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June 10, 2022

Via Electronic Mail and U.S. Mail

Email: ellendnash@gmail.com; hrc@sdcountry.ca.gov

San Diego Human Relations Commission
County of San Diego
1600 Pacific Highway
STE 251
San Diego, CA 92101

Re: *Removal of Commissioner Dennis Hodges*

To the San Diego Human Relations Commission:

On June 9, 2022, the San Diego Human Relations Commission (“Commission”) held a special meeting to remove Commissioner Dennis Hodges from the Commission. Although a majority did not vote to remove Mr. Hodges, the threat of removal still exists so long as the Commission can rely on a vague and overbroad Code of Conduct to silence dissenting beliefs.

The effort to remove Hodges was premised on a disingenuous narrative that his actions and statements were “discriminatory” and “hateful” towards the transgender community. These characterizations do not describe Mr. Hodges. He is a life-long Christian who is unabashed about his love and dedication to Jesus Christ and the infallible Word. The decision represents a crusade to cancel a man for holding traditional, religious beliefs regarding the biological nature of a man and woman.

Mr. Hodges is a native of Chicago, Illinois and pursued a degree in criminal justice from Ashford University and then an Honorary Doctorate Degree from Dyer Times Ministries Bible Training Center. Hodges dedicated his life to public service, beginning in Chicago, where he worked as a corrections officer from 1976 to 1979. He moved to California in 1979 and worked his way up through the California Department of Corrections, retiring as a special agent/captain in 2008.

Mr. Hodges has also dedicated his life to ministry. He was appointed Chaplain of the San Diego Police Department and joined New Creation Church in 1993, where he served as president

of the usher board. He then served as an associate pastor from 2005 to 2011. In May 2011, Mr. Hodges was directed by God to birth the Church of Yeshua Ha Mashiach (Jesus the Messiah). His motto is “look up, look within, look ahead, and look around, as you go to serve the Lord with gladness.”

In 2019, Mr. Hodges was asked by Joel Anderson, San Diego County Supervisor, to join the San Diego Human Relations Commission because he would bring diversity to the group as an African American. Mr. Hodges agreed to serve and was subsequently appointed by the Commission. As Commissioner, Mr. Hodges serves his constituents with humility and extends love to all individuals, regardless of gender, religion, sexual orientation, or ethnicity, consistent with his Christian faith.

On November 9, 2021, during Transgender Awareness Month, the Commission discussed an agenda item to amplify the voices of the San Diego transgender community. Pursuant to the Rules of Order, Mr. Hodges abstained from voting on the motion because of his sincerely held religious belief that humans are to embrace their biological and creational differences as men and women. Mr. Hodges did not, and has not, discriminated against the transgender community. He simply refused to endorse an agenda that is antithetical to his Christian beliefs.

On or around April 2022, the Commission revised their Bylaws and added a code of conduct which was approved by the Board of Supervisors. Pursuant to the Commission’s Code of Conduct, Commissioners must refrain from discriminatory and harassing remarks.

In an attempt to rewrite history, the Commission claims Dennis Hodges has consistently expressed discriminatory comments against the LGBTQ community. Merriam-Webster’s definition of discrimination is “a prejudicial outlook, action, or treatment” of someone or a group of people. Mr. Hodges has never treated a member of the LGBTQ community with disrespect or hate, nor has he vocalized that the LGBTQ community is unworthy of love or respect because of their sexual orientation or identification. He is unashamed of his Christian beliefs, though, and has vocalized that transgenderism is a sin just like adultery and fornication. But he believes Christians are to love all people, including sinners.

Indeed, it is the Commission who has discriminated against Mr. Hodges by attempting to remove him from office because of his religious beliefs. The Commission, spearheaded by Commission Chair Ellen Nash, circulated a notice of removal on May 31, 2022, to all Commissioners. Ms. Nash claimed, in her letter, that Mr. Hodges violated the Commission’s Code of Conduct and Bylaws by saying “discriminatory and harassing remarks” towards members of the LGBTQ community. The Commission held a special meeting on June 9, 2022, and 13 brave Commissioners refused to remove Hodges. The Code of Conduct still exists, and it does not pass constitutional muster.

In *Torcaso v. Watkins*, the Supreme Court unanimously held that “neither a State nor the Federal Government can constitutionally force a person ‘to profess a belief or **disbelief** in any religion.’” 367 U.S. 488, 493 (1961) (emphasis added). It does not suffice for the Commission to claim that Mr. Hodges is not compelled to repudiate his beliefs because he can speak his mind outside of public office. As the Court astutely observed, “[t]he fact...that a person is not compelled to hold public office cannot possibly be an excuse for barring him from office by . . . criteria forbidden by the Constitution.” *Id.* at 495-96. The Commission’s Code of Conduct masquerades as an “anti-discrimination” measure but really operates as a test to determine if someone holds acceptable beliefs as evidenced by the Commission’s retaliation against Mr. Hodges. Hodges was

expressing his widely shared, religious beliefs, and the Commission relied on the Bylaws and Code of Conduct to retaliate against him. The Code of Conduct serves as a deterrent to other Commissioners who may hold the same traditional viewpoints on human biology.

Mr. Hodges has retained Advocates for Faith and Freedom. The organization requests, on behalf of Mr. Hodges and any other Commissioner with differing beliefs, that the Commission remove their Code of Conduct or add a provision that the Commission cannot retaliate against anyone for holding certain religious beliefs. Advocates is monitoring this matter closely and is exploring legal options.

Sincerely,

ADVOCATES FOR FAITH & FREEDOM



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