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Plea deal reached in fatal boat crash

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WEST PALM BEACH — Timothy Perez denies he was at the wheel of his boat nearly four years ago when it struck another vessel, killing a Lake Worth man. But on Thursday Perez, 44, pleaded guilty to DUI manslaughter, a second felony and a misdemeanor in the crash that claimed the life of Douglas Caramagna, 32, in August 2002.

Perez was sentenced to five years in prison, followed by 10 years of probation. The father of two starts his sentence on Sept. 1. If he doesn't turn himself in at 8:30 that morning, the sentence becomes 20 years in prison.

"I wish I could go back in time, but I can't," Perez said afterward. "The trail of destruction — I hope the healing can start here."

Perez and Darren Bigbee, 39, were bar-hopping at restaurants on the Intracoastal Waterway in Palm Beach Gardens on Perez's 28-foot powerboat, Reel Dysfunctional, the night of Aug. 31, 2002, authorities said. Both men were naked at times and playing music loudly aboard the vessel, Assistant State Attorney Ellen Roberts said.

About 11:18 p.m., Perez's boat was speed-

ing through a no-wake zone near Bert Winters Park when it struck Caramagna's 23-foot vessel, killing him and injuring his fiancée.

Three hours later, Perez had a blood-alcohol level of 0.13 percent; a person is presumed drunk at 0.08 percent.

Defense attorney Doug Duncan said Perez's guilty plea means he didn't acknowledge guilt but the possibility he could be convicted by the evidence. He faced up to 21 years in prison if convicted, and sentencing guidelines call for a minimum prison term of 11 years. Two felony charges were dropped as part of the plea deal.

Duncan and co-counsel Richard Tendler said that Bigbee was the driver of the boat. Even if true, attorneys on both sides agree that Perez still had criminal liability.

"To be honest with you, I think they were both so drunk they don't remember who was driving," Roberts said.

"We've always contended that Perez had control of the boat," said Lt. Dave Bingham, a Florida Fish and Wildlife Conservation Commission investigator. "We based it on injury analysis and DNA evidence."

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