



January 23, 2023

Dear Northern Virginia Senators and Delegates:

As the community and government relations arm for over 100 Jewish organizations in our region, the JCRC of Greater Washington thanks you for your ongoing support of our legislative and budget priorities, as well as your efforts to ensure that Virginia remains safe and a place where all communities can grow and thrive.

With the 2023 Session underway, we write now to share our legislative priorities and to draw your attention to the specific legislation we support and those we oppose. The legislation and budget items of interest to us reflects our year-round work supporting Northern Virginia's network of Jewish agencies, which provide excellent cost-effective social services to the community at large on a non-sectarian basis, and initiatives that aim to better our Commonwealth overall.

First and foremost, as you may know, in December, Governor Youngkin's Commission to Combat Antisemitism released its report, recommending over 20 initiatives. We appreciate the work of the Commission and have worked with the Jewish community throughout Virginia, a coalition of national Jewish organizations and the Governor's and Attorney General's offices to draft language that we are happy to support as amendments in the nature of substitutes to three bills introduced this session in connection with the Commission's report. Also in line with the Commission's recommendation is a fourth bill that we support – a resolution outlining the contributions of Jewish Americans to our shared history and designating May as Jewish American Heritage Month.

The first of these bills (HB 2208/SB 1184), as amended, makes it clear that antisemitism will be treated like all other manifestations of hatred and that Jewish individuals and communities of Virginia are included in Virginia's laws against discrimination and assault. As you may know, the Jewish community – and hatred, discrimination and bias against it - includes those who are Jewish through their religious observance, adherence and faith, as well as those who are Jewish by virtue of their ethnicity and cultural affiliations. HB 2208/SB 1184, therefore, is necessary to ensure that Jews are a protected class even when targeted for **ethnic** attributes rather than those related to religiosity.

HB 1606/ SB 1252, as amended, identifies a definition of antisemitism. As a practical matter, this definition can be used as a tool to provide guidance and understanding in identifying antisemitic incidents and in training and education intended to prevent such incidents. The definition adopted is that developed in 2016 by the International Holocaust Remembrance Alliance (IHRA) – an intergovernmental group comprised of 31 nations – whose definition has become the internationally recognized gold standard for understanding modern antisemitism. Some will argue that defining antisemitism and providing examples of what could constitute antisemitism chills free speech or would prevent criticism of Israel. To the contrary, the First Amendment clearly protects the right to say hateful and ugly things (whether those statements be racist, homophobic, xenophobic, antisemitic, or anti-Israel). Furthermore, the IHRA definition itself explicitly states that criticism of Israel in and of itself does not constitute antisemitism. This definition and its examples help better define the nature of harassment, discrimination, and violence when it occurs.

The third bill, HB 1898/SB 1375, as amended, provides that the Commonwealth will not engage in business with companies that discriminate against the only Jewish State. To date, at least 35 states have adopted anti-BDS laws, executive orders, or resolutions designed to discourage the economic isolation and delegitimization of Israel. This bill affirms the values of the Commonwealth by attaching

conditions to how the government spends its money and is based on language from other states that has withstood constitutional challenge with findings that it does not violate free speech protections. This bill is modeled after bills that have withstood constitutional challenge and, therefore, is specifically crafted to provide oversight of specific actions and business dealings and not of speech.

We highlight these bills and several of the others we support (or oppose) below. Please note that this list is not exhaustive, and we support many of the bills you have introduced.

