



OFFICE OF THE DISTRICT ATTORNEY

MARIN COUNTY, CALIFORNIA

Prevention ★ Prosecution ★ Protection

Lori E. Frugoli
District Attorney

Dori K. Ahana
CHIEF DEPUTY DISTRICT
ATTORNEY

Geoff Y. Iida
CHIEF DEPUTY DISTRICT
ATTORNEY

Thomas M. McCallister
CHIEF DEPUTY DISTRICT
ATTORNEY

Salma Tijero
Chief Investigator

Peggy Toth
CHIEF, FINANCE
AND ADMINISTRATION

December 4, 2024

New residential burglary, assault, battery, and attempted false imprisonment charges filed against defendant David Margoliash

On December 3, 2024, the Marin County District Attorney's Office filed criminal charges against 48-year-old San Rafael resident David Margoliash, arising out of two separate incidents occurring in the early morning hours of November 30, 2024.

The first incident occurred at approximately 1:00 a.m. when defendant Margoliash is alleged to have unlawfully entered a private residence in San Rafael and was confronted by the homeowners who had been asleep. In the course of the confrontation, the defendant allegedly struck the female homeowner with a metal flashlight and then bit the male homeowner who had intervened. The defendant ultimately fled the premises, and the homeowners called the San Rafael Police Department. The DA's Office charged the defendant with felony first-degree residential burglary as well as with assault and battery charges.

The second incident occurred approximately four hours later at 5:00 a.m.. At that time, the defendant allegedly entered the lobby of a senior care facility in San Rafael and falsely held himself out to be employed by a patient transport company. The defendant told facility staff he was there to transport one of the senior residents to Santa Rosa but was unable to produce identification or other satisfactory credentials upon request. Facility staff contacted the San Rafael Police Department, who responded to the scene and arrested the defendant. In a separate complaint, the DA's Office charged the defendant with felony attempted false imprisonment of an elder adult by fraud and deceit based on this alleged conduct.

Both complaints additionally allege the defendant committed the November 30th offenses while having been released from custody on his own recognizance in connection with a third pending criminal case. That third case stems from a March 11, 2024, incident in which the defendant entered the

Islamic Center of North Marin in Novato at approximately 8:00 p.m. and shortly thereafter got into a verbal dispute with a man who suspected the defendant was carrying a gun. That verbal dispute turned violent when the defendant pepper sprayed the man in the face. The Novato Police Department was called and responded to the scene and later arrested the defendant at his home in San Rafael. The DA's Office charged the defendant with the unlawful use of tear gas, a felony, as well as with unlawful possessing tear gas and displaying an imitation firearm in public.

In connection with the March 2024 incident, the defendant first appeared in Marin County Superior Court on March 14, 2024, for arraignment. At each of the next five court appearances, he sought release on his own recognizance, which the DA's Office successfully opposed each time. The defendant remained in custody until May 7, 2024, at which time the Court, over the People's continuing objection, granted his request to be released on his own recognizance but imposed release conditions that included wearing a GPS monitor and staying away from the Islamic Center. At his August 16, 2024, court date, the defendant asked the Court to delete the release requirement that he wear a GPS monitor. The Court granted that request, over the People's objection.

The following month, on September 25, 2024, the defendant accepted the Court's disposition to plead guilty to all charges in the case involving the Islamic Center, premised on the Court's commitment that he would not be sent to prison and instead would be considered for STAR Court, a specialty court that focuses on providing mental health services to qualifying defendants. The defendant's sentencing date in that case is set for December 9, 2024.

The defendant's arraignment on the two new felony cases arising from the two November 30th incidents is scheduled for Wednesday December 4, 2024. The charges in these two cases are allegations only at this point until proven beyond a reasonable doubt in court. He remains in custody at this time without the option to post bail.

"Public safety is my top priority. Mr. Margoliash's past criminal acts are very serious, and I am committed to ensuring he is held accountable for those crimes as well as for the latest offenses he is alleged to have committed," said District Attorney Lori Frugoli.