent authority is empowered to confiscate recording devices, interrupt or interfere with the camcording, and/or ask the patron to leave the auditorium.

  - An updated list of anti-camcorder laws that apply to your location can be found at: **www.fightfilmtheft.org.** Theater managers are encouraged to print and maintain a copy of the applicable laws in their area for easy reference by theater staff. Responding law enforcement officers may also wish to review these laws before taking action.

- **Warning signs, posters**, and other **documents** should be prominently displayed at the theater box office and in the lobby. The signs and posters should advise patrons that "The use of recording devices of any kind, including video camcorders, audio recorders, smartphones, and wearable technology is not permitted in this theater."

  - Pre-screening slides with similar information should also be considered. In addition to asking patrons to silence and put away their phones, it is recommended that theaters operators also request that patrons turn off and stow all other devices capable of recording.

  - Where applicable, notices may also inform patrons of the existence of random bag and jacket checks for prohibited items.

- As part of their initial orientation for new employees, theaters should institute training on methods of movie theft prevention. Periodic refresher training for all employees is also recommended that includes new innovations in technology being used by camcorders. If your theater does not have a security training program, please visit **www.fightfilmtheft.org** for the latest in training materials uniquely developed by the MPAA, NATO, and theater owners.

[1] *Please refer to https://www.fightfilmtheft.org to see the local laws in your state or contact your Regional MPAA Content Protection Operations Office for information on the applicable laws (please see Page 11 for contact information).*

- Theaters should become familiar with the MPAA/NATO ***TAKE ACTION!*** **REWARD;** a six-step program designed to guide theater managers through the process of safely and successfully terminating an active camcording and becoming eligible for a reward of $500.00. The ***Take Action!*** **Reward** application may be found in the appendix portion of this document or at **www.fightfilmtheft.org**. **Please adhere to your company's policy regarding the reward application process.**

  To be eligible for a reward, it is mandatory that theater personnel complete the following:

  - Identification of a person operating a video camera or other recording device in a theater.
  - Immediate notification to the police.
  - Notification to the MPAA Anti-Camcording Hot-Line (1-800-371-9884). **IT IS RECOMMENDED THAT THE THEATER NOTIFY MPAA IMMEDIATELY AFTER POLICE ARE CALLED**; otherwise, MPAA should be notified within 24 hours of the incident.
  - **Stop the camcording.**
  - Filing of a Police Report. (Obtain copy of the Report. If one is not available, obtain Incident Report #, Officer's name(s), and contact information).
  - Have open display of Anti-Camcording signage in public view (refer to Page 3 for an example). **This is a requirement for Reward qualification.**

- Theater owners may wish to consider their own reward program as an incentive for their employees.

- Theater management may consider the installation of security cameras to detect and deter movie theft and other illegal activity. Guidance should be sought before installing such systems to ensure that they comply with local laws and regulations.

Identifying Camcording Activity

NEVER PUT YOURSELF OR YOUR PATRONS AT RISK!

- Theater employees should check auditoriums for recording/camcording activity as part of regular patrols. The use of night-vision devices has proven to be very effective in identifying a film theft in progress.

  - Guidance should be sought before acquiring night vision devices or low light binoculars to ensure this equipment is capable of zooming in on patrons suspected of movie theft.

- If your theater does not have its own written Anti-Camcord Policy, consider the following steps:

    - Employees should advise your theater manager immediately upon observing prohibited activity.

    - Your theater manager should call local police immediately to report the incident and request police response. Let the proper police authorities determine what laws have been violated and what enforcement action should be taken. (Obtain copy of Police Incident Report & Case #, if available).

    - After your theater manager has contacted the police, your theater manager should immediately call the MPAA 24/7 Anti-Camcording Hot Line (**800-371-9884**) to report the incident and request to speak with an MPAA Investigator.

    - If police have agreed to respond, do not contact or confront the subject—wait for the police to arrive. Once officers have arrived, explain what you observed and then let the police initiate contact with the subject.

    - IF, and only IF, a police officer has not yet arrived within 20 minutes of the end of the movie, theater management and/or theater security should **STOP** or **INTERFERE** with the camcording, but **NEVER** touch the suspect or grab the recording device.

        - Politely but firmly ask the suspect to accompany you to the lobby or office to wait for police.

        - Ask the suspect to hand over the device and the recording.

        - Obtain proper identification from the suspect. Make a copy of the form of identification provided and, at a minimum, write down the suspect's personal information (i.e., full name, address, date of birth, form of identification provided and a good physical description).

        - **NEVER** put yourself or your patrons at risk and **NEVER** use physical force to stop the activity or to detain the suspect.

