



# COMBATING ANTISEMITISM IN VIRGINIA

Report of the Commission to Combat Antisemitism



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# I. Foreword

Governor Youngkin,

In accordance with Executive Order 8, I am pleased to present the Report of the Commission to Combat Antisemitism. As part of your goal to make Virginia the best state in which to live, work, and raise a family, one vital aspect has been your commitment to work toward stopping hatred and bigotry, and instead turning divisiveness into opportunities to bring people together. Combatting antisemitism in all of its manifestations, and increasing tolerance and understanding, are essential aspects.

Antisemitism is often known as the world's "oldest hatred", but it is nonetheless surprising and disturbing that incidents of such hatred and bigotry have been increasing both nationally and in Virginia, as described in the Report. Most worrisome, antisemitism is not just present among the societal fringes and faceless, nameless corners of the internet; antisemitism is increasingly present among visible, elite sectors of American society, and in America's colleges and universities.

Drawing on the knowledge of a multi-faith Commission membership of genuine experts, and a wide range of data and experience, the Report sets forth a broad-based set of twenty-one recommendations to address antisemitism in multiple critical ways. The recommendations begin with ways to define and better measure the scope of the problem, and proceed to education-based responses, improved law enforcement responses, and improved antidiscrimination measures (and legislation), and conclude with a suggestion for an interfaith, multi-ethnic dialogue devoted to increasing understanding and collaboration.

I hope and anticipate that you will find the Commission's work fully responsive to the task you set out in Executive Order 8, and helpful to facing head-on the challenge of combatting antisemitism in a comprehensive and effective manner. Indeed, it is our hope that the Report and its recommendations will prove helpful elsewhere as well. But first and foremost, I anticipate that by combatting antisemitic bigotry in an effective way, the recommendations included in this Report provide the Commonwealth with key additional steps towards advancing Virginia as the best place to live, work, and raise a family.

Respectfully submitted,

A handwritten signature in black ink that reads "Jeffrey A. Rosen". The signature is written in a cursive, slightly slanted style.

Jeffrey A. Rosen  
Chair

## II. Executive Summary

On January 15, 2022, Governor Youngkin signed Executive Order 8, “Establishing the Commission to Combat Antisemitism,” to reaffirm Virginia’s commitment to stand against hatred and intolerance and develop an actionable plan to combat antisemitism in the Commonwealth.<sup>1</sup>

The Commission’s purpose is to study antisemitism in the Commonwealth, propose actions to combat antisemitism and reduce the number of antisemitic incidents, as well as compile materials and provide assistance to Virginia’s schools, law enforcement, and other public institutions in reducing antisemitism, and to increase public awareness of the harms presented by antisemitic activity. The Commission was also charged to make recommendations to the Governor and General Assembly with the goal of identifying ways to reverse increasing antisemitic incidents in the Commonwealth and avoid the plague of antisemitic incidents occurring in other states. This report is the first report of the Commission including its assessments and recommendations.

On May 6, 2022, Governor Youngkin convened the Commission and nominated interfaith members and knowledgeable experts devoted to preventing antisemitism, extremism, and hate crimes. Key officials from the Commonwealth also serve on the Commission as ex officio members, including Attorney General Jason Miyares, Secretary of Education Aimee Guidera, Secretary of Public Safety and Homeland Security Robert Mosier, and Interim Chief Diversity, Opportunity, and Inclusion Officer Rosa Atkins.

Since then, the Commission held five public meetings to discuss the current state of antisemitism in the U.S. and Virginia, methods to prevent antisemitism and protect victims while holding perpetrators accountable, and actions the Commonwealth can take to combat direct and disguised antisemitism and prevent ostensible critics of Israel from using that guise to foment antisemitism and hostile environments for American Jews. To refine the discussion and recommendations around these topics, the Commission convened four subcommittees relating to defining antisemitism, education, law enforcement, and trade, laws, and legislation.

Following this first series of public meetings, the Commission has proposed several recommendations for the Commonwealth and the General Assembly to take action to combat direct and indirect antisemitism, confront hate crimes, and address antisemitic activities in universities and other important public realms. These recommendations include new efforts to educate the public on antisemitism and the Holocaust, strengthen hate crime law enforcement and data collection, and block potential antisemitic actions from occurring in state government and among the Commonwealth’s agencies and educational institutions. With these actions, the Commission is confident the Commonwealth will make progress in reducing antisemitism in Virginia and avoid some of the incidents that have become too common elsewhere.

### III. Background

The history of Judaism in America predates Jamestown with the arrival of Jewish artisans to the ill-fated Roanoke Colony in 1585. In 1621, Elias Legarde became the first Jewish Virginian when he arrived in Jamestown, and in 1789, the first Virginia Jewish congregation was established in Richmond.<sup>2</sup> Since then, Jewish history and Virginia history have been closely intertwined. The first Jewish Commodore of the U.S. Navy – Uriah P. Levy – saved Monticello from demolition, and Colonel Edward Shames of Norfolk fought with Easy Company to free Europe from Nazi oppression and liberated several concentration camps.<sup>3</sup> Now, the Commonwealth is home to over 150,000 Jewish Virginians and has one of the fastest growing Jewish populations in the country.



*Commodore Uriah P. Levy*

While many Jewish immigrants came to America to escape religious persecution, Old World prejudices unfortunately followed them. Antisemitism has regrettably always been present in the U.S. to some extent, but in the last dozen years has it become increasingly and disturbingly common. According to FBI Director Christopher Wray, “[A]bout 63% of religious hate crimes overall are motivated by antisemitism. And that’s targeting a group that makes up about 2.4% of the American population. So, it’s a community that deserves and desperately needs our support, because they’re getting hit from all sides.”<sup>4</sup> In 2021, antisemitic incidents in the U.S. reached an all-time high, with 2,717 separate incidents reported.<sup>5</sup> In 2022, Virginia alone has seen nearly 350 reports of antisemitic acts.<sup>6</sup>



*Colonel Edward Shames*

While many may view these incidents as isolated and among a fringe segment of society, a wide range of incidents during the last decade, and very recently, shows otherwise, that these incidents and activities are not limited to neo-Nazis, the KKK, Mideast extremists, and followers of Louis Farrakhan. Public figures from the entertainment industry, professional sports, news producers, university professors, and even civil rights activists and public officials from both political parties have made a variety of antisemitic assertions. Even a former president recently met with two notorious antisemites. These public statements from some of the most influential people in the U.S. come as acts of violence ranging from shootings at synagogues and kosher markets to physical street attacks on Orthodox Jews have been reported with a disturbing frequency. Lamentably, antisemitic acts and statements are today more common, have entered into the mainstream of political and social discourse, and therefore risk becoming normalized.

On college campuses and in the halls of Congress, antisemitic smears and tropes are regularly rolled out, often with the pretense that they are mere criticisms of “Zionists,” whether made by adherents of the Boycott, Divestment, and Sanctions (BDS) hate movement or others. For Virginia to be the best place to live, work, and raise a family, the Commonwealth must do everything it can to make antisemitism entirely unacceptable.

## IV. Overview of Antisemitism

The International Holocaust Remembrance Alliance defines antisemitism as “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.”<sup>7</sup> Incidents that fit within antisemitism also include certain categories of attacks on the State of Israel using double-standards, denying its Jewish foundation, suggesting a coordinated or international conspiracy, and other harmful myths that are in reality plainly directed at Jews, and not legitimate political critiques that might be made against any nation.

Antisemitism has appeared often throughout history. The Crusades saw massacres of Jews as crusaders’ zealotry turned to violence as they made their way to the Middle East; Jews were blamed for the “Black Death” plague of the mid-1300s; the kingdoms of England and Spain infamously expelled Jewish residents; Russia’s pogroms pushed millions of Jews to leave for the U.S. in search of freedom from persecution; and, following the recreation of Israel, Jews were expelled from numerous Middle Eastern countries. The Holocaust perpetrated by Nazi Germany that claimed the lives of more than six million Jews remains the most destructive antisemitic tragedy and an unparalleled example of genocide in world history.

Following World War II, scholars and the public began to view the Holocaust as a unique event and thought of antisemitism as a belief system that had passed with the Nazis. Unfortunately, the sickness that is antisemitism did not die with the Nazi regime, and it is deeply troubling that antisemitism is both alive and increasingly common in America.

## V. Antisemitism in the United States

The U.S. is one of only a few countries founded on the idea of religious liberty, but religious persecution is still present. Federal Bureau of Investigation data show that Jewish Americans are victims of religiously motivated hate crimes more often than any other religious group.<sup>8</sup> While nearly 80% of Americans are supportive of Jewish communities in the U.S., significant numbers of Americans report believing in antisemitic myths and the double-standard canard that Jewish Americans are more loyal to Israel than to the U.S.<sup>9</sup>

The U.S. is also home to several antisemitic organizations, such as the Ku Klux Klan, the Nation of Islam, the American Nazi Party, Black Hebrew Israelites, the Westboro Baptist Church, the White Patriot Party, and the Goyim Defense League. These groups typically deny the existence of the Holocaust, desecrate Jewish symbols and places of worship, and propagate hateful myths and conspiracy theories in public and online.

With these antisemitic undercurrents in American society, recent years have seen tragic high-profile antisemitic terrorist incidents. In 2018, the Tree of Life synagogue in Pittsburgh was attacked during Shabbat services where eleven worshippers were killed and six were injured. The Tree of Life congregants included several Holocaust survivors who had lived through the Nazi Germany years and moved to the U.S. only to witness murders by an antisemitic terrorist.<sup>10</sup>

In 2019, a lone gunman in Poway, California at Chabad of Poway during the last day of Passover celebrations shot and killed one woman and injured three others, including a rabbi.<sup>11</sup> Also in 2019, two gunmen in Jersey City, New Jersey entered a kosher grocery store, killing three people and wounding three others, including two police officers.<sup>12</sup> Both the Poway and Jersey City terrorists had a history of antisemitic posts on social media.

