

How a Bit Player Became a Symbol of Film Piracy

Russell Sprague may have made illicit copies for 25 years, seemingly driven by the thrill more than the money.

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In the annals of Hollywood movie piracy, Russell Sprague won't go down as the biggest offender. But he may be remembered as the most slippery.

Federal authorities say he started copying movies illegally in the fledgling days of the home videocassette recorder, driving around Southern California in his 1975 Ford to deliver tapes of "Star Wars," "The Godfather" and James Bond movies.

For 25 years, he allegedly recorded and sold hundreds of movies a year, eluding a generation of law enforcement personnel, most of whom died or retired without catching him. Sprague's wife once told the FBI that her husband had an "addictive behavior toward movies."

Last week, the longest movie piracy career on record came to an end when Sprague, 52, was found dead in his cell at a federal jail in downtown Los Angeles. He had a history of heart problems, according to the coroner's office.

Sprague was awaiting sentencing this month on one count of copyright infringement. He had pleaded guilty to illegally making copies of 134 different movies. His arrest and conviction, while not the stuff of screaming headlines, brought a deep sense of satisfaction to federal authorities who, armed with tougher laws and more sophisticated technology, have made movie piracy a high priority.

"This case crystallized in our mind that pirates are not people who just make a mistake," said Ken Jacobsen, former head of the Motion Picture Assn. of America's anti-piracy efforts. "These are people who have been at it for a very, very long time."

Sprague was one of thousands of bit players in the piracy business, most so small they operate maddeningly out of reach of studios. There are virtually no entry barriers -- the Internet has free copies of almost every movie being shown in theaters, and a stack of fast DVD recorders can be bought for just a few thousand dollars. All told, studios say that bootlegged discs and tapes cost them more than \$3.5 billion a year.

But many movie thieves, like Sprague, seem to be in it as much for the thrill as the money. It's doubtful that Sprague, who once described himself as an electrician, fattened his bank account in any substantial way by pirating movies. His wife, Roberta, told FBI agents that he was hooked on the rush of getting a movie onto the street before it hit the theaters. It made him feel "important and popular," she said.

In the end, he was important -- but not in the way he had hoped. Instead, authorities used his case to send a message to would-be pirates: No matter how insignificant or harmless the crime may seem, the penalties will be severe.

Sprague's lengthy cat-and-mouse game with authorities, as chronicled in court records, began on Aug. 17, 1979, when a burglar alarm was tripped at Home Video Center in Fountain Valley.

Sprague, who worked as a clerk at the video rental store, told a police officer that it was a false alarm. But the officer insisted on inspecting the store and reported finding half a dozen videotape machines churning out copies of the James Bond film "Moonraker."

Suspicious, police searched Sprague's Mission Viejo home and found a large stash of films that included pornography and mainstream movies such as "Fantasia," "The Deer Hunter" and "Towering Inferno."

It soon became clear to authorities that they had stumbled across a home-based business that was thriving as people were looking for films to watch on their newly purchased VCRs.

In one undercover operation in the early 1980s, an FBI agent paid Sprague \$465 for tapes of "Star Wars," "Straw Dogs," "Snow White and the Seven Dwarfs," "Alien" and "Moonraker." According to the FBI, Sprague sometimes exchanged tapes for whiskey or pay-TV decoder boxes.

Back then, bootlegs were more expensive to produce and the retail was much higher than today. Sprague sold his wares for up to \$100, according to court records. Today, a pirated DVD sells for about \$5.

One informant told the FBI that Sprague's operation had grown so large that they'd need "a moving van and six more people" to cart everything away. In the home, authorities found 18 videocassette recorders and a walk-in closet full of bootleg movies, according to court documents.

Charges Never Filed

For reasons that present-day authorities have been unable to ascertain, bootlegging charges were not filed against Sprague at that time.

For years, the MPAA kept a thick file on him, only to see it put to little use. The crime wasn't considered a major financial threat to studios and it wasn't high on law enforcement's priority list.

What's more, it wasn't against the law to copy movies as long as they weren't sold for profit, and police couldn't seem to catch Sprague in the act of selling pirated movies.

As Sprague's operation grew in the late 1980s, he began shipping tapes to other parts of the country. One destination was that of Sprague's dentist, Bernard M. Cole.

An FBI informant, posing as a patient, made an appointment with Cole. Sitting in the chair, the informant asked him about Sprague. The dentist let on that the two had a private movie club of sorts.

