

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY**

Case No.:	2021CF005076AMB
Assistant State Attorney	Richard Thomas Clausi, Jr.
Defendant:	Alexander Jerich

**Victim Impact Statement**

Full name: Rand Hoch, President, Palm Beach County Human Rights Council and PBCHRC Charitable Foundation  
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1. The undersigned is President and Founder of the Palm Beach County Human Rights Council (hereinafter "PBCHRC") and President of the PBCHRC Charitable Foundation. For more than thirty years, the undersigned has served as one of the spokespersons for Palm Beach County's LGBTQ+ community.

2. PBCHRC is Florida's oldest, independent, non-partisan, political organization dedicated to ending discrimination based on sexual orientation and gender identity or expression. PBCHRC promotes equality through education, advocacy, direct action, impact litigation, and community outreach. Over the years, PBCHRC has been responsible for the implementation of more than 160 laws and policies providing equal protections, rights, and benefits for the LGBTQ+ community.

3. The PBCHRC Charitable Foundation is organized under section 501(c)(3) of the Internal Revenue Code for educational and charitable purposes.

4. In 2021, Delray Beach City Commissioners voted to create a permanent display of public art – the Delray Beach Pride Intersection (hereinafter "the Intersection") – in the city's Pineapple Grove Arts District. PBCHRC assisted city staff with the project.

5. On June 12, 2021, the City of Delray Beach held a ribbon cutting ceremony for the Intersection. Mayor Shelly Petrolia, City Commissioners, representatives of PBCHRC, the AIDS Healthcare Foundation, and Compass, among others, made remarks concerning steps taken by Delray Beach City Commissioners over the years to protect LGBTQ+ municipal employees and City residents from discrimination and to prohibit conversion therapy for minors. More than 1,000 people attended the ribbon cutting ceremony.

6. The installation of the Intersection established a visual representation that serves as a testament to the LGBTQ+ community and to the City's commitment to ensuring the rights and protections of our community.

7. At the request of the City of Delray Beach, PBCHRC Charitable contributed Two Thousand Dollars (\$2,000.00) towards the project to save Delray Beach taxpayers most of the costs relating to the Intersection. (An additional \$14,000.00 was provided to the City by the AIDS Healthcare Foundation.)

8. On June 14, 2021, a group of conservative political activists drove through the Intersection while participating in the "President Trump Birthday (Driving) Rally" sponsored by the Palm Beach County Republican Executive Committee. The Rally participants targeted the City's LGBTQ+ community for attention. One of the drivers, Alexander Jerich, used his family's truck to create "burnouts", leaving a set of 15 foot black skidmarks defacing the Intersection. This act of anti-LGBTQ+ vandalism appears to be part of a calculated plan, since an occupant of the vehicle directly behind Jerich was ready to capture – and in fact captured – the crimes on a mobile phone from the moment Jerich entered the Intersection and continuing until after the damage was completed.

9. Therefore, the Palm Beach County Human Rights Council and PBCHRC Charitable Foundation are victims of the anti-LGBTQ+ incident of hate committed by Defendant Alexander Jerich.

10. Despite the fact that Jerich intentionally sought to – and did – inflict harm on the LGBTQ community when he committed his crimes, due to the State Attorney's interpretation of Section 775.085, Florida Statutes (2021), *Evidencing prejudice while committing offense*, Jerich was not charged with a hate crime. Instead, he was charged only with violating Section 806.13, Florida Statutes (2021), *Criminal Mischief – \$1,000 or greater* and Section 316.192, Florida Statutes (2021), *Reckless Driving*.

11. On March 1, 2022, Jerich pleaded guilty to the two charges

12. At no time during the ten months since he committed his crimes has Jerich ever apologized to PBCHRC and/or PBCHRC Charitable Foundation for the harm inflicted. Nor has he ever apologized to the AIDS Healthcare Foundation, Compass, and/or the LGBTQ+ community at large for the harm inflicted by his criminal actions.

13. There have been more than fifteen public City Commission Meetings and eight public City Commission workshops since the day Jerich committed his crimes against the City of Delray Beach. To date, Jerich has not appeared at any of meetings to publicly apologize to the elected officials and/or residents of the City of Delray Beach for his crimes. To my knowledge, Jerich has never privately apologized to them either. Therefore, it appears Jerich has not publicly expressed any remorse.