On January 15, 2022, the same day Governor Youngkin signed Executive Order 8, “Establishing the Commission to Combat Antisemitism,” a British Pakistani immigrant took four worshippers hostage at Congregation Beth Israel in Colleyville, Texas, demanding the release of a convicted Al Qaeda terrorist at a nearby federal penitentiary.<sup>13</sup> While no victims lost their lives, the Colleyville attack demonstrates that antisemitic prejudices can lead to attacks on Jewish communities and places of worship even though the victims have nothing to do with the attacker’s objectives.

Other notable examples of antisemitism that have occurred in the U.S. include:<sup>14</sup>

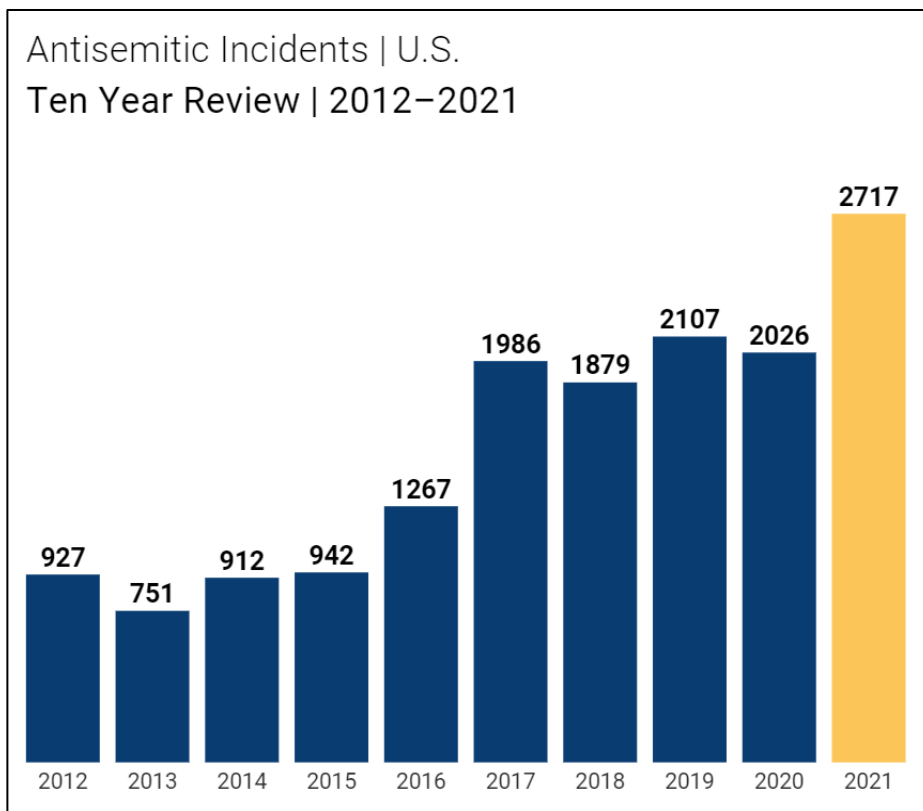
- Five Hasidic Jewish men, ranging in age from 11 to 82, were attacked by a driver in a minivan who backed his car into the group. (April 2021, Brooklyn, NY)
- A group of Jewish patrons at a restaurant in Los Angeles were attacked by a group of individuals in cars carrying Palestinian flags and yelling antisemitic slurs. (May 2021, Los Angeles, CA)
- Swastikas were etched into multiple areas of an archway to the Jewish section of the Palms Memorial Park Gardens Cemetery. (January 2021, Sarasota, FL)
- California’s Ethnic Studies curriculum requirement resulted in Los Angeles Public Schools adopting anti-Semitic curricular materials that applied a double standard and demonized Israel.
- White supremacist group Atomwaffen made targeted threats to Black and Jewish journalists as well as members of the Anti-Defamation League
- A Colorado man was charged with a federal hate crime for a planned terror attack on a synagogue in Pueblo, Colorado

- In October 2022, a New Jersey man was arrested for planned attacks on several synagogues.
- In November 2022, two men were arrested in New York’s Pennsylvania Train Station after posting plans on social media to attack a New York City synagogue.
- In November 2022, a man entered the Seattle airport and began yelling antisemitic slurs at passengers while identifying himself as a Nazi.

Although there has been a clear identification of several of these incidents as hate crimes, there are troubling indications that too few are prosecuted as such. According to Americans Against Antisemitism, of the 118 adults arrested for antisemitic hate crimes in New York City since 2018, only one has been convicted and incarcerated. In 23 of these cases, charges were dropped, and several others took plea deals or were sent to psychiatric counseling instead of being held criminally responsible.

Despite these high-profile incidents, awareness of antisemitism and the Holocaust is declining in the U.S. A 2020 survey found that nearly 66% of Millennial and Gen Z adults were *not aware* of the Holocaust, and nearly 25% agreed that the Holocaust is a myth or is overexaggerated.<sup>15</sup>

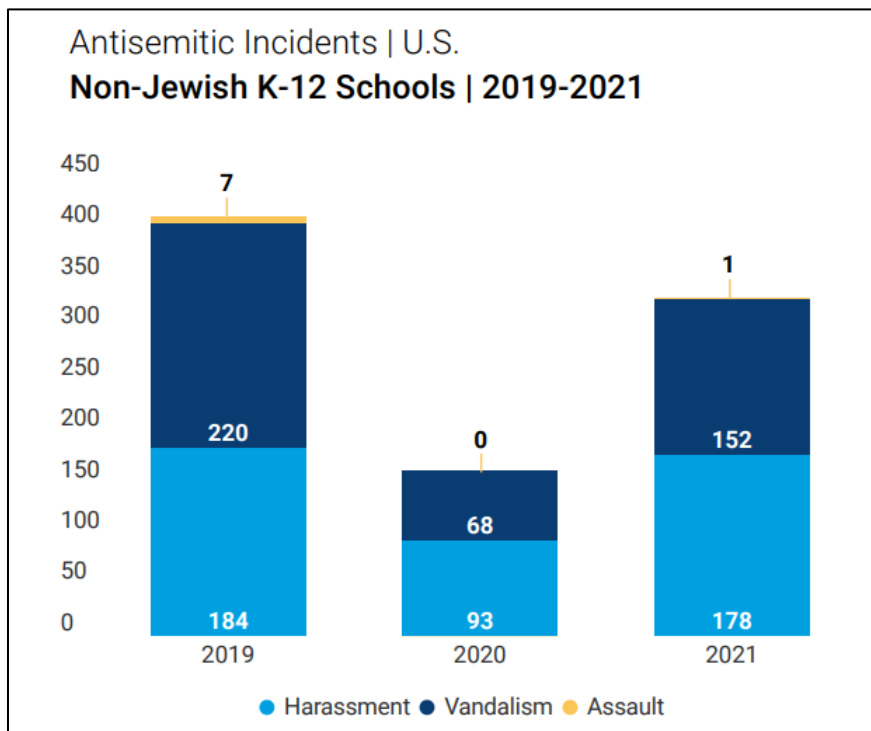
This ignorance and under-education on antisemitism and the Holocaust is correlated with an increase in antisemitic incidents nationwide. Since 2013, antisemitic incidents have risen from 751 to a record 2,717 in 2021. Of these incidents, 1,776 were harassment, 853 involved vandalism, and 88 were categorized as assault. Eleven of these assaults involved the use of a deadly weapon.<sup>16</sup>



(Source: Anti-Defamation League, “Audit of Antisemitic Incidents 2021”)

The U.S. also sees a disturbing frequency of antisemitic incidents occurring in public schools. While the number of incidents decreased in 2020 and 2021 during the COVID-19 pandemic, the fact remains that there were over 330 antisemitic incidents that took place in K-12 schools, including the assault of one student. In 2019, the last year of pre-COVID-19 data, over 400 antisemitic incidents occurred in K-12 schools and seven students were assaulted as a result of their Jewish identity.<sup>17</sup>





(Source: Anti-Defamation League, “Audit of Antisemitic Incidents 2021”)

Antisemitism is also notably present on college campuses, including some of America’s most prestigious institutions. In February 2022, vandals drew a swastika on scaffolding outside of the Tisch School of the Arts at New York University.<sup>18</sup> In May 2022, the City University of New York’s law school commencement address was delivered by an alumnus who reportedly had “called for the destruction of Israel, expressed support for gun violence against Zionists and threatened to set a man’s IDF sweatshirt on fire.”<sup>19</sup>

In August 2022, ten student organizations at the UC-Berkeley law school sought what has been labeled “Jew-free zones” by adopting bylaws pledging to not invite any speakers that are supportive of Israel and adopting the posture of Boycott, Divestment, and Sanctions (BDS) extremists. Dean of Berkeley Law School Erwin Chemerinsky, who has himself advocated for Palestinian and Israeli rights alike, called the bylaw “antisemitic” and “troubling.”<sup>20</sup> In October 2022, an anonymous antisemitic group at George Washington University littered the campus with signs saying “Zionists \*\*\*\* Off” leading up to the Sukkot holiday, which drew widespread condemnation from Jewish community groups in Washington, D.C.<sup>21</sup>

In addition to these specific incidents, antisemitism is rising on college campuses broadly. In 2015, the Louis D. Brandeis Center for Human Rights under Law found that 54% of Jewish college students sampled at 55 campuses nationwide reported having experienced or witnessed antisemitism on their campus.<sup>22</sup> A survey by the Cohen Group in 2021 found that 65% of Jewish fraternity and sorority members polled had experienced or were familiar with an antisemitic attack in the preceding 120 days. In this same survey, nearly half of the respondents claimed they felt the need to hide their Jewish identity out of fear that it would produce harassment or even physical assault.<sup>23</sup>



