



NEWS RELEASE

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Not Enough Evidence in Fairfax Swastika Case

After investigation, District Attorney will not pursue criminal charges



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[DA webpage](#)

San Rafael, CA – The [Marin County District Attorney's Office](#) has insufficient evidence to file criminal charges in a November 2020 case involving a person placing swastika stickers at several downtown Fairfax locations.

On November 24, a Fairfax resident videotaped another individual placing the stickers and contacted Fairfax Police. Officers contacted the individual, investigated the incident and forwarded a report to the District Attorney's Office. Since that time, DA and Fairfax Police personnel conducted a thorough investigation that included contact with other jurisdictions and law enforcement agencies.

"In order to file criminal charges, our office is ethically obligated to ensure that the conduct meets the elements of a criminal offense, and there was insufficient evidence of that," said District Attorney Lori Frugoli. "We recognize the symbolism of a swastika accompanied by the message 'We are everywhere' evokes a range of emotions in our community ranging from anger, fear and every emotion in between. Such conduct harms not only our Jewish community, but our entire community.

"In the past few months, we have seen hateful, harmful and intimidating behavior that also harms our community. Such conduct does not represent Fairfax, or any other city where this conduct occurred. In this case, documentation of the acts did serve our community as it shed light on the conduct and let the individual know that such behavior does not represent our county. On a larger scale, this incident brings home the reality of the harmfulness such behavior engenders. It also provided law enforcement with the opportunity to fully investigate the incident and the individual."

Frugoli and her staff are planning a collaborative forum with community leaders to help stop hate crimes and hateful behavior. The forum is to include a representative from the Anti-Defamation League, religious leaders, and Not in Our Town, a national nonprofit with a mission to stop hate, racism and build safe and inclusive communities.

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The educational community conversation – at a time to be announced – will provide an opportunity for residents to learn what can be done locally to stop hate crimes and hateful conduct. It will include a discussion on ways to document such conduct when it does occur. Watch for announcements on the [Marin County District Attorney's website](#).

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