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Former porn star strikes at industry

Measure defines prostitution to take in sex shows

By K.L. Billingsley
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SAN DIEGO, Calif. — A former porn star and her fledgling foundation are pushing a California ballot measure that will expand the definition of prostitution to include performers in live sex shows and movies.

Lina Marie Abato, 26, appeared in more than 200 X-rated movies as Holly Ryder. After leaving the pornography business in 1992 she established the Holly Ryder Foundation to help the runaways she believes are attracted to the adult film industry based in Hollywood.

"Hollywood is the No. 1 destination for runaways," said John Fitzpatrick, 29, the foundation's publi-

clist, who has worked with the Salvation Army and various child-abuse groups. "The porn industry is preying on runaways and exposing performers to disease," he said.

Miss Abato, now studying to be a stockbroker, says that participating in adult films, in which she says drug use is rampant, is the "worst choice a person can get into." Those who see it as a victimless crime, she said, "have no empathy for people who are being hurt."

Miss Abato and several associates also established a political action committee, the Holly Ryder Commission, which is seeking to place the "prostitution prohibition initiative" on the 1994 ballot.

Should such an initiative pass, it would become part of the California constitution. If declared a form of prostitution, X-rated movies would in effect be banned in California, where they have been protected by the courts as free speech since the landmark *People vs. Freeman* case in 1988.

Miss Abato believes that, under

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the logic of that case, crimes such as murder or robbery would be legal acts if they are performed in front of a camera or live audience. For Miss Abato, the issue is not one of free speech.

"I'm against censorship," she said in an interview. "This is an anti-prostitution amendment. We are not against the pictures themselves. It's the crime of sex for money."

Mr. Fitzpatrick describes the response of the pornography industry to the initiative as hostile. "We've received obscene phone calls and we've been stalked," he said.

Beverly Hills lawyer John Weston, who represents the Adult Video As-

sociation, has mocked Miss Abato's efforts as "cuckoo" in press interviews. But some legal scholars view the approach as both valid and clever.

Miss Abato believes that the proposed amendment will be upheld by a federal court review under a 1968 decision of the U.S. Supreme Court — *United States vs. O'Brien*. In that case, Miss Abato said, "the court ruled that the government may regulate 'conduct' where elements of 'speech' exist if speech is incidental to the conduct to be regulated under law."

Mr. Fitzpatrick said that the New York-based Morality in Media had provided help in preparing the amendment.

"This is something brand new," Mr. Fitzpatrick said of the initiative, "and what we expect is a volunteer base and major statewide endorsements."

"We need all the help we can get with the signatures," said Miss Abato, who expects the initiative to qualify.

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