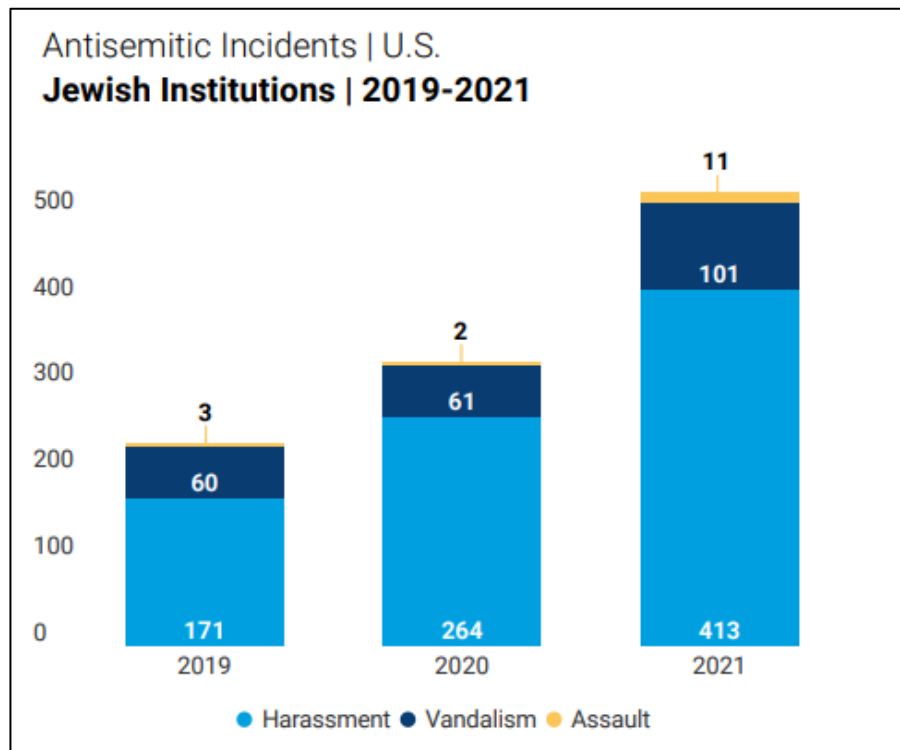
2022 Antisemitic Posters at George Washington University, Washington, D.C.

These responses are supported by data from the AMCHA Initiative, which found that campus assaults on Jewish students doubled between 2021 and 2022. During this period, there were 254 antisemitic attacks on 63 separate college campuses, including those with large Jewish populations, such as Harvard University, UCLA, and Rutgers University.

Antisemitism is also present among college administrators. Social media analysis of accounts owned by college administrators found that tweets referencing Israel were more frequent and overwhelmingly negative compared to tweets referencing oppressive regimes.<sup>24</sup> In fact, the same sample of social media accounts reveals that tweets referencing China were *positive* on net. Hostile attitudes toward Israel while having positive attitudes toward authoritarian regimes like China is indicative of the antisemitic double-standard that is applied to Israel.

Remarking on the rising incidence of antisemitism on college campuses, former Harvard Law Professor Alan Dershowitz said, “I speak at universities and had never, until recently, heard and seen the kind of language now being directed against Jewish students and faculty who support Israel.”<sup>25</sup> To ensure these antisemitic incidents are not replicated on Virginia college campuses, the Commonwealth’s higher education institutions must do more to prevent hate crimes and vandalism before they happen, to hold perpetrators accountable when they do, and to counter the hateful messages directed at Jews on their campuses with exposure, education, rebuttal, and other initiatives.

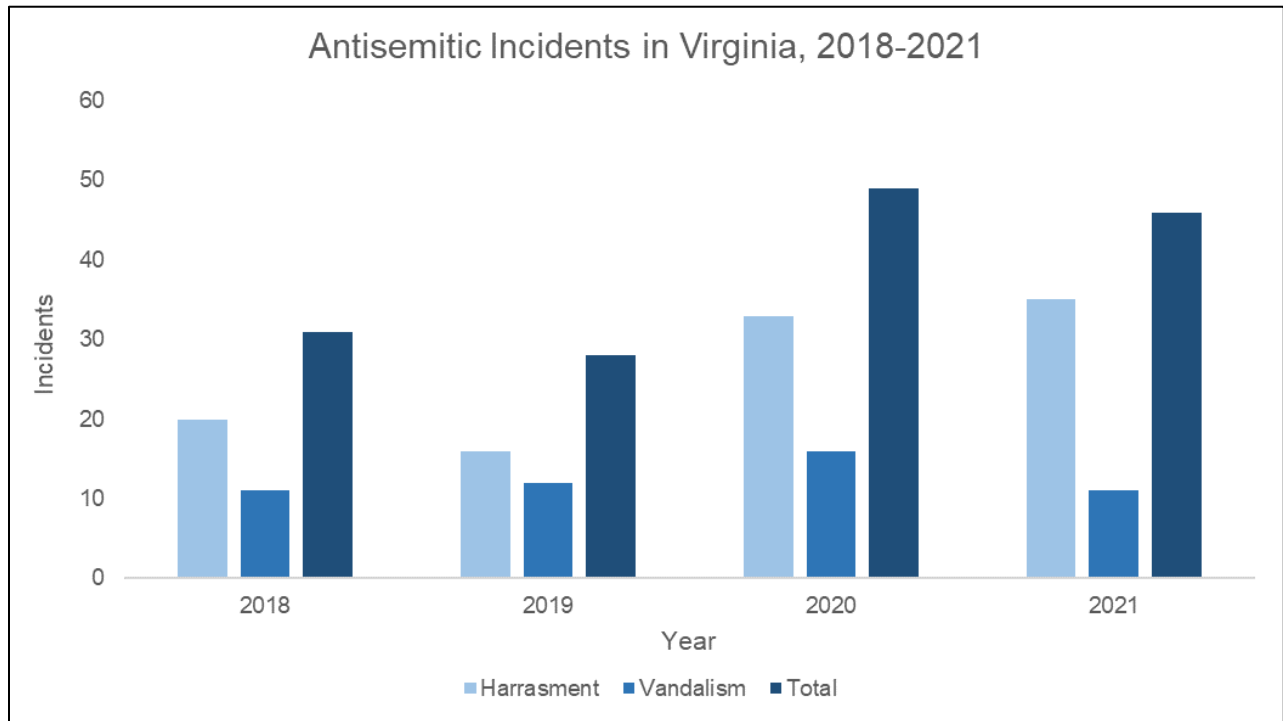
Most worryingly, the frequency of antisemitic incidents occurring at Jewish institutions, including schools, community centers, and synagogues, is increasing annually. Since 2019, antisemitic incidents targeting Jewish institutions have risen 124%. Of the 525 antisemitic incidents that involved Jewish institutions in 2021, 327 targeted synagogues.<sup>26</sup>



(Source: Anti-Defamation League, “Audit of Antisemitic Incidents 2021”)

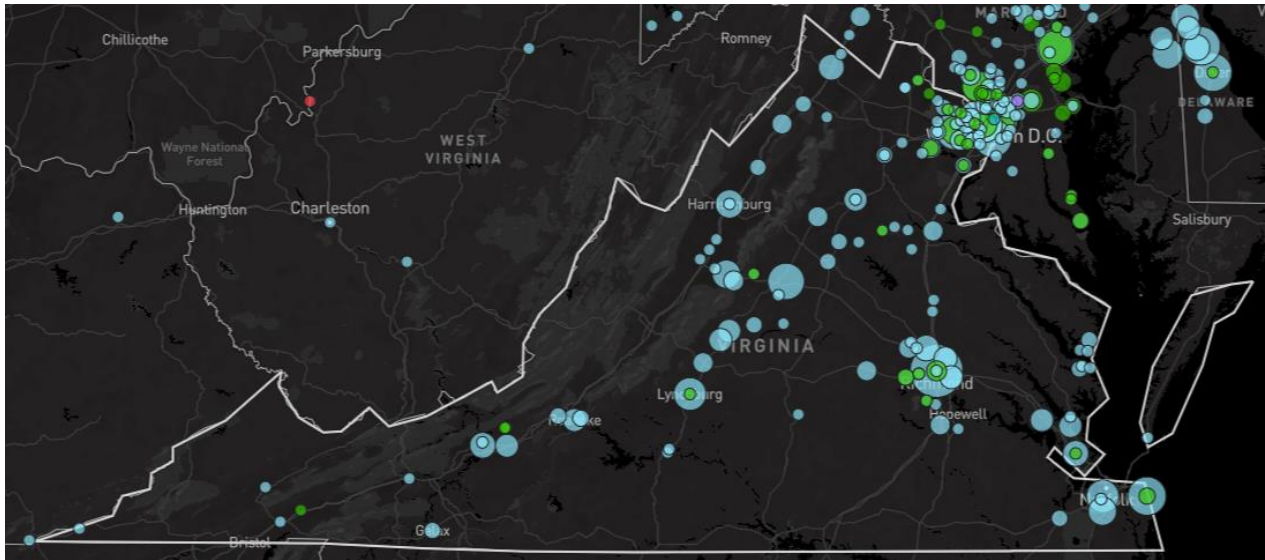
## VI. Antisemitism in Virginia

Though Virginia is certainly not among the worst states for antisemitic incidents, it also is not among the very best. In recent years, Virginia has had fewer incidents than neighbors in Maryland and DC, but the national trend of increasing antisemitic incidents has not spared Virginia, and some of the most high-profile antisemitic incidents in recent history have occurred in the Commonwealth. Generally, while the Commonwealth has not seen antisemitic assaults take place since 2018, there has been an increased frequency of antisemitic harassment and antisemitic vandalism at levels which have remained constant from 2018 to 2021.<sup>27</sup> In 2021, 411 reported antisemitic incidents impacted residents of the Commonwealth. These incidents showed a 71% increase over the 292 reported incidents in 2020.



