

Executive Brief: State of Florida vs. Jerald Samuel Alderman

Case # 50-2019-CF-009772-AXXX-MB

Jerald “Jerry” Alderman, a 20-year Florida law enforcement veteran, is serving a **nine-year prison sentence** for an off-duty encounter lasting **approximately 55 seconds**, during which **no one was harmed or touched**. Significant evidence, due process protections, and standard investigative practices were disregarded throughout the case.

Key Background Facts

- **10/12/2019:** While off duty, Jerry responded to a known witness reporting active car burglaries in a West Palm Beach parking lot—including Jerry’s own vehicle.
- The witness twice identified a passing vehicle and its occupants as the suspects.
- Jerry attempted to alert on-duty WPB officers, then activated himself “on duty” based on training and duty to act.
- He approached the vehicle, displayed his badge, and informed the occupants they were suspected in the burglaries.
- The situation escalated as the driver made furtive movements and a second vehicle appeared involved.
- Jerry issued a lawful order for the individuals to leave; when they continued arguing, he tapped his firearm on the vehicle to regain control and disengaged.
- WPB officers arrived and immediately confronted Jerry. An officer accused him of intoxication but **conducted no field sobriety tests**.
- Surveillance cameras captured the entire encounter; a 25-second cell phone clip went viral.
- The suspects were **not separated**, were allowed to drive themselves to the station, and gave **inconsistent statements**.
- Jerry was initially told the matter would be handled internally.
- **10/17/2019:** He was unexpectedly arrested and charged with three counts of aggravated assault with a firearm and one misdemeanor.

Evidence and Investigative Failures

- Car burglaries **did occur** that night and were captured on surveillance video. WPB PD **never investigated**, despite multiple complainants and visible vehicle damage.
- The detective who authored the probable cause affidavit **never reviewed the surveillance video** and was later demoted for dishonesty.

Judicial and Procedural Irregularities

Judge Shepherd issued rulings that prevented the defense from presenting a full and fair case:

- Blocked testimony and witnesses related to the car burglaries (exculpatory evidence).
- Blocked impeachment of the detective who wrote the probable cause affidavit.

- Prohibited use of video evidence to challenge the alleged victims' statements.
- Denied the defense expert witness while allowing the State's last-minute expert without deposition.
- Forced defense counsel to continue after he moved to withdraw.
- Denied a continuance when new counsel had **only 72 hours** to prepare for the second trial.
- Denied bond at every stage and denied all post-trial motions.
- Refused to produce the first trial's verdict form or allow interview of the jury foreman.

Trial Outcomes

- **First trial:** Jury hung **5-1** on lesser misdemeanors; based on instructions, Jerry was **not guilty** of the original felonies.
- Instead of returning the case to the State for alternative resolutions, the judge ordered a **second trial the next day**.
- New counsel had 72 hours to prepare; the second **jury** was composed **entirely of women**.
- A rushed three-day trial resulted in convictions on all original charges.
- Approximately **50 seconds** of official trial audio/video are missing during jury-polling discussion.
- After more than five months, the judge imposed **consecutive sentences**, despite case law requiring concurrent terms—turning a 3-year exposure into 9 years.
- Bond pending appeal was denied; the 4th DCA later affirmed per curiam, providing no substantive review.

Constitutional Violations

Violations of the **5th, 6th, and 14th Amendments** and **Article I, Sections 9 and 16 of the Florida Constitution** include:

- Denial of due process and equal treatment
- Denial of the right to present a defense
- Denial of counsel of choice
- Denial of the right to call witnesses
- Denial of a fair jury and disregard of the first jury's verdict
- Exposure to double jeopardy
- Denial of reasonable bond
- Imposition of a disproportionate and excessive sentence