



NEW YORK STATE SENATOR

Hugh T. Farley

Senate Passes Bill to End Criminals' Ability to Profit From Crime

HUGH T. FARLEY May 11, 2011

| ISSUE: **CRIME**

State Senator Hugh T. Farley (R, C, I - Schenectady) announced that he and his colleagues in the New York State Senate passed legislation on May 10th that protects the rights of victims by prohibiting criminals from profiting from crimes, regardless of their plea or conviction. The bill (S.4393) closes a loophole in the original Son of Sam law which was designed to prevent the Son of Sam, David Berkowitz, from profiting from his crime.

The Son of Sam law was designed to prevent criminals from profiting from their crimes through the commercial exploitation of their stories. Any money that could potentially be earned by a criminal resulting from the commission of a crime would first be used to compensate their victim and others who have the right to sue under the landmark law.

However, current law allows defendants who are found or take a plea of "responsible by reason of mental disease or defect" to potentially profit from their crimes through commercial exploitation. The need to strengthen to the Son of Sam law has become more evident with the recent growth of "murder memorabilia" which includes manufactured items representing criminals and their crimes. This growing market includes items with the likeness of Charles Manson, John Wayne Gacy and cannibal Jeffrey Dahmer.

The bill has been sent to the Assembly.