(Source: Anti-Defamation League, "Audit of Antisemitic Incidents 2021")

Far too many of Virginia's antisemitic incidents involve white supremacist propaganda, such as flyers and graffiti, and most occur around large population centers, namely Richmond, Northern Virginia, and Hampton Roads. The Piedmont and Shenandoah Valley also has a concerning concentration of antisemitic incidents.<sup>28</sup> Since January 2022, over 100 separate towns and cities in Virginia have experienced distributions of antisemitic flyers. These flyers have similar antisemitic messaging alleging Jewish allegiances to communist governments, Jews as racially inferior and/or claiming Jews exert control over various governmental institutions. In the map below, blue circles are hate group propaganda incidents like flyers, green circles are general antisemitic incidents, and the red circle represents a murder committed by a political extremist.



(Source: Anti-Defamation League, "Hate, Extremism, Antisemitism, Terrorism (HEAT) Map")

Among all antisemitic incidents, Virginia has seen frequent white supremacist propaganda, which also comprise the most recent antisemitic incidents. In September 2022, the Goyim Defense League, an antisemitic hate group organized through social media, distributed flyers in Lynchburg espousing white nationalist and antisemitic messages.<sup>29</sup> In August 2022, flyers were hung by an unidentified group in Richmond linking gun control and immigration with Judaism and imprinting the Star of David on the heads of notable Jewish political leaders.<sup>30</sup> In July 2022, an unknown group left antisemitic pamphlets in Virginia Beach residents' mailboxes linking Jewish leaders at the Walt Disney Company with pedophilia.<sup>31</sup>



2022 Antisemitic Flyers in Virginia Beach, Virginia



2022 Antisemitic Flyers in Richmond, Virginia

Additional examples of antisemitic incidents that took place in Virginia since January 2022 include:

- Middle school students in Fairfax displaying antisemitic gestures during a school assembly. (June 2022, Fairfax)
- Swastikas being drawn on a Jewish family's home. (May 2022, Burke)
- During class, a high school student Airdropped an image of a swastika to classmates and signed into an online quiz game using a swastika and a racial slur. (March 2022, Arlington)

- After several cases of inaction by Fairfax County Public Schools following antisemitic incidents, the U.S. Department of Education announced it has opened a Title VI investigation into the school system.

In prior years, several notable antisemitic incidents occurred in Virginia. In 2017, the “Unite the Right” rally in Charlottesville brought together neo-Nazi groups, neo-Confederate groups, and a variety of other antisemitic organizations. During this rally, attendees engaged in hateful activities, such as chanting racist and antisemitic slogans, and threatened counter-protesters with weapons and tactical gear. As the rally descended into violence, a white supremacist attendee rammed his car into a crowd of people, injuring 35 people and tragically killing a 32-year-old woman, Heather Heyer.



The painful memory of the Charlottesville tragedy significantly impacted both national and Virginia politics in the following years. References to Charlottesville persist in the national discourse on race, ethnicity, hate, and extremism in the U.S., which is Constitutionally committed to Enlightenment ideals, including freedom from persecution.



2017 “Unite the Right Rally” in Charlottesville, Virginia

It is clear that antisemitism is a wide-ranging problem that cuts across diverse segments of American society and exists on both the extreme left and extreme right sides of the political spectrum, as well as within the gradients in between. Combatting antisemitism takes the efforts of all in society – whether one is Jewish or not – and all residents of the Commonwealth of Virginia will find themselves in a better place if the scourge of antisemitism is rejected and excised as much as possible from our society.

## VII. Existing Organizations that Monitor Antisemitism

To fight antisemitism, several organizations exist to train and educate the public on anti-extremism, antisemitism, and the Holocaust. In its work, the Commission had access to a wide variety of information and materials from these organizations, as well as from speakers, publications, and other sources that collectively provided the factual background for the Commission's analysis and recommendations. A non-exhaustive list of examples of organizations that address antisemitism is included below, which can be beneficial to the public, as it was for the Commission.

### FBI Hate Crime Reporting

The Federal Bureau of Investigation oversees the Uniform Crime Reporting Program's (UCR) Hate Crime Statistics Data Collection, "on crimes motivated by prejudice based on race, gender and gender identity, religion, disability, sexual orientations, or ethnicity."<sup>32</sup> This is a data collection system that collects voluntary submissions from law enforcement agencies at local, state and federal agencies as well as colleges/universities and tribal agencies. It resulted from the passage of the federal Hate Crime Statistics Act of 1990.

### American Jewish Committee

The American Jewish Committee (AJC) is one of the oldest Jewish advocacy organizations in the U.S., founded in 1906 to "prevent infringement of the civil and religious rights of Jews and to alleviate the consequences of persecution."<sup>33</sup> The AJC has positioned itself as the "Global Center for Jewish and Israel Advocacy" and has a presence in all six inhabited continents. AJC is staunchly nonpartisan and advocates at the local, state, federal, and global levels for initiatives to support their mission and priorities. AJC also advocates that the well-being of the Jewish community is linked to that of other faiths and ethnic groups in the U.S. and globally.

### Combat Antisemitism Movement

The Combat Antisemitism Movement (CAM) is a global grassroots movement that partners with several other organizations to bring an end to "the world's oldest hatred."<sup>34</sup> CAM is focused on fighting antisemitism wherever it occurs and is devoted to protecting the right to self-determination for the Jewish people in Israel. CAM counts 650 organizations and 386,516 individuals as coalition members and organizes a pledge to stop antisemitism.

### The Gross Family Center for the Study of Antisemitism and the Holocaust

The Gross Family Center is devoted to raising awareness of the Holocaust, its causes, and its relationship with contemporary antisemitism.<sup>35</sup> The Gross Family Center also hosts lecture series and other events designed to educate the public on the root causes of antisemitism, how to combat antisemitism, extremism's role in genocide, modern antisemitism, and how antisemitism impacts the State of Israel.

### Institute for the Study of Global Antisemitism and Policy

The Institute for the Study of Global Antisemitism and Policy (ISGAP) is devoted to the scholarly pursuit of battling antisemitism, including studying the origin, process, and manifestation of antisemitism and other forms of racism.<sup>36</sup> ISGAP's work produces valuable resources in combating antisemitism, which it

disseminates to the broader public. ISGAP also hosts academic programming, such as the ISGAP-Oxford Summer Institute for Curriculum Development on Critical Antisemitism Studies, an international seminars series, and research projects targeted to antisemitism. To effect social change through its research, ISGAP also trains civil servants and develops policies to map, decode, and confront contemporary antisemitism effectively.

## Louis D. Brandeis Center for Human Rights Under Law

The Louis D. Brandeis Center for Human Rights Under Law (LDB) is devoted to advancing the civil and human rights of Jewish people, and conducts research, education, and advocacy to combat rising antisemitism on college campuses.<sup>37</sup> While LDB is focused on North American college campuses, LDB's approach recognizes antisemitism's relationship to global forms of hate and bigotry.

## B'nai B'rith International

Since its founding in 1843, B'nai B'rith has developed tolerance programs and spoken out strongly against anti-Semitism in all its forms.<sup>38</sup> "None Shall Be Afraid" is its flagship response to the world's oldest hatred. B'nai B'rith is dedicated to illuminating the hatred of Jews as a distinct and unique social illness and to marshaling efforts to combat and—where possible—eradicate this phenomenon. With members across the United States and in more than 40 countries around the world, B'nai B'rith works diligently to prompt officials to fight anti-Semitism at all levels, delivering that message to governments and intergovernmental bodies, while taking action on college campuses and speaking out in the media.

## Anti-Defamation League

The Anti-Defamation League (ADL) was founded in 1913 by Sigmund Livingston after a Jewish man was lynched in Marietta, Georgia by a mob convinced through antisemitic beliefs that he had murdered a teenage girl.<sup>39</sup> The ADL charter states, "The immediate object of the League is to stop, by appeals to reason and conscience and, if necessary, by appeals to law, the defamation of the Jewish people." The ADL has extensive resources to fight antisemitism nationwide with 25 regional offices and the ADL Center for Antisemitism Research is focused on efforts to quantify, understand, and prevent antisemitism.

## Community Security Service

The Community Security Service (CSS) works through a national network of over 5,000 trainer security volunteers who regularly aid in the protection of Jewish institutions and events around the U.S.<sup>40</sup> The CSS collects and shares information with their volunteers regarding the latest manifestations of antisemitism and extremism.

## Secure Community Network

The Secure Community Network (SCN) identifies itself, as "the official homeland security and safety initiative of the organized Jewish community in North America."<sup>41</sup> In existence since 2004, the SCN was founded with the support of the Jewish Federations of North America and the Conference of Presidents of Major American Jewish Organizations. They work to provide, "timely, credible threat and incident information to both law enforcement and community partners, serves as the community's formal liaison with federal law enforcement and coordinates closely with state and local law enforcement partners. SCN works with communities and partners across North America to develop and implement strategic

frameworks that enhance safety and security of the Jewish people, developing best practice policies and procedures, undertaking threat and vulnerability assessments, coordinating training and education, offering consultation on safety and security matters and providing crisis management support during critical incidents.”

## The Vidal Sassoon International Center for the Study of Anti-Semitism (SICSA)

The Vidal Sassoon International Center for the Study of Anti-Semitism (SICSA) was established at The Hebrew University of Jerusalem in 1982 as an interdisciplinary research center dedicated to an independent, non-political and critical approach to understanding the phenomenon of antisemitism.<sup>42</sup> It was the first globally oriented research center of its kind and provides unique resources for researchers, students, educators, journalists and policymakers.