        - Report all incidents to the distributor's booking department and also to your Regional MPAA U.S. Content Protection Operations Office (Refer to page 11). The Camcord Incident Report Form (Refer to page 12) should also be completed, a copy of which is included in the appendix to this document.

Camcording Prevention Tips

- ***Be extra vigilant opening day, opening show***. The earlier in the film release period, the more valuable a film is to movie thieves. Always be alert, but pay particular attention during new release periods.

- ***Be extra vigilant first showing, last showing***. Movie thieves favor theaters with small crowds. The first and last shows are ideal times for them to attempt to illegally record a movie.

- ***Observe patrons when entering theater.*** Look for the *unusual*, such as someone dressing in a long or unseasonably heavy coat in warm weather, bringing wearable technology into the theater or having odd shapes outlined in pockets. If any of these are observed, please take a closer look.

- ***Begin monitoring the auditorium as patrons arrive***. Movie thieves frequently set up long before the movie begins. Unless spotted during set up, movie thieves can be difficult to detect. Monitoring the auditorium well in advance of start time increases the likelihood of detecting or deterring a movie theft.

- ***Consider all possible camera locations.*** In order to improve their camera's direct line of sight to the screen and also to obtain a "steady" recording, movie thieves sometimes use clamps or other devices attached to a seat in front of them or beside them. Recording devices are sometimes placed in cup holders for the same purpose.

- ***Be alert for possible camera concealment.*** Movie thieves are very ingenious when it comes to concealing cameras. It may be as simple as placing a coat or hat over the camera, or as innovative as a specially designed concealment device (e.g., a small camera built into eyeglass frames or a camera built into the lid of a beverage container). Pay special attention to clothing, packages, or other possible concealment aids that are placed in the direct line of sight with the screen.

- ***Pay attention to seating arrangements***. Movie thieves often try to place themselves in the back of the theater, at the head of an aisle, or in another location where the view to the screen is least obstructed. While these are preferred locations, the movie thief could be seated anywhere in the auditorium.

- ***Don't assume that the movie thief will be alone.*** Movie thieves do not always act alone. They may be accompanied by accomplices who aid in setting up the camera or who act as lookouts. The movie thieves can appear as a couple or even a family. Sadly, some movie thieves have even brought small children with them to use as cover and concealment for a recording device.

- ***Look for equipment used to mount a camera.*** Movie thieves have used tripods, mounting brackets/mini tripods placed inside a seat's cup holder and even a walking cane with a mounting bracket attached to the handle.

- ***Look for glowing lights***. Often movie thieves cannot fully conceal the small glowing light on the recording device. If someone is seemingly "on their cell phone" through the entire first hour of the film or, if employees notice a small green or red glow in a darkened theater, take a closer look. The "professional" movie thief will also often employ the use of a remote viewing device which, when attached to the recording device, allows the movie thief to view the material being filmed without raising the recording device to eye level. This device is used to ensure that the full screen is always properly framed in the viewfinder.

- ***Assisted Listing Devices (ALD***). Some camcorders specialize in stealing audio only (referred to as an "audio capper"). Theater managers and employees should be vigilant of suspicious or unusual behavior related to ALD. (Note: Adherence to local privacy laws related to legitimate hearing impaired individuals should always be practiced).

- ***Be aware of "friends" of staff***. Does one member of your staff frequently have "friends" joining them at the theater at odd times? Look for non-employees coming or going out of the projectionist's booth or those arriving at odd hours claiming to be "friends" of an employee or manager.

- ***Pay attention to theater rentals***. Has an unlikely person approached you about renting the theater for the private showing of a new release? Theater personnel may wish to keep a log of those who seek to rent out the theater for their exclusive use.

Pre-Release Screening Security

The following is a list of practices that more specifically address advance screenings (such as premieres, events, film festivals, sneak previews) where extra security is required. Some of these extra security practices can also be used for the opening week of a theatrical release.

The distributor and exhibitor should always communicate prior to any advance screening to ensure the needs of both parties are being met.

- Establish contact with the local police department prior to the screening to advise them of any potential security concerns.

- Post signs both outside and inside the theater advising, "**Camcording is prohibited and will not be permitted inside the theater**," and, where appropriate, "**Violators will be prosecuted**."

- Place a statement on the screener ticket plainly stating that, "**Camcording or the taking of any photographs during the screening will not be permitted.**" Distribute handouts to patrons advising the same.

- Post signs outside the theater stating, "**All bags may be subject to search prior to admission**." Then, with the assistance of appropriate personnel and as resources permit, search patrons' bags upon entry.

