

Dear Senators and Representatives,

I am Sheila Hemphill, CEO of Texas Right To Know. As Christians, my husband and I have studied Israel since 1994 during our home school years with our son and daughter. During that time, we had Christian missionary friends living with our family, who volunteered as gentiles for Israel during the Gulf War. Our missionary friends sought out Jews around the world, including Russia, to help them immigrate to Israel. My family financially helped to support this endeavor. Let me be clear: I harbor no hatred toward any race, religion, or nation, as a Bible-based-Christian.

On Wednesday, 3/19/25, I briefly visited with most of your offices regarding bills that I believe were authored with good intent, but as seen below may have adverse unforeseen consequences. Seven bills include the addition of the word “antisemitism” in the penalties of bullying, violations of student codes of conduct, or direction for educational subjects, etc. The current legislation regarding the penalties for bullying or violations of student codes of conduct protect all victims of these abuses. The addition of the term, “antisemitism” is superfluous and not necessary.

The [International Holocaust Remembrance Alliance's "Working Definition of Antisemitism"](#) “Working Definition of Antisemitism,” encompasses expression of speech in reference to a race, a religion, an event, and/or a nation. These bills establish a select protected class of citizens based upon race, religion, and nationality. By the antisemitism definition and scope of this definition, Texans would be subject to penalties abridging their freedom to believe and express their Constitutional 1st Amendment Right to Free Speech. Texans could find themselves penalized by these bills as they share their beliefs, which may include questioning current events or questions of history regarding Israel or Jews that may be “perceived as hatred” as defined in these ambiguous terms.

DO CURRENT SUPREME COURT RULINGS PROHIBIT THE INTENT OF THESE ANTISEMITISM BILLS WHICH WOULD PROHIBIT FREE SPEECH?

Per current Supreme Court Rulings (See Section A below), these ruling clearly define the protection of free speech to include: “a state may not interfere with private actors’ speech to advance its own vision of ideological balance.”

Rulings go on to clarify protections that “prohibits government officials from wielding their power selectively to punish or suppress speech.”

IS THE DEFINITION OF ANTISEMITISM CONSIDERED PERNICIOUS AMBIGUITY?

TX Govt Code § 448.001(2) "Antisemitism" means a certain **perception** of Jews that may be **expressed as hatred** toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities. (See Section B below)



Examples of antisemitism are included with the International Holocaust Remembrance Alliance's (IHRA) "Working Definition of Antisemitism" adopted on May 26, 2016. (See Section C below)

Does this definition open the door to abuse since its interpretation is entirely based on "perception" or "expression of hatred", both of which are constitutional rights of freedom to believe and hate so long as no action of harm is invoked. Per law professor, Lawrence M. Solan, "[*Pernicious ambiguity occurs when the various actors involved in a dispute all believe a text to be clear, but assign different meanings to it. Depending upon how the legal system handles this situation, a case with pernicious ambiguity can easily become a crapshoot.*](#)"

It should be noted that definition of antisemitism referenced in the IHRA language was listed as "**non-legally binding working**," which is **now legally binding** as in TX Govt Code § 448.001 (2). It appears that the Texas Legislature took language deemed, "non-legally binding" that used ambiguous terms such as "perception". "expressed as hatred" and implement the same ambiguous text and now deem it as "legally binding." How is it possible to have a law based upon "perception and expression?"

DOES THE ADDITION OF ANTISEMITISM TO BULLYING AND STUDENT CODE OF CONDUCT LAWS MAKE NEW TESTAMENT SCRIPTURES SUBJECT TO PENALTIES DEFINED IN THE BILLS?

From the [International Holocaust Remembrance Alliance's "Working Definition of Antisemitism"](#)

*"9. Using the symbols and images associated with classic antisemitism (e.g., **claims of Jews killing Jesus or blood libel**) to characterize Israel or Israelis."*

Section D below outlines **10 King James Bible New Testament scriptures** which by #9 example given above would be defined as antisemitism.

Pages 3-6 provide links to state laws and international definitions discussed.

- A. [US SUPREME COURT RULINGS](#)
- B. [Texas Government Code Sec. 448.001. DEFINITIONS](#),
- C. [Texas Holocaust, Genocide, and Antisemitism Advisory Commission](#) with both sections of state law include the [International Holocaust Remembrance Alliance's "Working Definition of Antisemitism"](#)
- D. [King James Bible New Testament scriptures](#)

On the brief discussions with each office, it appeared they were not aware of the #9 language above and they requested that I email them this information. I do not believe that any of your offices would intentionally abridge our 1st Amendment Right to Free Speech or intended to make readings from the Christian Bible New Testament be subject to the penalties of antisemitism as outlined in these bills.

Thank you for your consideration and I look forward to your responses.