## Foundation to Combat Antisemitism

Founded in 2019 by Robert Kraft after he was awarded the Genesis Prize, through his own \$20 million investment and the donations of others, Kraft’s vision for this Foundation has been to stand up against racist and violent rhetoric aimed at the Jewish people through the most easily accessible and most powerful avenue of information in the world today: social media. The mission of the Foundation is to “win the hearts and minds of non-Jews and Jews through powerful positive messaging and partnerships, motivating and equipping them to be defenders of and upstanders for Jews and Israel.”

## Antisemitism Monitor

The Antisemitism Monitor is organized by Moment magazine and is a carefully fact-checked website of antisemitic incidents around the world.<sup>43</sup> It is curated by Ira N. Forman, former U.S. Special Envoy of the Office to Monitor and Combat Antisemitism, who now teaches at Georgetown University and is a senior fellow at the Washington, DC-based Moment Institute. Forman is regarded as one of the world’s foremost experts in antisemitism.

While Virginia does not have a university center or a unique private sector organization focused on antisemitism, several national organizations have chapters or offices in Virginia.

## Zionist Organization of America

Founded in 1897, the Zionist Organization of America (ZOA) played a key role in the Jewish State’s re-establishment.<sup>44</sup> Today, ZOA is the leading major American Jewish organization courageously defending Israel and the Jewish people; fighting against all forms of antisemitism, including anti-Jewish boycotts; and promoting the Jewish people’s lawful right to live in Israel. ZOA spearheaded long, successful battles to move the U.S. embassy to Jerusalem, to deport Nazi war criminals, to apply federal civil rights protections to Jewish students, and more. ZOA also provides free legal assistance and programs to students at numerous college campuses.



## VIII. Summary of the Meetings of the Commission and Its Subcommittees

To strengthen and improve Virginia's efforts to fight antisemitic bigotry and violence, Governor Youngkin, as one of his first actions as governor, issued Executive Order 8, "Establishing the Commission to Combat Antisemitism." On May 6, 2022, Governor Youngkin convened the Commission and appointed the following members to serve:

- Jeffrey A. Rosen of McLean, Former Acting Attorney General of the United States, Chairman
- Arthur B. Sandler of Virginia Beach, Vice Chairman
- Samuel Asher of Richmond, Executive Director, Virginia Holocaust Museum
- Mel Chaskin of Fairfax Station, President, Vanguard Research, Inc.
- Rabbi Eric Fusfield of Arlington, Director of Legislative Affairs, B'nai B'rith International
- Jennifer L. Goss of Augusta County, Program Manager, Echoes & Reflections
- Bruce Hoffman of Fairfax, Director, Center for Jewish Civilization, Georgetown University, Washington, D.C.
- William J. Kilberg of McLean, Retired Senior Partner, Gibson Dunn, LLP
- Julie Strauss Levin of Leesburg, Attorney, Advisory Board member, Gross Family Center for the Study of Antisemitism and the Holocaust, Lay Advisory Board member, Coalition for Jewish Values
- Earl G. Matthews of Great Falls, President, Veeam Government Solutions
- Connie A. Meyer of Virginia Beach, Editor and Founder, Hampton Roads Weekly
- Kenneth A. Miller of Virginia Beach, Retired Police Chief, Petersburg Bureau of Police
- Susan O'Prandy Fierro of Prince George, Commonwealth's Attorney of Prince George County
- Eric Rozenman of Fairfax City, Communications Consultant, Jewish Policy Center, Washington, D.C.
- Camille Q. Solberg of Purcellville, State Policy Expert, Intercessors of America

The following ex-officio members were also selected by Governor Youngkin to serve on the Commission:

- Attorney General Jason Miyares, Attorney General of Virginia
- Secretary Aimee Guidera, Secretary of Education
- Secretary Robert Mosier, Secretary of Public Safety and Homeland Security
- Rosa Atkins, Interim Chief Diversity, Opportunity, and Inclusion Officer

The Commission held its first meeting on May 11, 2022, and established the following subcommittees to discuss specific issues related to antisemitism and propose policy reforms to combat antisemitism in Virginia and improve the resilience to antisemitism in state and local government:

- Definition and Scope of Antisemitism
- Educational Responses to Antisemitism
- Law Enforcement and Security Responses to Antisemitism
- Trade, Laws, and Legislation to Combat Antisemitism

During their meetings on June 21, 2022, September 7, 2022, September 20, 2022, and October 20, 2022, the Commission discussed how antisemitism is becoming more widespread and more high-profile antisemitic events are occurring, such as the 2017 “Unite the Right” rally in Charlottesville and incidents in public schools and universities. The Commission was particularly concerned by the growing incidence of antisemitism in K-12 schools and higher education institutions. Antisemitic propaganda and leaflets are appearing in Virginia’s cities and neighborhoods more frequently as well, and propagate harmful false conspiracies, such as Jewish people being responsible for COVID-19 and the Atlantic slave trade.

To improve efforts to combat these instances of antisemitism, the Commission supports increased antisemitism data collection and awareness and response training for state and local law enforcement, as well as campus law enforcement to fight antisemitism within education. To treat antisemitic incidents appropriately, the Commission urges that antisemitic hate crimes be subject to the same laws as other hate crimes, and antisemitic discrimination be subject to the same laws as other civil rights violations. The Commission also stresses the importance of victim protections and creating safe communities by convening interfaith efforts to combat religious discrimination on all fronts.

To address antisemitism in education directly, the Commission recommends methods to increase the availability of antisemitism awareness, training, and instructional materials for K-12 and higher education teachers and include lessons on the history of the Jewish people and Jewish civilization, Holocaust, and antisemitism into the Virginia Department of Education Standards of Learning. To extend Holocaust and antisemitism education more broadly, the Commission outlines Jewish days of recognition and remembrance that may serve as opportunities for public bodies to educate all Virginians, including the annual Jewish American Heritage Month.

In Virginia’s law schools, the Commission recommends the creation of law classes and programs designed to examine antisemitism and civil rights and how the law can be used to protect people from antisemitic actions. To formalize the intersection of antisemitism and the law, the Commission proposes the establishment of a Center for the Study of Antisemitism at an existing law school in the Commonwealth.

The Commission also discussed how antisemitism is difficult to define despite its pervasiveness. The Commission agreed that the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism is the gold standard for defining antisemitism, with widespread adoption outside Virginia. Regarding antisemitic views of Israel, the Commission also supports the use of the “3 D’s”: (1) demonization; (2) delegitimization; and (3) double standards as benchmarks for identifying antisemitism. Accordingly, the Commission recommends Virginia adopt laws like those in Arkansas, Illinois, Florida, and numerous other states prohibiting state contracting with companies aligned with the Boycott, Divestment, and Sanctions (BDS) hate movement that seeks to economically isolate and destroy Israel as a Jewish state.

Regarding actions the Commonwealth could take, the Commission applauds the work some states have done, including Texas, Florida, and South Carolina, to define antisemitism and require agencies to recognize, monitor, and document instances of antisemitism. However, Commission members also warned against relying on nonbinding resolutions and proclamations, because these actions do not carry the force of law and can be as easily overturned as they are easily enacted.

Lastly, the Commission identifies 21 recommendations to combat antisemitism in Virginia.

# IX. Recommendations of the Commission

## Defining, Identifying, and Remediating Antisemitism

### **Adoption and Implementation of IHRA Working Definition**

The Commission recommends that Virginia adopt a law affirming support for the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism, including its "Contemporary Examples." The IHRA definition states, "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." The Commission also recommends that the Governor issue an Executive Order affirming support for the IHRA working definition of antisemitism, including its "Contemporary Examples".

The Commission also suggests that the General Assembly pass legislation codifying the IHRA working definition in the Code of Virginia and requiring that the IHRA definition inform any analysis of whether antisemitic discrimination exists, including in Virginia schools and universities, as well as a wide variety of other contexts. These measures should also reference Presidential Executive Order 13899 on Combating Antisemitism. They should further clarify that it is the position of the Commonwealth of Virginia that the protections contained in federal law under Title VI of the Civil Rights Act, 42 U.S.C. 2000d et seq., correctly apply to Jews as well as other covered categories of residents.

The Governor's Executive Order and enacted legislation should specify that any investigations of antisemitism be mindful of protected speech or expression and should follow the considerations outlined in Executive Order 13899, which was based on the bipartisan Congressionally- proposed Anti-Semitism Awareness Act. The Commission underscores that it would not want to see censorship by governments or others, whether or not in coordination with civil rights organizations, as the solution to offensive speech.

### **Require Hate Incident Data Collection and Training**

The Commission recommends that the General Assembly pass a law similar to Virginia Code section 52-30.2 (bill requiring data collection on law enforcement/citizen encounters) requiring law enforcement to collect data in reference to hate crimes and incidents including papering neighborhoods, parking lots, and businesses, stickering, and vandalism, among others. The Commission also recommends that the General Assembly require hate crime training for new law enforcement officers and at least one hour annually of hate crime training as part of law enforcement officer in-service training.

### **Establish Antisemitism in Education Reporting System**

The Commission recommends that the Virginia Department of Education in conjunction with the Office of the Attorney General establish a reporting system and publicly available database regarding acts of antisemitism in K-12 schools and higher education. This reporting system would require, with appropriate penalties, school principals and university administrators to report on a quarterly basis antisemitic acts to this reporting system, and its public availability will allow members of the public to become aware of antisemitic environments at certain K-12 schools and higher education institutions.