14. On his attorney's advice following discussions with the undersigned after Jerich's guilty pleas, on March 1, 2022, the defendant tendered payment in the amount of \$2,003 to the City of Delray Beach to repaint the Delray Beach Pride Intersection. The repainting has since been completed.

15. Minority communities in Florida are suffering from an unprecedented number of acts of bigotry. Since December, 2021, the following have occurred:

- In Port St. John, a group of hatemongers placed anti-Semitic signs along the Interstate 95 overpass;
- In Miami, a sculpture by Queer Black Artist Najja Moon at the Bass Museum was defaced with spray paint, including slurs aimed at the sculptor's race and sexual orientation, including "Dike bitch" and "Ignorant n\*\*gers";
- At St. Petersburg Catholic High School, Black students have been the targets of racist graffiti. Allegations were also made that a Black student was referred to as "slave" by a classmate, a teacher had the word "monkey" carved in a door, and a dean referred to Black students "hoodlums";
- In Indianlantic, Melbourne, Miami, Miami Beach, Ormond Beach, Palm Coast, and Surfside, anti-Semitic fliers were placed in the yards of Jewish families as part of a coordinated effort of the Goyim Defense League, a network of antisemites and white supremacists who are best known for distributing antisemitic propaganda and holding "Name the Nose" tours, which can involve several days or even weeks of antisemitic stunts in a particular geographical area;
- In Orlando, a group of people wearing Nazi insignias shouted antisemitic shouted anti-Semitic slurs at cars passing by a shopping plaza;
- In Orange County, people affiliated with the National Socialist Movement waived Nazi flags at an Interstate 4 overpass;
- In Daytona Beach, an individual affiliated with the neo-Nazi group Atomwaffen Division, placed a 20 minute phone call to Bethune Cookman College, a private historically Black university. The caller said bombs containing C-4 explosives would be detonated at the university and a gunman would open fire on the campus;
- In Bonita Springs, the rabbi of the Chabad of Bonita Springs found the word "Jew's" painted in orange across his driveway. His mailbox was damaged and his vehicle window was shattered;

- In Volusia County, a man shouting “n\*\*ger” took a pipe from his truck and smashed the window of a car with two Black people inside;
- In Palm Coast, a man beat his son, causing lacerations to his lips and face, because the boy was wearing make-up;
- In Riviera Beach, four men robbed and brutally beat an individual while hurling racial slurs, causing serious injuries, including numerous broken bones and contusions;
- In the Cherokee Park, Harbor Acres, Oyster Bay, and South Poinsettia neighborhoods in Sarasota County, anti-Semitic fliers stating “Every single aspect of Covid agenda is Jewish” and “Anti-Semitism is a Human Right” were distributed;
- In Tampa, swastikas were drawn on the head of a Jewish University of South Florida student and on the clothing of others at the school. Additionally, items mocking the Holocaust were posted on a Greek life website at the school;
- In Daytona Beach, a 15-year-old boy repeatedly punched a 16-year-old victim in an attack motivated by prejudice against gay people;
- In Coconut Creek, five middle school students spouting racial slurs attacked four white students;
- A White man from Okeechobee threatened to lynch a Black employee at a Popeyes in a racist rant, stating “[W]hen I catch get your n\*\*ger ass outside, I promise you, I promise you, Imma beat your f\*\*\*ing n\*\*ger ass” and “Imma hang you from a f\*\*\*ing tree, bitch.”
- In Miami Beach, a man posted handwritten signs with message “No more n\*\*gers and shootings.”

While bias-related crimes such as these demean and intimidate the specific targets, they have an impact on minorities that extends far beyond the targeted victims.

**The most appropriate resolution for this case:**

Although there are hundreds – if not thousands – of intersections in the City of Delray Beach, only one -- the Delray Beach Pride Intersection -- was created to celebrate LGBTQ+ Pride and the achievements of the LGBTQ+ community.

The Intersection and LGBTQ+ public artworks dedicated in Boynton Beach and West Palm Beach during LGBTQ+ Pride Month in June, 2021 were heralded as a recognition of the progress made by our community over the past three decades. These displays of public art are an important part of visibility for the LGBTQ+ community.

On June 14, 2021, just two days after the Intersection was dedicated, Alexander Jerich intentionally damaged the Intersection. Since Jerich selected this particular intersection, it appears he committed his crimes *solely* on account of his views relating to LGBTQ+ people.

