

May 2, 2025 Letter to Editor sent to San Marcos Daily Record newspaper from Sheila Hemphill, CEO.

As a Christian, I want to thank the City Council and citizens of San Marcos, for their stand against genocide regardless of who the victims are and even when it is our own country aiding the perpetrator.

I am Sheila Hemphill with Texas Right To Know and I live in Brady, TX. I am a registered lobbyist at the Capitol but I do not have any clients as I am not a “hired hand” but rather I strive to identify wrongs and make them right. I register due to ethics rules of time spent with legislators, something I have done since 2017 with civil advocacy dating back to 2012. Below is a brief background on myself and recent legislation activity.

According to numerous attorney legal opinions, the definition of antisemitism codified in 2021 is unlawful and unconstitutional since one cannot adjudicate a “*perception*” as it is based upon feelings, and “*expression of hatred*” is protected speech under the first amendment so long as the speech is not inciting harm to person or property.

[Texas Govt Code § 448.001\(2\)](#)

*“Antisemitism” means a certain perception of Jews that may be expressed as hatred toward Jews.”*

... also references ... [“Examples of antisemitism are included with the International Holocaust Remembrance Alliance’s “Working Definition of Antisemitism” \(IHRA\) adopted on May 26, 2016.](#)

The author of IHRA’s definition, [Kenneth Stern](#), said, “*using such language in law is problematic.*” “*There’s an increasingly large number of young Jews for whom their Judaism leads to an antizionist position,*” said Stern, director of the Bard Center for the Study of Hate. “*I don’t want the state to decide that issue.*”

Though I am not an attorney, I do not believe that the definition of antisemitism would hold up in court.

I am concerned that with the addition of the term “antisemitism” being woven into our existing laws, it in essence makes our laws secondary to adjudication, rather than our laws taking primary precedence.

For example: Is calling for the genocide of Jews antisemitic? The obvious answer may be yes. It’s antisemitic, but I would say no since primarily, the calling for genocide of any people is not protected speech under our 1<sup>st</sup> Amendment, period.

You will find extensive information regarding my research on the antisemitic bills that are currently progressing through the Texas Senate and House chambers. Of the four antisemitism bill hearings to date, my most insightful [2 minute testimony](#) occurred on March 25<sup>th</sup> at the Senate Education K-16 committee hearing on SB 326 by Senator Phil King (Weatherford). His follow up statements revealed his lack of knowledge of the entirety of the language that is included in the law. (See testimony) Links to these hearing testimonies can be found on my website [www.TexasRightToKnow.com](http://www.TexasRightToKnow.com). Every testimony “for” the bill I heard was clearly describing the actions of bullying, a code of conduct violation, or a violation of peaceful protests existing laws. It should be noted that at each of the four hearings, there were more Jewish witnesses “against” the bills than there were Jewish witnesses “for” the bills.

On March 19, 2025, I studied the seven antisemitism and two Holocaust bills. The “Israel of God” is a passionate interest since 1994, when we had Christian missionary friends who lived with my family as I scheduled visits to area churches to learn of their mission of ministering the gospel to Jewish people. Our family supported their mission of transporting Jewish people from Russia far east to Israel. As a homeschooler for 16 years and with my current lobby efforts, my family actively studies Israel and other world events both politically and biblically.

Regarding the definition of antisemitism, I was initially skeptical of the word “*perception*” as a means of adjudication, because how do you adjudicate a perception? According to the legal opinion of numerous attorneys at the Capitol, “you can’t.” I was equally alarmed by the words, “*expressed as hatred*” since that violates my 1<sup>st</sup> Amendment right. These opinions concurred that any law referencing this antisemitism definition is an attempt to **establish a protected class based upon race, religion and/or nationality, violating the [14th Amendment Equal Protection law](#).**

I was troubled when I saw that the current state law has one sentence mentioning “*Examples of antisemitism*” which makes these examples part of state law but these 11 examples were not codified, written, in our law. In order to find these 11 examples, you have to go to a foreign country’s website to find out how to administer punishment “*perceived*” as antisemitism. I was shocked when I saw:

**#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.***

On March 19<sup>th</sup>, I went to every office of the authors of the seven antisemitism bills and none of the office staff were aware of these 11 examples since they were not written out in our law. As demonstrated during my first testimony at the antisemitism [hearing on SB 326](#), it was clear that the author Senator Phil King (Weatherford) was not aware of the inclusion of these examples outlined in international law, even though he was the author of HB 3257 in 2021 that codified it in law. It should be noted that the list is postfixed with wording “*included but not limited to*”, so who knows what else might be added. Senator King’s SB 326 was passed from the House floor late night of April 30, 2025.