## Fighting Antisemitism Through Education

### **Expand Holocaust Standards of Learning**

The Commission recommends that the Virginia Department of Education in the proposed 2022 Standards of Learning: (1) require that students understand the history of antisemitism; (2) place antisemitism, the rise of the Nazi Party, and the Holocaust under an individual sub-standard (7d) in U.S. History II; (3) place the Holocaust in its own sub-standard (10c) and emphasize in World History II the longstanding nature of antisemitism as a significant factor in the treatment of Jews before and during World War II; (4) require that the Holocaust remains its own substandard (12d) focusing on the Nazi's adoption and implementation of the "Final Solution" and its post-war effects in Virginia and U.S. History; (5) require history standards to mention the post-war culmination of the 50-year quest to recreate a safe homeland for the Jewish people in their ancestral land; and (6) eliminating any reference to genocides in the Virginia Social Studies Standards of Learning other than those already recognized internationally under the 1948 Convention on Genocide. The Commission observes that the August 4, 2022 proposed standards substantially met these recommendations, and the Commission recommends that the components of those standards addressing these six items be carried forth into the standards and framework that are presented for final review to the Virginia Board of Education.

### **Include Study of Judaism in World History**

The Commission recommends that the Virginia Department of Education require World History I students to learn about the development of ancient Israel as a civilization and the spread of Judaism (WHI.3d & e). In World History II, Virginia students should learn about the creation of Israel in modern-day and its impact geographically and economically in the Middle East and globally. The Commission observes that the August 4, 2022 proposed standards substantially met these recommendations, and the Commission recommends that the components of those standards addressing these items be carried forth into the standards and framework that are presented for final review to the Virginia Board of Education.

### **Create Curricula for Jewish Days of Recognition**

The Commission recommends that the Virginia Department of Education should establish annual recognition and provide curricula for International Holocaust Remembrance Day (January 27) and Jewish American Heritage Month (May).<sup>45</sup> Curricula for these days of recognition should note the disadvantages Jews have faced in America and celebrate the successes and contributions of American Jews to the U.S. and Virginia. Such materials should be distributed to every public school in the Commonwealth and be made a regular part of teacher training courses and seminars. The Commission also suggests that the Commonwealth recognize Israel's 75th anniversary on May 14, 2023.

To ensure these new and revised curricula regarding the Holocaust, Judaism, and Israel are adopted into the Virginia Standards of Learning, the Commission plans to submit a letter to the Virginia Department of Education recommending these changes be incorporated into the forthcoming revised History and Social Science Standards of Learning.

### **Increase Educator Access to Antisemitism Non-Profits and Materials**

The Commission recommends that the Virginia Department of Education cooperate with the following organizations to make instructional materials on antisemitism available to educators:

- American Jewish Committee
- Anti-Defamation League
- B'nai B'rith International

- CAMERA (Committee for Accuracy in Middle East Reporting and Analysis)
- Combat Antisemitism Movement
- Conference of Presidents of Major American Jewish Organizations
- The Gross Family Center for the Study of Antisemitism and the Holocaust
- Hasbara Fellowships
- Echoes & Reflections
- University of Southern California Shoah Foundation
- Holocaust Education Foundation of Central Virginia
- Holocaust Commission of the Jewish Federation of Tidewater
- ISGAP—Institute for the Study of Global Antisemitism and Policy
- Jerusalem Center for Public Affairs
- Jewish Community Relations Councils of Richmond, Tidewater, and Greater Washington
- Jewish Federations of Richmond, Tidewater, and Greater Washington
- Jewish Virtual Library (including *Myths and Facts, a Concise Record of the Arab-Israeli Conflict*)
- Louis D. Brandeis Center for Human Rights Under Law
- Maccabee Task Force
- Shadowlight: Stepping Into and Out of Darkness (traveling exhibit featuring Nazi cattle car transport of Jews to death camps)
- StandWithUs
- Students Supporting Israel
- Virginia Holocaust Museum

Virginia should also make available to history and social studies teachers in K-12 and higher education the following lists of additional instructional resources regarding Jews, antisemitism, the Holocaust, Zionism and Israel, which it has developed and set out in Appendix F.

### **Ban Academic Boycotts**

The Commission recommends that the Governor issue an Executive Order prohibiting public higher education institutions from implementing academic boycotts of foreign countries, except for those subject to national security prohibitions, such as state sponsors of terrorism. The Commission further recommends that the General Assembly codify such a prohibition. These measures would prohibit any state-funded college or university from implementing an academic boycott that would have the effect of depriving students or faculty of the ability to study or conduct research in or about a foreign country or interact with its scholars or representatives. This prohibition would not apply if the boycotted country is a state sponsor of terrorism, as defined and certified by the U.S. State Department, or is subject to other national security directives. But otherwise, if a state-funded college or university adopts an academic boycott of a foreign country that is not subject to national security or terrorism directives, such a college or university would no longer be eligible for state funding from the Commonwealth or any Virginia locality.

### **Advance Study of Antisemitism and the Law**

The Commission recommends that the State Council of Higher Education in Virginia (SCHEV) encourage law schools to establish courses devoted to the intersection of antisemitism and the law, as well as the challenge of how the law can be used to combat the persistent threat of antisemitism. The

Commission also recommends that SCHEV cooperate with academic scholars to create a center for the study of antisemitism and the law at a Virginia law school.

### **Prohibit Indoctrination in Public Education**

The Commission recommends that the General Assembly pass legislation prohibiting partisan political or ideological indoctrination in classrooms and curricula at state-supported K-12 schools and higher education institutions. In instances in Virginia and elsewhere, political advocacy in the classroom has been associated with subsequent antisemitic actions. A requirement of non-indoctrination would maintain or restore the basic neutrality of teaching in a way that protects Jewish students (and others) from being victimized by a politicized environment that some perceive as a license for hateful activity.

### **Adopt Statement Supporting Free Expression and Open Inquiry**

The Commission recommends that the Department of Education and SCHEV adopt and adhere to the Chicago Principles of Freedom of Expression to ensure free and open academic inquiry and debate on all subjects. Free inquiry and free speech protect all citizens, including Jews, and a genuinely educated populace is less likely to engage in hate activities. These principles should be required at every public university, college, and community college in Virginia.

### **Require Recognition of Religious Holidays in K-12 Education**

To ensure that students of the Jewish faith are not excluded or treated as “outsiders”, the Commission recommends that Virginia public schools be required to recognize Jewish religious holidays, and to ensure that no students are penalized for missing days or assignments during the Jewish high holy days. Similar provision should be made for students of other religions as well.

## **Fighting Antisemitism Through Law Enforcement**

### **Improve Victim Witness Assistance Regarding Hate Crimes**

The Commission recommends that Victim Witness advocates should receive additional training regarding hate crimes and doxing and how to assist victims. Specifically, Victim Witness advocates should be able to assist victims of hate crimes in minimizing and controlling access to personal information and details easily found online, including home addresses and home and mobile telephone numbers, social security numbers, the names and ages of family members, and the like.

### **Amend Virginia Hate Crime Statutes to Clarify Coverage of Jewish Virginians**

The Commission recommends amending hate crime language throughout the Virginia Code to include “ethnic identity” and “whether actual or perceived by the offender” to account for the fact that Judaism is a religion, Jews are an ethnicity, and the Jewish people have a nationality identity. Current language in Virginia Code defines a “hate crime” as a crime where the perpetrator intentionally selects the person against whom a simple assault is committed because of his race, religious conviction, gender, disability, gender identity, sexual orientation, color, or national origin. It would be helpful to use language that clarifies the existing inclusion of Jews by adding “ethnic identity” or similar language to the Code. Further amending the Code to include “whether actual or perceived by the offender” would allow for prosecution of an offender that mistakenly selects a victim based on a false belief the victim is of a certain protected group, including Jews.

## **Expand Hate Crime Training to All Law Enforcement**

The Commission recommends that the Virginia State Police and local police departments begin training other law enforcement groups, including campus police, school resource officers, and prosecutors about hate crimes, how to identify them, and how to react, and that such training specifically include components about antisemitism, and the reporting of antisemitic incidents to a central reporting facility.

## **Police Policy on Reporting Hate Crimes**

The Commission recommends that the Governor direct police departments in Virginia to adopt and refine policies on reporting hate crimes, emphasizing that Jews and other vulnerable groups are to be provided protection against bias-motivated and hate-motivated acts. Such policies should contain the IHRA working definition of antisemitism, including its “Current Examples,” along with the definition of a hate crime contained in the Code of Virginia, sec. 52-8.5.

Such policies should instruct officers on the investigation and response to hate crimes, and direct officers to retain records of hate crime occurrences and to report hate crimes to the Virginia State Police, which should maintain a publicly available hate crime database.

## **Educate, Train, and Prepare for Policing on Holy Days**

The Commission recommends that the Virginia State Police and local police departments should encourage proactive policing during religious holy days and observances, especially in and around places of worship. These police departments should also educate their staff about holy days and include hate crime response training for incidents at places of worship. This training should include methods to provide support to religious institutions on holy days to improve security.

## **Support Youth Initiatives to Mitigate Radicalization**

Extremist groups, including those espousing antisemitic views and encouraging antisemitic crimes, deliberately target teenagers and other youngsters for recruitment and radicalization. The 10-year-old Estonian “commander” of a Feuerkrieg cell—a particularly notorious antisemitic terrorist group—is one of many instances where young people are deliberately drawn into violent, antisemitic organizations. Enlisting the intervention of professional counselors and juvenile parole officers as well as civil society groups, including those that use former extremists to reach young audiences, to educate and help rehabilitate violent offenders on this issue could make an important contribution to addressing the problem.

## **Fighting Antisemitism Through Antidiscrimination Protections**

### **Ensure Judaism and Jewish People are Protected by Existing Antidiscrimination Policies**

As with the recommendation above regarding hate crimes, the Commission recommends that the General Assembly pass legislation that would definitively clarify that Jews are covered by all Virginia statutes that protect civil rights and prohibit invidious discrimination.