For committing a blatant, public anti-LGBTQ+ crime, Jerich should be punished accordingly. While the main charge against Jerich is "criminal mischief", his crime constitutes much more than that. He was not just a young man fooling around with his truck. Jerich sought to make a very public statement against the LGBTQ+ community. And he did. At a welcoming public venue representing inclusion, Jerich literally left marks of hate.

Strong punishment is justified because Jerich's anti-LGBTQ+ criminal mischief produced greater harm than other intentional acts of vandalism he could have committed elsewhere.

PBCHRC and PBCHRC Charitable Foundation are outraged our community was victimized by Jerich – especially in such a public manner.

According to the annual FBI Hate Crime Statistics Report, the LGBTQ+ community faces discrimination and prejudice at a very high rate. In fact, bias-motivated incidents against our community are among the fastest growing forms of hate crimes in the United States.

Unfortunately in recent times, many people in our country are willing to condone prejudice against LGBTQ+ people (and other minorities). Therefore, unless the courts take significant steps to punish those who brazenly and intentionally commit crimes of bias against the LGBTQ+ community, anti-LGBTQ+ hate mongers will continue to terrorize our community.

Prior to his attack on the Intersection in broad daylight, LGBTQ+ people felt proud, safe and welcomed in Delray Beach. Now we feel angry, threatened and vulnerable. The LGBTQ+ community feels victimized by his crimes. We now have great concern others will follow Jerich's lead and harm us as individuals and as a community as a whole.

Acts of hate and prejudice against minorities should not be allowed to thrive in Palm Beach County. There should be a zero-tolerance policy for adults who commit criminal acts based on hate. Strong action by the courts should be the first line of defense against future incidents of hate against the LGBTQ+ community.

While Jerich wisely has paid \$2,003 to the City of Delray Beach for the repainting of the Intersection repainted, it is likely such restitution would be required had Jerich been convicted of defacing *any* of the city's other intersections. Jerich's punishment should not merely be to pay the City of Delray Beach for the cost of paint and labor to repair the physical damage he caused.

Jerich's sentence must send a message to others looking to target the LGBTQ+ community and other minority communities. It is our hope that the court's sentence will serve to deter similar types of hate crimes. The hate must stop.

If Jerich only receives only a light sentence (*e.g.*, probation and/or community service), justice will not have been served for the LGBTQ+ community. Leniency could encourage other anti-LGBTQ+ hatemongers to come to Palm Beach County to vandalize our LGBTQ+ public art, knowing, based on precedent, there would be neither felony convictions nor jail time for them.

*Is this the message the justice system wants to send?*

Unless justice is served, LGBTQ+ people may continue to avoid spending time in the Delray Beach, which would be unfortunate since Delray Beach in recent years has been very welcoming to our community.

Under Florida Law, the "criminal mischief" Jerich pleaded guilty to is a third degree felony punishable by up to five years in prison and a fine of up to \$5,000.

Because his crime was based entirely on Jerich's bias against the LGBTQ+ community, Jerich should become a convicted felon, losing his rights to vote and legally own a gun. Additionally, Jerich should be incarcerated.

While a five year sentence would be harsh, a one year sentence would be appropriate. And since Jerich has no known prior convictions and has paid minimal restitution to repaint the Intersection, he could serve out his sentence in The Main Detention Center on Gun Club Road instead of in a Florida Corrections Institution. At some time in the future, Jerich could petition the court to have his rights restored. But for now, for justice to be served, Alexander Jerich's rights and liberties must be curtailed.

Jerich should also be ordered to stay away from the Delray Beach Pride Intersection for the rest of his life.

Actions should have consequences -- especially actions of hate that cause harm to minority communities. The LGBTQ+ community is very concerned that withholding adjudication on Jerich's felony conviction would send the wrong message to others of his ilk.

As a result of his deliberate actions, at the very least, Jerich should be convicted of the third degree felony and the first degree misdemeanor he committed -- and should be punished accordingly.

Therefore, PBCHRC and PBCHRC Charitable Foundation believes the appropriate resolution, at the least, is for Alexander Jerich to be (1) convicted of the felony and misdemeanor charges, (2) incarcerated for no less than one year, (3) placed on probation for no less than five years, and, (4) ordered to stay away from the Delray Beach Pride Intersection.



April 13, 2022

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Rand Hoch  
President and Founder  
Palm Beach County Human Rights Council  
and PBCHRC Charitable Foundation