

2012 movie massacre hung over 'Interview' decision

December 19 2014, byAnthony Mccartney



In this July 21, 2012 file photo, three helicopters make a flyover of the Century Theater in Aurora, Colo., a day after twelve people were killed and dozens were injured in the attack early Friday at the packed theater during a showing of the Batman movie, "Dark Knight Rises." When a group claiming credit for the hacking of Sony Pictures Entertainment threatened violence against theaters showing "The Interview" earlier this week, the fate of the movie was all but sealed. Even though law enforcement didn't deem the threats of violence credible, theater owners and Sony undoubtedly considered the 2012 massacre of a dozen people in a Colorado movie theater. (AP Photo/Barry Gutierrez, File)

When a group claiming credit for the hacking of Sony Pictures Entertainment threatened violence against theaters showing "The Interview" earlier this week, the fate of the movie's big-screen life was all but sealed.

Even though [law enforcement](#) didn't deem the threats of violence credible at the time (the FBI has since confirmed North Korean was behind the [hack attack](#)), theater owners and Sony undoubtedly considered the 2012 massacre of a dozen people in a Colorado movie theater. That attack came without warning, and at the time there was no precedent for such mass violence against a U.S. movie audience.

Yet the theater's owners still face 20 lawsuits over the bloodshed, with survivors and victims' families contending that more should have been done to protect those who went to see a midnight showing of "The Dark Knight Rises."

Cinemark Holdings, Inc., argues it could not have foreseen the mass shooting, but experts say the same argument couldn't be used if violence broke out at a showing of "The Interview."

"It wasn't worth the risk," said Eric Wold, a movie exhibitor analyst with B. Riley & Co.

"The Interview" was expected to account for less than two percent of fourth quarter earnings for [movie theaters](#), Wold said, so removing it from screens was not a difficult financial decision. Due to digital projections, theater owners can quickly re-program their screens to show other movies, such as new releases "The Hobbit 3" or "Night at the Museum." "It's the press of a button," Wold said.

The alternative could have been serious injuries to moviegoers as well as multiple lawsuits if the group calling itself the Guardians of Peace, or a

copycat, attacked a cinema, said Jonathan Handel, a lawyer and professor at the University of Southern California Gould School of Law.



In this Dec. 17, 2014 file photo, a banner for "The Interview" hangs at Arclight Cinemas, in the Hollywood section of Los Angeles. When a group claiming credit for the hacking of Sony Pictures Entertainment threatened violence against theaters showing the film "The Interview" earlier this week, the fate of the movie was all but sealed. Even though law enforcement didn't deem the threats of violence credible, theater owners and Sony undoubtedly considered the 2012 massacre of a dozen people in a Colorado movie theater. Sony canceled the film's Christmas Day Dec. 25 release this week. (AP Photo/Damian Dovarganes, File)

"That's a lot of liability hanging over the theater chain," Handel said.

He noted that mall owners and other studios had pressured Sony to

cancel the Christmas Day release of "The Interview," which stars Seth Rogen and James Franco. "They don't want the movie-going experience on Christmas Day to resemble check in at LAX," he said.

The film features an assassination plot against North Korean leader Kim Jong Un and the nation has denounced the movie. U.S. officials believe they have linked North Korea to the hacking of Sony's servers, which resulted in the theft of unreleased films, scripts, financial and medical information on employees and other corporate data.

It was only a matter of hours after hackers threatened massive violence against any theater showing "The Interview" that exhibitors started dropping the film. And no wonder.

"If, God forbid, something happened, they're the ones who would be responsible for any lack of security or decisions that were made that led to the incident," said entertainment attorney Uri Fleming of the firm Kleinberg Lange Cuddy & Carlo.

It remains unclear how a jury will perceive the case against Cinemark, which operated the Aurora, Colo., theater that James Holmes attacked in July 2012 during a midnight screening of the final installment of the latest Batman trilogy.



In this July 28, 2012 file photo, police continue to monitor the area around the Century 16 theater, in Aurora, Colo. Experts say the decision on Wednesday, Dec. 17, 2014, to pull the Sony film "The Interview" from theaters was inevitable after a group threatened violence against moviegoers who went to see the film. The 2012 massacre of movie patrons in Aurora, Colo., has led to 20 lawsuits and put theaters on notice that they face costly litigation if they're targeted for mass violence, legal experts say. (AP Photo/Alex Brandon, File)

In court filings, lawyers for victims of the shooting have noted that Cinemark deployed extra security at some of its midnight "Dark Knight Rises" screenings and had employed a security firm to assess the risk of a drug cartel attacking a theater along the U.S.-Mexico border.

In an August ruling rejecting a motion by Cinemark to throw out the Aurora victims' suits, U.S. District Court Judge R. Brooke Jackson wrote that whether the company could have been expected to deploy extra security without a threat against its theaters "is not an easy question to answer."

However, the judge noted that moviegoers are especially vulnerable to attack.



This photo provided by Columbia Pictures - Sony shows, from left, Diana Bang, as Sook, Seth Rogen, as Aaron, and James Franco, as Dave, in Columbia Pictures' "The Interview." When a group claiming credit for the hacking of Sony Pictures Entertainment threatened violence against theaters showing "The Interview" earlier this week, the fate of the movie was all but sealed. Even though law enforcement didn't deem the threats of violence credible, theater owners and Sony undoubtedly considered the 2012 massacre of a dozen people in a Colorado movie theater. That attack came without warning, and there was no precedent for such mass violence against a U.S. movie audience. (AP

Photo/Columbia Pictures - Sony, Ed Araquel)

"Although theaters had theretofore been spared a [mass shooting](#) incident, the patrons of a movie theater are, perhaps even more than students in a school or shoppers in a mall, 'sitting ducks,'" Jackson wrote.

Fleming, the entertainment attorney, said Sony and the [theater](#) chains are unlikely to face any significant repercussions from pulling "The Interview."

"Business relationships are the glue that bind (Hollywood)," he said.

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