The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 2033.

Assembly Bill No. 2033 amends New Jersey’s Son of Sam law, P.L.1983, c.33 (C.52:4B-26 et seq.), to include the sale or transfer of criminal memorabilia.

The Son of Sam law is intended to prevent perpetrators of sensational crimes from benefitting from their acts. The law requires that proceeds from a book or movie reenacting a crime be placed in escrow to the Violent Crimes Compensation Board to be used for the benefit of the victim or survivors.

This bill amends that law to require that the profits derived from the sale or transfer of criminal memorabilia also be deposited into an escrow account for the victims. The bill further provides that a court may exclude from the escrow account that portion of the profits that represents the inherent value of the memorabilia, property or item sold or transferred and exclusive of the enhancement to the item’s value because of the offender's notoriety.

The bill also amends language in the Son of Sam law which was found to be overinclusive by the United State Supreme Court in a challenge to a similar New York law. The court held that the law was overinclusive because it applied to works on any subject that expressed the author's thoughts or recollections about his crime, even incidentally or tangentially.

Once an underground market, criminal collectibles and memorabilia, dubbed "murderabilia" by some critics, have become more widely available due to the popularity of Internet auction sites. Items for sale produced by criminals themselves have included artwork, autographs, hand prints, hair samples and fingernail clippings. Many victim's rights groups have protested the sale of these items as further exploitation of the victims and their families.

As reported by the committee, this bill is identical to Senate Bill No. 817, also reported by the committee on this same date.