



# TOWN OF FAIRFAX

## SPECIAL MEETING STAFF REPORT

### March 2, 2022

**TO:** Mayor and Town Council

**FROM:** Michele Gardner, Town Clerk

**SUBJECT:** Authorize Mayor Hellman to send a letter in support of AB 2282 Hate crimes: nooses, crosses, swastikas

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#### **RECOMMENDATION**

Authorize Mayor Hellman to send the letter.

#### **DISCUSSION**

Mayor Hellman requested this item be added to tonight's agenda. Existing California law treats the swastika, the noose, and the desecrated cross as symbols of terror, but metes out different criminal penalties for the use of each symbol. Assembly Bill 2282 would amend state law to make the criminal penalties the same for using each symbol and to increase the locations where they are banned to include K-12 schools, colleges, cemeteries, places of worship, places of employment, private property, public parks, public spaces, and public facilities.

#### **FISCAL IMPACT**

None

#### **ATTACHMENT**

Draft letter

LETTERHEAD

VIA POSITION LETTER PORTAL <https://calegislation.lc.ca.gov/Advocates/>

March 3, 2022

The Honorable Rebecca Bauer-Kahan, California State Assembly  
The Honorable Reginald Byron Jones-Sawyer, Sr., Chair, Public Safety Committee

**RE: Assembly Bill 2282 Hate crimes: nooses, crosses, and swastikas  
Notice of SUPPORT**

Dear Assembly Member Bauer-Kahan and Assembly Member Jones-Sawyer Sr:

The Town of Fairfax expresses strong support for the passage of AB 2282.

On November 23, 2020, a hate incident occurred in the Town of Fairfax. A self-proclaimed neo-Nazi was caught by a local resident placing swastika stickers on both public and private property. The resident confronted the perpetrator and removed the stickers promptly. This incident was captured on video and sent fear and shock waves throughout our broader community. Charges could not be filed by the DA as current California code does not prohibit swastikas or other hate symbols posted on public property.

The Federal Bureau of Investigation (FBI) crime statistics report that hate crimes surged to the highest level in 12 years in the year 2020. The rise in hate crimes and hate incidents must be addressed. Our communities must feel safe and protected from the terror and trauma that the public posting of these hate symbols can induce.

Further, the AB2282 legislation will align the penalties for using terror symbols of the swastika, the noose and the desecrated cross. The current inequitable penalty in the California code today for different symbols of hate is not just. It is unreasonable a noose is penalized the least of the three while a burning cross is the most penalized and is prohibited only from schools and private property.

AB2282 will serve to protect our communities targeted by hate and will create an equitable zero tolerance policy concerning use of hate symbols in public spaces. Thank you for your thoughtful consideration of AB2282 and for your service in protecting the safety of our communities.

Sincerely,

Stephanie Hellman  
Mayor, Town of Fairfax

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