After the House State Affairs hearing on the companion bill of HB 2391 by Giovanna Capriglione (Southlake), I was rather stunned when I confronted him how public school and university students could be punished for saying that “*Jews Killed Jesus*”. He walked by me and said, “*It’s a done deal*” and handed me a copy of Governor Abbott’s March 27, 2024 [executive order, GA-44](#).

This executive order was challenged in US District Court Western Division – Austin / October 28, 2024 – Excerpts from ruling. [STUDENTS FOR JUSTICE IN PALESTINE, AT THE UNIVERSITY OF HOUSTON, et al., v. GREG ABBOTT](#):

*“while some may find her speech disagreeable, offensive, or even inflammatory, it is ‘bedrock principle underlying the First Amendment’ . . . that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable.” Texas v. Johnson, 491 U.S. 397, 414 (1989).*

Current US Supreme Court Rulings regarding free speech clearly define the protection of free speech to include the [National Rifle Association of America v. Vullo](#) (2024) clarify protections that “*prohibits government officials from wielding their power selectively to punish or suppress speech.*”

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Early on, I had serious concerns that the majority of our state legislators, potentially even the Governor's office, were unaware of the fact that our state law is subject to change and controlled by international forces. Now with the [April 29th threatening letter](#) from Governor Abbott to the City of San Marcos, I fear that my suspicions have been confirmed, when the letter states "Anti-Israel policies are anti-Texas policies."

Governor's Abbott's retaliatory response to "[Whereas](#)" list of the City of San Marcos's resolution is astonishing since many items on the list were endorsed by numerous international human rights organizations such as [Amnesty International](#) and [Human Rights Watch](#). Both have accused Israel of committing acts of genocide and engaging in collective punishment. His intimidating threat to San Marcos would violate our [bullying](#) laws if these minor modifications were made to its definition: "*is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive ~~educational~~ environment for a ~~student~~ municipality.*"

The [US Campaign for Palestinian Rights Action](#) reported that \$4,434,675 of San Marcos residents' tax money went to Israel's for the purchase of weapons, when Governor Abbott asserted that this dollar amount came from their own accounting of funds. I was astonished that when the City suggested that a "*reallocation of [such] local funds*" away from "*Israel's military*" and "*towards essential domestic priorities,*" that their requests were reprimanded by the Governor. Governor Abbott conflated a mere *appeal for an "arms embargo"* with a "*boycott.*" The idea that Governor Abbott is more offended by an appeal for an embargo on his ally Israel, then the carnage caused from the use of our tax dollars for armament demonstrates his hypocrisy and I believe is be an embarrassment to all Texans. The City Council is upholding their fiduciary duty in their attempt to provide care for the needs of their citizens and failing to do so is a dereliction of duty to serve and protect Texans.

For him to insinuate that the City of San Marcos is side stepping their contractual obligations to comply with Gov't Code Section 2271 and calls on his staff for a targeted investigation should disturb all Texas citizens in every community. The very fact that our law would require a "*written verification*" that the contracting entity "*does not boycott Israel*" and "*will not boycott Israel during the term of the contract*" is another example of exclusive favoritism offered to the nation of Israel.

In closing, I am inspired by the actions of the San Marcos City Council's resolution for peace and I hope and pray they will withstand the tyrannical, chilling threats by Governor Abbott. We should all be alarmed when President Trump and Governor Abbott are using the purse strings for funding restrictions to force ideological compliance of nation favoritism upon universities and now cities. This creates an environment where our first amendment rights can be purchased for the cheap price of obedience.

I hope to help in any way possible by testimony or by soliciting support for your efforts and I hope you hold strong. I feel our 1<sup>st</sup> Amendment rights are being threatened and I am very uncomfortable by Governor Abbott's April 29<sup>th</sup> letter to the council. Last time I checked Israel is a foreign country and I am chilled that he would state that "Anti-Israel policies are anti-Texas policies," he does not speak for me. These are our sacred rights bought and defended with blood of our people and shall not be yielded to any foreign country or domestic strong-arm tactics.

I hope we see more communities follow this righteous example to do what they can with their power they have to condemn any genocide we see. Remember, we are not accountable for the outcome, just our efforts.