### **Ban Public Entities from Adopting and Practicing BDS Positions**

The Commission recommends that Virginia adopt a law that would bar public entities from following the positions of Boycott, Divestment, and Sanctions (BDS) hate movement. The global BDS movement is an antisemitic and discriminatory effort designed to economically isolate, delegitimize, and destroy Israel as a Jewish state through economic means. While Virginia passed a non-binding anti-BDS resolution in March 2016, it has not passed a statutory anti-BDS law that prevents Virginia from doing business with



individuals and entities that engage in or support BDS against Israel as other states have. These anti-BDS laws include provisions such as prohibiting the state from contracting with an entity that engages in or supports BDS and requiring that state contracts contain a clause that the contractor will not engage in or support BDS during the term of the contract.

### **Coordinate an Interfaith Dialogue on Prejudice, Bigotry, and Extremism**

To continue the Commission's work combating anti-religious and anti-ethnic bigotry, the Commission recommends that the Governor encourage and coordinate an interfaith, multi-ethnic dialogue devoted to increasing understanding and collaboration among Jewish, Christian, Islamic and other faith traditions in the Commonwealth. This ongoing framework will support meaningful and honest dialogue that addresses the contributions of and challenges facing people of all faiths and ethnicities while examining the roots and impact of hate.

## X. Conclusions

By issuing an executive order on the first day of the new Administration, the Governor in a very public way signaled the importance of the need to address the problem of antisemitism. By convening an interfaith group of fifteen experts, the Commission appointed by the Governor has been able to meet and assess the issues, and make twenty-one substantive recommendations to the Governor, and potentially for the General Assembly. The recommendations set forth in this report merit rapid adoption, and the Commission looks forward to their consideration and implementation. The Commission suggests that it would be sensible and desirable to create in the Office of the Attorney General a task force to help address the recommendations above, and to identify, monitor, and work with other agencies of the Commonwealth to combat Anti-Semitism in Virginia. With this report concluding the initial assignment given to the Commission, the Commission expects reports and recommendations in the future will be well-positioned to take further steps to make Virginia an even safer and more welcoming place for people of all faiths, traditions, and backgrounds.

## XII. Appendices

Appendix A: Governor Youngkin's Executive Order 8

Appendix B: Governor Youngkin's Press Release Establishing the Commission to Combat Antisemitism

Appendix C: Governor Youngkin's Proclamation of Jewish American Heritage Month

Appendix D: Presidential Executive Order 13899

Appendix E: Suggested Background Reading on Antisemitism, the Holocaust, and the State of Israel

Appendix F: Proposed Permanent Proclamation of Jewish American Heritage Month

## Appendix A: Governor Youngkin's Executive Order 8



*Commonwealth of Virginia*  
*Office of the Governor*

# *Executive Order*

## **NUMBER EIGHT (2022)**

### **ESTABLISHING THE COMMISSION TO COMBAT ANTISEMITISM**

By virtue of the authority vested in me as Governor, I hereby issue this Executive Order establishing a commission to combat antisemitism in the Commonwealth of Virginia.

#### **Importance of the Initiative**

The Commonwealth of Virginia has been a pioneer for religious freedom since the earliest days of our nation. Tomorrow, January 16, 2022, will be the 236th anniversary of the Virginia General Assembly enacting the Virginia Statute for Religious Freedom; promising that no man “shall otherwise suffer on account of his religious opinions or belief.” These words – as important today as when first written – remain enshrined in our Constitution and provide the basis of our enduring commitment to religious tolerance and equality.

Our nation and our Commonwealth have seen an intolerable rise in antisemitism in recent years. Antisemitism, as defined by the International Holocaust Remembrance Alliance, “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.” Sadly, in 2020, Virginians experienced a record number of antisemitic incidents. This disturbing trend has brought to the forefront the necessity of a targeted effort to combat the rising threat of antisemitism and ensure all Virginians are free to live their lives without the threat of harassment, violence, or discrimination. Every manifestation of antisemitism or Holocaust denial is an affront to our society and will not be accepted in the Commonwealth of Virginia.

Virginia must once again lead the way in ensuring religious freedom and equality for all citizens. We must reaffirm our commitment to stand against hatred and intolerance, and develop an actionable plan to combat antisemitism in our Commonwealth. A commission will help us better understand the scourge of antisemitism and represents a meaningful first step towards

ensuring a Commonwealth free from antisemitic harassment, violence, or discrimination in the lives of Jewish Virginians.

### **Establishment of the Commission to Combat Antisemitism**

Accordingly, by virtue of the authority vested in me as Governor, under Article V of the Constitution of Virginia and §§ 2.2-134 and 2.2-135 of the Code of Virginia, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby establish the Commission to Combat Antisemitism (Commission).

The purpose of this Commission is to study antisemitism in the Commonwealth, propose actions to combat antisemitism and reduce the number of antisemitic incidents, as well as compile materials and provide assistance to Virginia's public school system and state institutions of higher education in relation to antisemitism and its connection to the Holocaust.

The Commission shall make recommendations to the Governor and General Assembly with the goal of identifying ways to reverse increasing antisemitic incidents in the Commonwealth.

### **Composition and Support of the Commission**

The Governor will appoint the members and Chair(s) of the commission. The Governor will select community and faith leaders, experts, and scholars with experience of and/or knowledge of antisemitism.

The Governor may appoint other members at any time to carry out the assigned functions of the Commission. The Commission will have an advisory role and the members will serve without compensation, in accordance with § 2.2- 2100 of the Code of Virginia. In carrying out its duties, the Commission may appoint working groups as it deems appropriate, and may solicit participation from relevant subject matter experts, practitioners, and analysts.

Staff support for the Commission will be provided by the Office of the Governor and any other agencies or offices as may be designated by the Governor. An estimated 250 hours of staff time will be required to support the work of the Commission. No direct costs are expected for the work of the Commission.

### **Duties of the Commission**

The Commission will meet upon the call of the Chair(s) and will issue an interim report with its findings and recommendations no later than December 1, 2022, International Holocaust Remembrance Day, and any additional reports and recommendations as necessary or as requested by the Governor. This report may also include a proposed framework for the

continuation of the Commission’s work. The Commission’s findings and recommendations will be distributed to promote best practices across the Commonwealth.

**Effective Date of the Executive Order**

This Executive Order shall be effective upon signing and shall remain in full force and effect for one year from its signing, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 15th day of January 2022.



*Glenn Youngkin*  
\_\_\_\_\_  
Governor

*Ray Cole*  
\_\_\_\_\_  
Secretary of the Commonwealth

## Appendix B: Governor Youngkin's Press Release Establishing the Commission to Combat Antisemitism

**For Immediate Release:** May 6, 2022

Contacts: Office of the Governor: Macaulay Porter, [Macaulay.Porter@governor.virginia.gov](mailto:Macaulay.Porter@governor.virginia.gov)

### **Governor Glenn Youngkin Announces the Members of the Commission to Combat Antisemitism**

**RICHMOND, VA** – Governor Glenn Youngkin today announced the Commission to Combat Antisemitism members. The Commission will make recommendations to the Governor and General Assembly with the goal of identifying ways to reverse increasing antisemitic incidents in the Commonwealth.

“I promised that I would fight antisemitism in all its forms and address discrimination head-on. Hate has no place in our great Commonwealth,” said Governor Glenn Youngkin. “I am proud to appoint these new members to the commission. Together we will take concrete steps to help Virginia combat antisemitism.”

“These individuals will be engaged in important work which will produce policy recommendations and will inform us all of a pathway forward free of violence, hatred and ignorance,” said Secretary of the Commonwealth Kay Coles James.

The Commission will study antisemitism in the Commonwealth, propose actions to combat antisemitism, reduce the number of antisemitic incidents, and compile materials and provide assistance to Virginia’s public school system and state institutions of higher education in relation to antisemitism and its connection to the Holocaust.

The new commission consists of the following members:

- Jeffrey A. Rosen of McLean, Former Acting Attorney General of the United States, Chairman
- Samuel Asher of Richmond, Executive Director, Virginia Holocaust Museum
- Mel Chaskin of Fairfax Station, President, Vanguard Research, Inc.
- Eric Fusfield of Arlington, Director of Legislative Affairs, B’nai B’rith International
- Jennifer L. Goss of Augusta County, Program Manager, Echoes & Reflections
- Bruce Hoffman of Fairfax, Director, Center for Jewish Civilization, Georgetown University, Washington, D.C.
- William J. Kilberg of McLean, Retired Senior Partner, Gibson Dunn, LLP
- Julie Strauss Levin of Leesburg, Attorney
- Earl G. Matthews of Great Falls, President, Veeam Government Solutions
- Connie A. Meyer of Virginia Beach, Editor and Founder, Hampton Roads Weekly
- Kenneth A. Miller of Virginia Beach, Retired Police Chief, Petersburg Bureau of Police
- Susan O’Prandy Fierro of Prince George, Commonwealth’s Attorney of Prince George County
- Eric Rozenman of Fairfax City, Communications Consultant, Jewish Policy Center, Washington, D.C.
- Arthur B. Sandler of Virginia Beach
- Camille Q. Solberg of Purcellville, State Policy Expert, Intercessors of America

The new commission consists of the following Ex-officio members:

- Attorney General Jason Miyares, Attorney General of Virginia
- Secretary Aimee Guidera, Secretary of Education
- Secretary Robert Mosier, Secretary of Public Safety and Homeland Security
- Rosa Atkins, Interim Chief Diversity, Opportunity, and Inclusion Officer