Legislation arising from the Commission to Combat Antisemitism:

We support, as amended by each patron with substitute language:

- HB 2208 (Kilgore)/SB 1184 (Reeves): Hate crimes and discrimination; antisemitism
- HB 1606 (Tata)/SB 1252 (Dunnavant): Antisemitism; definition
- HB 1898 (McGuire)/SB 1375 (Vogel): Virginia Public Procurement Act; prohibition on boycotting Israel
- HJ 543 (Filler-Corn): Jewish American Heritage Month; designating as May 2023 and in each succeeding year thereafter

Women's Health:

Support:

- HB 2089 (Mundon King): Health insurance; coverage for prescription contraceptives
- SB 1243 (Surovell) Abortion or other reproductive health care services; prohibitions on extradition for certain crimes

Oppose: We oppose any effect to restrict access to reproductive healthcare including:

- SB 1385 (Newman)/HB2278 (Byron): Abortion; when lawful, 15-week gestational age; penalty
- SB 1284 (Hackworth): Abortion; life begins at conception; exceptions

Gun Violence Protection:

Support:

- HB 1788 (Filler-Corn): Firearms; sale or transfer, microstamping-enabled firearms, penalties
- HB 1936 (Plum): Virginia Firearm Buy-Back Program and Fund
- SB 1139 (Boysko): Storage of firearms in a residence where a minor is present; penalty

Oppose:

- SB 805 (Chase)/HB1428 (LaRock): Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms
- HB 2320 (Campbell, E): Repeals the prohibition on the carrying of a dangerous weapon in a place of worship

Voter Access:**Support:**

- HJ 520 (Herring): Constitutional amendment; qualifications of voters and the right to vote
- HB 2049 (Bennett-Parker): Polling place; assistance for certain voters, definition of disability

Oppose:

- HB 1693(McGuire): Absentee voting; return of absentee ballots, drop-off locations.

Security for Faith-Based Institutions:**Support:**

- HB 2352 (Subramanyam): Hate symbol defacement; removal by localities from any public buildings, etc.

Supports for Social Services:**Support:**

- HB1673 (Bell)/SB1156 (Boysko) Adding suffocation to the strangulation definition to close a loophole for victims of domestic violence

Our Environment and Climate Change:**Support:**

- HB 1588 (Sullivan): Electric Vehicle Rural Infrastructure Program and Fund; created
- HJ 545 (Sewell): Clean energy; Dept. of Energy to study barriers for local governments to purchase

Criminal Justice Reform:

Support:

- HB 2487 (Davis)/SB 887(Morrissey): Prohibits the use of solitary confinement, with some exceptions, in state correctional facilities
- SB 1274 (Boysko): Requires state correctional facilities to provide free telephone calls
- SB 1402 (Surovell): Criminal records; expungement and sealing of records

Immigration:

Support:

- HB 2059 (Lopez): Noncitizens of the United States; removes term aliens throughout Code

Separation of Church and State:

Support:

- SJ 242(Ebbin)/HJ532 (Sickles): Constitutional amendment; repeal of same-sex marriage prohibition (first reference)

Disability Advocacy:

Support:

- HB 2492 (Seibold): Virginia Board for People with Disabilities; membership; terminology
- SB 830 (Favola): Students with disabilities; DBHDS to develop best practice standard related to transition of record

Affordable Housing:

Support

- SB 1141 (McPike): Affordable housing; local zoning ordinance authority, comprehensive plan
- SB 1875 (Helmer): Public utilities; delay of termination of service for certain residential customers
- SB1340 (Barker): Virginia Residential Landlord and Tenant Act; application limitations

Non-Discrimination

Ensuring non-discrimination beyond the Jewish community is also always high on our agenda. For that reason, we also support the following bills:

Support:

- SJ 230 (Bell): Asian Americans and Pacific Islanders; VSCC to study hate crimes and bias-motivated acts.

Thank you, again, for all that you do. If you have any questions about our positions on these or other bills, do not hesitate to reach out to Vicki Fishman, JCRC Virginia Director of Government and Community Relations, at vfishman@jcouncil.org or (703) 307-3467 or our lobbyists in Richmond, Missy Wesolowski at (703) 975-5411 and Aimee Perron Seibert at (804) 647-3140.

Sincerely,

Vicki E. Fishman, Esq.
Virginia Director of Government and Community Relations