- Ensure that all security personnel are alert to the presence of potential camcorders and monitor the projection booth for suspicious activity.

- If your theater maintains night vision devices or low light binoculars, please employ these during the screening in the darkened auditorium.

- In the event that MPAA Investigators have been requested to augment the theater security for the event, additional low light security measures may be implemented.

- If television monitors (external to the Auditorium) are used to broadcast the movie, all theater security personnel should be alerted in advance.

Guidelines for Private Security

The opening weekend of a blockbuster movie presents a unique security challenge for Studios, Theater Owners and the MPAA. Individually or collectively, they may elect to hire private security to assist with film theft security measures. In all cases, theater management must retain responsibility for security within their facility. Private security should follow the suggested Camcording Prevention Tips found on Page 7 of this document. In addition to the Camcording Prevention Tips, the following four items are required guidelines for private security:

- The Studio or MPAA should first establish contact with the theater's corporate headquarters.

- Private security entities should establish contact with the local theater manager and provide a letter from the respective Studio as identification.

- Private security is there to assist the management, not to take charge of security.

- Theater management must always decide what action should be taken if a camcord suspect is apprehended.

Private security firms should be qualified and experienced in conducting this type of surveillance. Therefore, such firms should always be vetted well in advance of any security operation. Questions to ask a potential security company include:

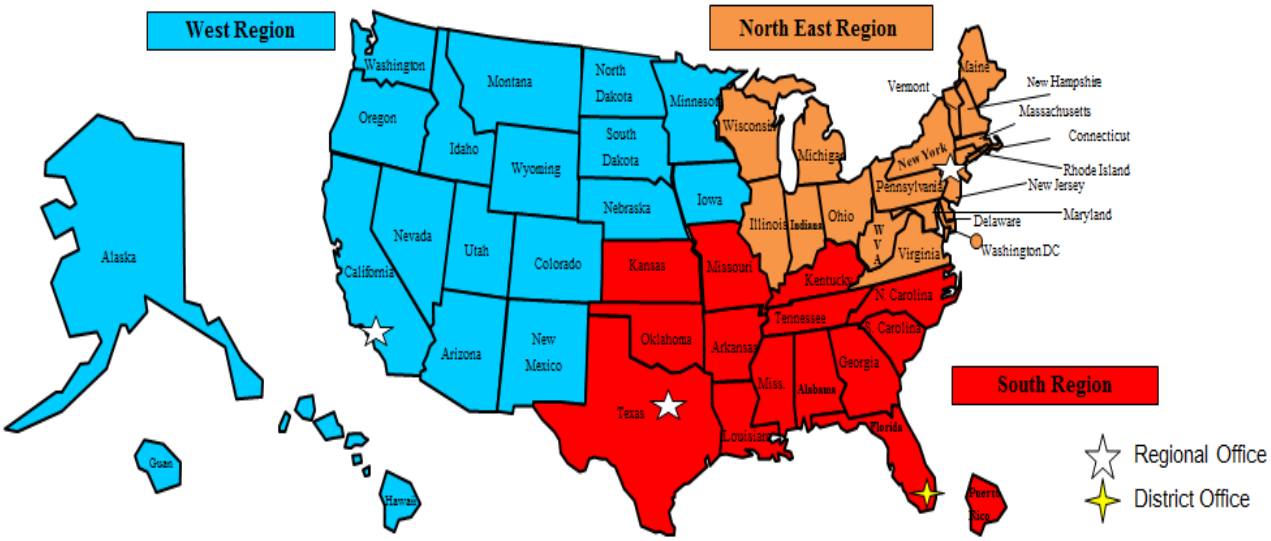
1. What is the background of the people providing the security?
2. Are these full-time employees with your company?
3. Do your personnel have any prior experience in theater security?
4. What prior surveillance training have your personnel received?
5. Do your employees have any prior law enforcement or military experience?
6. What is the relationship of your security firm/personnel with local law enforcement?
7. Will you provide a written "Operations Plan" prior to commencement of theater surveillance and security? (Please provide an example).
8. What is your plan for coordinating security efforts with local theater management?
9. What systems do you have in place for your employees to communicate with one another, supervisors, MPAA personnel, and the studio representative during the security operation?
10. Describe the surveillance strategy you will use to detect camcorders.
11. Describe the use of technology such as night vision devices or low light binoculars in your security plan.
12. Describe how your employees will dress and act while conducting surveillance and security.
13. How will these employees be managed during the operation?
14. How are your employees trained to respond if they detect a camcorder?
15. How will you handle a camcording incident if police are unable to respond prior to the conclusion of the movie?
16. What steps will you take to detain a suspect?
17. What steps will you take to secure a full or partial camcord of a movie?
18. What is your policy on the preservation of evidence and the chain of custody once a suspect is apprehended?