"I like movies that have a lot of action in them," Cole recalled in a recent telephone interview. "He would just let me view them. That's all." Cole was not implicated in the case against Sprague.

By 1989, the MPAA had lost track of Sprague's whereabouts.

Then, in December 2003, anti-piracy sleuths at Warner Bros. were trolling the Internet when they found copies of the just-released Tom Cruise drama "The Last Samurai."

The movie was downloaded by the studio and technicians were able to read digital markings embedded in the film. The forensic evidence pointed to a 70-year-old character actor named Carmine Caridi, best known for gangster roles in "The Godfather Part II" and other movies.

"When we got a name," said David Kaplan, intellectual property counsel for Warner Bros. Entertainment Inc., "there was some excitement."

Academy Member

Caridi was a member of the Academy of Motion Picture Arts and Sciences. Like all academy members, he was sent scores of film "screeners" every year -- copies of movies including some not yet available in video stores -- from studios seeking his vote in the Oscar races.

The academy, fearing that DVD copies of the screeners could be too easily copied, decided for last year's Oscars to send its members screeners on videocassettes containing hidden coding that identified the recipient. Previously, studios had sent out DVDs of films, which often found their way to the Internet.

Caridi had known Sprague since the 1980s. The two had met through Nicky Blair, owner of the famous Sunset Boulevard eatery that bears his name. Caridi said Blair had told him Sprague was handy with gadgets, so Caridi hired him to repair his broken VCR.

Videocassette screeners began arriving at his West Hollywood apartment in late 2003 as Hollywood's Oscar campaign heated up. Caridi asked Sprague if he could make duplicates for his family.

"How could ... a guy who was born on the Lower East Side of New York to immigrant parents and who became a successful actor, not share these movies with my brother and sister?" Caridi said in a phone interview before Sprague's death.

Sprague agreed, and said he wanted to make copies for himself, too. Caridi thought Sprague was a harmless movie buff. "I thought he just wanted copies like me," Caridi said.

In January 2004, FBI agents and a federal prosecutor went to Caridi's apartment. After confiscating his movies, one agent turned and quipped, "I love your work, Carmine."

Caridi was cleared of criminal wrongdoing but was kicked out of the academy after 22 years. He has been ordered by a judge to pay \$600,000 to Warner Bros. and Sony, money he says he doesn't have.

1. "This guy ruined my life," he said of Sprague, whose name he supplied to authorities.

At Warner Bros., that name sounded familiar to piracy veteran Kaplan. He called the MPAA's Jacobson, who dug out the organization's file on Sprague. After more than two decades, authorities had their best shot at nabbing him, armed with tougher laws and a stronger resolve.

They swooped down on Sprague last winter in the Chicago suburb of Homewood. The man who had so long eluded them turned out to be a portly, unshaven middle-age man living in a moderately priced house.

Sprague said he knew nothing about the illegal copies and was just a big movie fan.

"I am a collector of 5,000 movies," he said last year in a telephone interview with The Times. "I did nothing wrong."

Confronted with the evidence, however, Sprague eventually pleaded guilty to the one count of copyright infringement last March in U.S. District Court in Los Angeles.

But even then, he couldn't help himself. Allowed by the court to return to Illinois to be with his family, Sprague soon was arrested during a domestic dispute.

According to an FBI report, Roberta Sprague called police after becoming enraged that her husband was smoking marijuana with their 17-year-old son.

She also told agents that Sprague had violated the terms of his release by continuing to pirate films. He had bought a computer and was burning copies of movies, she said. In an upstairs bedroom, agents found 130 homemade DVDs, including "Harry Potter and the Prisoner of Azkaban," "The Lord of the Rings: The Return of the King" and "Mean Girls."

Roberta Sprague also told prosecutors that her husband did not "understand computers and the Internet" and had elicited the help of their son find movies and copy them. As a result, she said, the boy frequently stayed up late and missed school. The boy told the FBI that his father had threatened to take away his video games or shut off electricity to his room if he refused to help.

His family life in tatters, Sprague spent the past nine months in jail. His lawyer, Los Angeles criminal lawyer, Anthony Brooklier, of Marks and Brooklier in Santa Monica, California, said that Sprague may only have had to serve another eight at most.

Shortly after dawn on Monday, just hours after Hollywood celebrated its finest movies at the Academy Awards, the man who had bedeviled the industry for so long was found lifeless in his cell.

"All of this because of movies," Brooklier said. "It's very, very sad."*

Times staff writer Jon Healey contributed to this report.

