



SERVING  
MONMOUTH &  
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COUNTIES



## **WHAT IS BILL A-3558?**

Bill A-3558 is meant to define antisemitism as a critical step in protecting New Jerseyans from increasing antisemitic acts taking place across the state—while guarding First Amendment rights of free speech.

A-3558 (the bill) distinguishes between protest and prejudice, between disagreement and danger. It preserves healthy public discourse in our communities.

## **MORE ABOUT THE BILL**

The bill establishes for New Jersey the same definition of anti-Semitism endorsed by 37 other U.S. states, 46 countries, and more than 1,200 organizations, municipalities, and universities worldwide; it's the definition created by the International Holocaust Remembrance Alliance (IHRA) in 2016 and exists to help law enforcement, educators, and public officials respond to hate while protecting free speech.

These officials need to know what is and is not antisemitism. This bill establishes a clear definition and refers to current-day examples so everyone understands where the line is.

In fact, a bill (S1292) with very similar language was passed by a New Jersey Senate Committee in June 2024.

## **WHY IS THE BILL IMPORTANT**

With antisemitism at historic highs in our communities, members of law enforcement, our police, our Prosecutors and the like are all on the front lines to help targeted groups protect against and prevent hate crimes. We need to support them, and this bill helps them recognize hate when they see it.

## **MORE ABOUT THE STATE OF HATE IN NEW JERSEY**

In addition to statistics, recent events paint a picture of hate in our own back yard:

- A local high school student in a science lab this year said out loud in lab, “leave the gas on so we can finish off the Jews.”
- A Jewish teen was assaulted and told “go back to Auschwitz, Hitler didn’t finish the job.”
- Students reporting antisemitic incidents have been told by teachers and principals “there’s nothing we can do.”

But there IS something we can ALL do for our students AND for our TEACHERS, who, like our law enforcement, are also on the front lines looking to educate and empower students.

As New Jersey citizens, we can help give them the resources they need to do their best and it starts with knowing what constitutes hate against Jews.

## **ABOUT BILL’S PROTECTIONS OF FREEDOM OF SPEECH**

This bill addresses discriminatory acts, not speech.

Neither the IHRA definition nor this bill outlaw protected speech of any kind, including speech critical of Israeli leaders or policies. Both the IHRA definition and the bill state explicitly that criticism of Israel like that leveled against any other democracy is not antisemitic.

Regardless, the U.S. Supreme Court unanimously ruled more than 30 years ago that using a person’s statements to determine motive for a crime or discriminatory act is constitutional. So, either way, this bill does not violate the First Amendment – but again the bill is only about acts, not speech.

Free speech concerns are simply not a valid basis for opposing this bill, according to a former legal counsel at the Anti-Defamation League for over 20 years focusing on First Amendment, hate crime and discrimination issues.

## **DISTINGUISHING PROTEST FROM PREJUDICE**

- Holding Jews collectively responsible for actions of the state of Israel is antisemitism
- Anyone is allowed to criticize Israeli leaders or policies, as with any other democracy in the world
- Disliking or disagreeing with Israel’s leaders or policies does not make one antisemitic—or even anti-Israel, according to this bill

- Denying the Jewish people their right to self-determination, e.g., by claiming that Israel shouldn't exist is antisemitism

**IN SUMMARY:**

- Antisemitism is at near-high levels at this very moment
- This bill defines antisemitism to help our leaders protect New Jerseyans AND protect free speech