

# How Accidental Crimes Can Land You in Prison

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South Florida is known for its beaches, city life, and warm weather. South Florida can also be known for its severely high crime rate, mostly relating to drugs and robbery. However, because south Floridians are known to spend a lot of time by the beach, many crimes can happen on water too.

According to an article in WPTV News, a Highland Beach boater was charged with negligence and carelessness, weeks after his powerboat propeller cut into a scuba diver near the Boca Inlet.

Jon Berger, 64, was driving the Sea Fox powerboat when the propeller of the 28-foot boat sliced into a scuba diver James Shelley, 46, on January 22. The accident was also caused because Berger failed to stay at least 300 feet away from a diver down flag.

Shelley was taken in critical condition to Delray Medical Center and was released days later, according to the article. Berger was charged with culpable negligence and careless operation resulting in a boating accident, according to the article.

Culpable negligence can result in up to a fully year in jail and \$1,000 in fines if convicted.

## Culpable Negligence and the Law

Florida State Law requires boaters to stay at least 100 feet away from a scuba diver's flag within a river, inlet, or channel. When in open water, boats need to make a measurable effort to stay 300 feet away from flags, moving at idle speed within the area of the flag.

According to the article, 22 scuba divers in Florida were injured or killed after being run over by a boat between 2004 and 2009.

## Criminal Defense

If you have accidentally committed a crime because you were negligent or unaware of your surroundings, it is extremely important to speak with a [criminal defense lawyer](#). While it may have been a complete accident, you are still held responsible by the law. Have a [criminal defense lawyer](#) explain exactly what might happen and what you can do to improve your defense.

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