CONTACTS
MPAA - U.S. Content Protection Operations

If a camcording is in progress, call local law enforcement, and then immediately call the

MPAA 24 / 7 Anti-Camcording Hot Line: 1-800-371-9884

Should you need further information or have any questions, please contact:



North East Region
Marc Lorenti: Regional Director
Email: marc_lorenti@mpaa.org
Office: 914-333-8892
500 Mamaroneck Ave., Suite # 403
Harrison, NY 10528

West Region
David Horan: Regional Director
Email: david_horan@mpaa.org
Office: 818-995-6600
15301 Ventura Blvd., Bldg. E
Sherman Oaks, CA 91403

South Region
Kevin Casey: Regional Director
Email: kevin_casey@mpaa.org
Office: 972-756-9078
1425 Greenway Dr., Suite # 270
Irving, TX 75038 /
District Office: Miami, FL

Appendix

CAMCORD INCIDENT REPORT FORM

Theater Information

Name of employee involved:_____
Theater manager on duty:_____
Name of the theater and theater circuit:_____
Theater address: _____
_____
_____
_____

Incident Information

Date and time incident occurred:_____
Name of the film: _____
Recording device used (check one): □ Audio □ Cell Phone □ Digital Camera □ Camcorder
What steps were taken to stop the recording?_____
_____
_____
Was the recording stopped before the end of the movie?_____
Did the suspect give you the recording? _____
Who has the recording now? _____

Suspect Information (where permissible by law)

Name: _____ Age (or estimate):_____
Complete address: _____
_____
_____
_____
Physical description: _____
_____

Law Enforcement (LE) Information (where applicable)

Were local law enforcement contacted? _____
If so, which LE agency was contacted? _____
What is the name of the officer/agent assigned to the case? _____
What is the LE Incident Report or Case Number? _____
What is the contact number of the LE agency contacted? _____

***TAKE ACTION!* REWARD**

APPLICATION FORM
MPAA / NATO ANTI-CAMCORDING PROGRAM

Instructions: To be eligible for the ***TAKE ACTION!* REWARD**, each of these steps must be completed:

Applicant Name: _____ **Theater Manager:**_____

Theater Name: _____

Street Address: _____**City:** _____

State: _____ **Zip Code:** _____ **Telephone Number:**_____

1. You have identified a person operating a recording device in order to copy a movie in a theater.

When did this happen (date and approximate time)? _____

What film was being recorded? _____

2. You notified the police immediately?

What law enforcement agency did you call (name & phone number of police force)? _____

_____

What is their Incident Report or Case Number? _____

What officer(s) were assigned to this incident (names)? _____

3. You stopped the recording (with or without assistance from theater manager, staff, security, others).

What type of recording was it? ❒ Audio ❒ Cell/Smart Phone ❒ Digital Camera ❒ Camcorder

What steps did you take to stop the recording? _____

_____

_____

_____

_____

Was the recording stopped before the end of the movie? YES ❒ NO ❒ Reason: _____

Did the suspect give you the recording? YES ❒ NO ❒

Who has the recording now? _____

4. You filed a report with the police (A copy of the police report or file number must be attached to this form).

What is the suspect's name? _____

What is the suspect's complete address? _____

_____

What is the suspect's age and physical description? _____

_____

5. You contacted the MPAA hotline (1-800-371-9884) at the time of incident or at least within 24 hours.

When did you call (date and approximate time)? _____

Who answered your call (name)? _____

6. Does your theater openly display in public view Anti-Piracy signage? YES ❒ NO ❒

7. You have submitted this application to your Theater Manager for review and signature and have met ALL qualifications.

8. You must mail this form (sorry, no faxes accepted), along with any additional information to:

NATO *Take Action!* Reward Program, National Association of Theatre Owners,

750 First St., N.E., Suite 1130, Washington, D.C. 20002

For further information, call NATO: 202-962-0054. Please allow 4-6 weeks for processing of this application.

Applicant Signature: _____**Theater Manager Signature:** _____

The grant of any prize, award, reward or other incentive issued by the MPAA, NATO and/or the *Take Action!* Camcorder Reward Program, including the amount or form of such prize, award, reward, or other incentive, is made at the sole discretion of the MPAA and NATO.

----------SPACE BELOW FOR OFFICE USE ONLY----------

Approved for Reward Sum of $ _____ Authorized Signature:_____