Kind regards,

Sheila Hemphill, CEO



SUMMARY SECTIONS:

A. US SUPREME COURT RULINGS:

- a. [Moody v. NetChoice, LLC](#) (2024) Author: [Elena Kagan](#)
The First Amendment offers protection when an **entity engaging in expressive activity, including compiling and curating others' speech**, is directed to accommodate messages it would prefer to exclude. Also, **a state may not interfere with private actors' speech to advance its own vision of ideological balance.**
- b. [National Rifle Association of America v. Vullo](#) (2024) Author: [Sonia Sotomayor](#)
The First Amendment prohibits government officials from **wielding their power selectively to punish or suppress speech**, including through private intermediaries.
- c. [Cantwell v. Connecticut](#) (1940) Author: [Owen Josephus Roberts](#)
When a clear and present danger of riot, disorder, interference with traffic on the public streets, or **other immediate threat to public safety, peace, or order appears, the power of the state to prevent or punish is obvious.**

B. [Texas Government Code Sec. 448.001. DEFINITIONS](#)

Sec. 448.001. DEFINITIONS. In this chapter:

- (1) "Advisory commission" means the Texas Holocaust, Genocide, and Antisemitism Advisory Commission.
- (2) "Antisemitism" means a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities. Examples of antisemitism are included with the **International Holocaust Remembrance Alliance's (IHRA) "Working Definition of Antisemitism" adopted on May 26, 2016.**
- (3) "Commission" means the Texas Historical Commission.
- (4) "Genocide" means any of the following acts committed with intent to wholly or partly destroy a national, ethnic, racial, or religious group:

C. From the International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016 – See #9 below.

<https://holocaustremembrance.com/resources/working-definition-antsemitism>

The IHRA' s Working Definition of Antisemitism is also included in [Texas Holocaust, Genocide, and Antisemitism Advisory Commission](#) (THGAAC) that is administratively attached to the [Texas Historical Commission](#) which adheres to the definition [Antisemitism | THGAAC Working definition of antisemitism](#)



Read the full text of the IHRA's **non-legally binding working definition of antisemitism** and learn more about this important tool with the related resources and FAQs below.

Our working definitions are available in multiple languages. While we try to ensure the accuracy of all of our translations, in the event of any discrepancies, the English translation takes precedence.

[What is the IHRA?](#)

[Explore all IHRA Resources](#)

In the spirit of the Stockholm Declaration that states: “With humanity still scarred by ...antisemitism and xenophobia the international community shares a solemn responsibility to fight those evils” the committee on Antisemitism and Holocaust Denial called the IHRA Plenary in Budapest 2015 to adopt the following working definition of antisemitism.

On 26 May 2016, the Plenary in Bucharest decided to:

Adopt the following non-legally binding working definition of antisemitism:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

To guide IHRA in its work, the following examples may serve as illustrations:

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

1. Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
2. Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
3. Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
4. Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
5. Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.



6. Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
7. Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
8. Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
9. Using the symbols and images associated with classic antisemitism (e.g., **claims of Jews killing Jesus or blood libel**) to characterize Israel or Israelis.
10. Drawing comparisons of contemporary Israeli policy to that of the Nazis.
11. Holding Jews collectively responsible for actions of the state of Israel.

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

Criminal acts are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

D. NEW TESTAMENT SCRIPTURES THAT BY DEFINITION WOULD BE RULED ANTISEMITISM AND SUBJECT TO PENALTIES

1. [Matthew 26:3-5](#) King James Version

³Then assembled together the chief priests, and the scribes, and the elders of the people, unto the palace of the high priest, who was called Caiaphas,

⁴And consulted that they might take Jesus by subtilty, and kill him.

⁵But they said, Not on the feast day, lest there be an uproar among the people.

[Full Chapter](#)

2. [Matthew 27:20 and 23-25](#) King James Version

²⁰But the **chief priests and elders** persuaded the multitude that they should ask Barabbas, and destroy Jesus.....²³And the governor said, Why, what evil hath he done? But they cried out the more, saying, Let him be crucified.

²⁴When Pilate saw that he could prevail nothing, but that rather a tumult was made, he took water, and washed his hands before the multitude, saying, I am innocent of the blood of this just person: see ye to it.

²⁵Then answered all the people, and said, His blood be on us, and on our children.

[Read full chapter](#)

3. [John 7:1](#) King James Version

After these things **Jesus** walked in Galilee: for he would not walk in Jewry, because the Jews sought to **kill** him.

[Full Chapter](#)



4. [1 Thessalonians 2:15](#) King James Version

Who both killed the Lord Jesus, and their own prophets, and have persecuted us; and they please not God, and are contrary to all men:

[Read full chapter](#)

5. [Mark 3:6](#) King James Version

⁶And the Pharisees went forth, and straightway took counsel with the Herodians against him, how they might destroy him.

[Read full chapter](#)

6. [Mark 14:1](#) King James Version

14 After two days was the feast of the passover, and of unleavened bread: and the chief priests and the scribes sought how they might take him by craft, and put him to death.

[Read full chapter](#)

7. [Luke 23:13 and 21](#) King James Version

¹³And Pilate, when he had called together the chief priests and the rulers and the people

²¹But they cried, saying, Crucify him, crucify him.

[Read full chapter](#)

8. [Matthew 26:65-67](#) King James Version

⁶⁵Then the high priest rent his clothes, saying, He hath spoken blasphemy; what further need have we of witnesses? behold, now ye have heard his blasphemy.

⁶⁶What think ye? They answered and said, He is guilty of death.

⁶⁷Then did they spit in his face, and buffeted him; and others smote him with the palms of their hands,

[Read full chapter](#)

9. [Acts 2:22-23](#) King James Version

²²Ye men of Israel, hear these words; Jesus of Nazareth, a man approved of God among you by miracles and wonders and signs, which God did by him in the midst of you, as ye yourselves also know:

²³Him, being delivered by the determinate counsel and foreknowledge of God, ye have taken, and by wicked hands have crucified and slain.

[Read full chapter](#)

10. [Acts 2:36](#) King James Version

³⁶Therefore let all the house of Israel know assuredly, that God hath made the same Jesus, whom ye have crucified, both Lord and Christ.

[Read full chapter](#)