###

## Appendix C: Governor Youngkin's Proclamation of Jewish American Heritage Month



### CERTIFICATE of RECOGNITION

*By virtue of the authority vested by the Constitution of Virginia in the Governor of the Commonwealth of Virginia, there is hereby officially recognized:*

#### **JEWISH AMERICAN HERITAGE MONTH**

**WHEREAS**, in 1654, Jewish settlers landed on the shore of Manhattan Island, fleeing religious persecution and discrimination, with further migration to Virginia upon the passing of Thomas Jefferson's "Statute for Religious Freedom" in 1786 in the Virginia General Assembly; and,

**WHEREAS**, the first Jewish congregation in Virginia, Kahal Kadosh Beth Shalome, was established in Richmond in 1789 and is the sixth oldest congregation in the nation; and,

**WHEREAS**, in 1986, the Virginia Israel Trade Commission was established to explore cultural, educational and economic opportunities and is now known as the Virginia Israel Advisory Board to assist cooperation and economic opportunities in Virginia; and,

**WHEREAS**, the Virginia Holocaust Museum, established in 1997, draws students from across Virginia to educate on the importance of the Holocaust through its powerful exhibits, special programs and community outreach; and,

**WHEREAS**, Jewish Americans are closely connected to the history of our Commonwealth through their past contributions and present advancements across religious, cultural, and economic achievements; and,

**WHEREAS**, the Commission to Combat Antisemitism, an advisory commission within the Office of the Governor, is studying antisemitism in the Commonwealth, proposing actions to combat antisemitism and compiling materials to provide assistance to Virginia's public school system and state institutions of higher education in order to chart a course for our Commonwealth that leaves antisemitism in the past; and,

**WHEREAS**, Jewish American Heritage Month in the Commonwealth is an opportunity to celebrate the history, culture, faith and accomplishments of the over 150,000 Jewish Americans in Virginia who help shape the cultural fabric of our nation and strengthen the Spirit of Virginia;



**NOW, THEREFORE,** I, Glenn Youngkin, do hereby recognize May 2022 as **JEWISH AMERICAN HERITAGE MONTH** in the COMMONWEALTH OF VIRGINIA, and I call this observance to the attention of our citizens.



*Glenn Youngkin*  
\_\_\_\_\_  
Governor

*Ray Coles James*  
\_\_\_\_\_  
Secretary of the Commonwealth

## Appendix D: Presidential Executive Order 13899



*Administration of Donald J. Trump, 2019*

### **Executive Order 13899—Combating Anti-Semitism**

*December 11, 2019*

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

*Section 1. Policy.* My Administration is committed to combating the rise of anti-Semitism and anti-Semitic incidents in the United States and around the world. Anti-Semitic incidents have increased since 2013, and students, in particular, continue to face anti-Semitic harassment in schools and on university and college campuses.

Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. 2000d *et seq.*, prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance. While Title VI does not cover discrimination based on religion, individuals who face discrimination on the basis of race, color, or national origin do not lose protection under Title VI for also being a member of a group that shares common religious practices. Discrimination against Jews may give rise to a Title VI violation when the discrimination is based on an individual's race, color, or national origin.

It shall be the policy of the executive branch to enforce Title VI against prohibited forms of discrimination rooted in anti-Semitism as vigorously as against all other forms of discrimination prohibited by Title VI.

*Sec. 2. Ensuring Robust Enforcement of Title VI.* (a) In enforcing Title VI, and identifying evidence of discrimination based on race, color, or national origin, all executive departments and agencies (agencies) charged with enforcing Title VI shall consider the following:

(i) the non-legally binding working definition of anti-Semitism adopted on May 26, 2016, by the International Holocaust Remembrance Alliance (IHRA), which states, "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";

(ii) and the "Contemporary Examples of Anti-Semitism" identified by the IHRA, to the extent that any examples might be useful as evidence of discriminatory intent.

(b) In considering the materials described in subsections (a)(i) and (a)(ii) of this section, agencies shall not diminish or infringe upon any right protected under Federal law or under the First Amendment. As with all other Title VI complaints, the inquiry into whether a particular act constitutes discrimination prohibited by Title VI will require a detailed analysis of the allegations.

*Sec. 3. Additional Authorities Prohibiting Anti-Semitic Discrimination.* Within 120 days of the date of this order, the head of each agency charged with enforcing Title VI shall submit a report to the President, through the Assistant to the President for Domestic Policy, identifying additional nondiscrimination authorities within its enforcement authority with respect to which the IHRA definition of anti-Semitism could be considered.

*Sec. 4. Rule of Construction.* Nothing in this order shall be construed to alter the evidentiary requirements pursuant to which an agency makes a determination that conduct, including harassment, amounts to actionable discrimination, or to diminish or infringe upon the rights protected under any other provision of law.

*Sec. 5. General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency,
- (ii) or the head thereof; or the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

The White House,  
December 11, 2019.

[Filed with the Office of the Federal Register, 11:15 a.m., December 13, 2019]

NOTE: This Executive order was published in the Federal Register on December 16.

*Categories:* Executive Orders : Anti-Semitism, efforts to combat.

*Subjects:* Civil rights : Minorities :: Anti-Semitism.

*DCPD Number:* DCPD201900859.

## Appendix E: Suggested Background Reading on Antisemitism, the Holocaust, and the State of Israel

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- Bat Ye'or, *The Dhimmi; Jews and Christians under Islam*, Rutherford, N.J., Fairleigh Dickinson University Press, 1985 (Revised and enlarged English edition.)
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## Appendix F: Proposed Permanent Proclamation of Jewish American Heritage Month

### PROCLAMATION OF THE COMMONWEALTH OF VIRGINIA JEWISH AMERICAN HERITAGE MONTH

WHEREAS, the Commonwealth of Virginia has been a pioneer for religious freedom and tolerance since prior to the birth of our nation, and the Jewish people have lived and thrived in Virginia dating back to 1585 when a tradesman settled in Sir Walter Raleigh’s Roanoke Colony, followed by others of the Jewish faith, including some who established the first Jewish congregation in 1789; and

WHEREAS, the Constitution of the Commonwealth of Virginia was ratified in 1776 and provided at Article I. Section 16, free exercise of religion, no establishment of religion, and that all “are equally entitled to the free exercise of religion;” and

WHEREAS, in 1777, Thomas Jefferson in Fredericksburg, VA drafted a bill titled the Virginia Statute for Religious Freedom, enacted into law on January 16, 1786, which guaranteed that no one “shall otherwise suffer on account of his religious opinions or belief, but that all men shall be free to profess, and by argument to maintain, their opinions in matters of Religion;” and

WHEREAS, the Virginia Statute for Religious Freedom has been described as the “bellwether for religious liberty,” and since its passage has been referenced by other states when debating constitutional and legislative content; and

WHEREAS, the Virginia Statute for Religious Freedom deeply influenced what would become the text of the First Amendment to the United States Constitution, which provides that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;” and

WHEREAS, the Virginia Statute for Religious Freedom has not only had an immense impact on promoting and protecting religious freedom in the Commonwealth of Virginia and the United States but has served to encourage religious freedom on Western Civilization, such that “the Jeffersonian law [on religious freedom] set Western Civilization and democratic republics everywhere upon a dramatically different path;” and

WHEREAS, the Supreme Court of the United States in 1879 cited the Virginia Statute for Religious Freedom in informing its understanding of religious freedom; and

WHEREAS, despite Virginia’s long history as a leader in establishing religious freedom and tolerance, in recent years acts of antisemitism have increased at an alarming pace in Virginia; and

WHEREAS, Governor Glenn Youngkin, upon being inaugurated governor of the Commonwealth of Virginia on 15 January 2022, recognized this disturbing trend and the urgent need to combat the scourge of antisemitism; and

WHEREAS, on the very day of his inauguration, Governor Youngkin signed Executive Order Number 8 titled “Establishing the Commission to Combat Antisemitism,” to combat and reduce acts of antisemitism and ensure religious liberty and tolerance for all citizens; and,

WHEREAS, Governor Youngkin acknowledges President George W. Bush proclaimed the month of May as Jewish American Heritage Month in 2006 to acknowledge and celebrate the contributions of the Jewish people to the United States of America since its founding; and since then, Presidents Obama, Trump, and Biden have each designated the month of May as Jewish American Heritage Month; and

WHEREAS, Governor Youngkin acknowledges and commends the significant contributions the Jewish people in Virginia have made to the Commonwealth, affirms his strong commitment to ensure that Virginia is a vibrant and safe state for Jews to live, thrive, freely observe their faith, and contribute actively to the cultural and religious fabric of Virginia.

NOW THEREFORE, I, Governor Glenn Youngkin, Governor of the Commonwealth of Virginia do hereby proclaim from this day forward that the month of May shall be Jewish American Heritage Month in Virginia.

Given under my hand and under the Seal of the Commonwealth of Virginia this \_\_\_\_ day of May 2023.

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Glenn Youngkin, Governor

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  - <sup>4</sup> "Jewish Community 'needs support as they're getting hit from all sides' - FBI Director", Jerusalem Post, Nov. 19, 2022; <https://www.jpost.com/diaspora/article-722839>
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  - <sup>11</sup> Mossburg, Cheri. "Poway synagogue shooter sentenced to second life sentence." CNN. December 28, 2021. <https://www.cnn.com/2021/12/28/us/poway-synagogue-shooter-sentenced/index.html>
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- <sup>27</sup> Ibid.
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- <sup>42</sup> "About Us." Vidal Sassoon International Center for the Study of Antisemitism. The Hebrew University of Jerusalem. <https://sicsa.huji.ac.il/book/about>
- <sup>43</sup> "Antisemitism Monitor." Moment. <https://momentmag.com/antisemitism-monitor-2022/>
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- <sup>45</sup> A suggested form of proclamation for Jewish American Heritage Month is attached as Appendix E.