

0539412

Arrest Report

NR

p#176

23 CT 6040 SB

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time 4/2/2023 08:37 PM	Report Number FHP99ARR863758	Case Number/Cad Number FHP23ON0171488 / RCC23IN0261143	Reporting Officer Name ZIMMERMAN, JONATHAN
Originating Agency ORI FL0509000	Occur Date Time Range 04/02/2023 15:04:12 -	Jurisdiction	
OBTS Number		Other Number	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description SB I95 (SR9) JNOF NORTHLAKE BLVD (SR850)	
Street Number SB I-95	Street	Apt/Lot/Bldg	City PALM BEACH GARDENS
		State FL	Zip Code 33410

Defendant

First Name DOMENICO	Middle Name	Last Name CASSANELLI	Suffix	Race WHITE	Sex MALE	Height 511	Weight 210	Hair BRO	Eyes BRO
MNI #	SSN [REDACTED]	Date of Birth 11/18/1963	Age 59	ID Type E	Drivers License or other ID C254160634180	State FL	OCA / Agency ID		
Place of Birth:		HOBOKEN NJ US							
Address * RESIDENCE / 1235 NW SUN TERRACE CIRCLE , PORT ST. LUCIE, FL 34986 /									

Arrest

Arrest Date/Time 4/2/2023 3:52:41 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description SB I95 (SR9) JNOF NORTHLAKE BLVD (SR850)	
Street Number SB I-95	Street	Apt/Lot/Bldg	County PALM BEACH
		City PALM BEACH GARDENS	State FL
		Zip Code 33410	

Charge : S

Counts 1	Charge 316.193.1a	Bond Amount \$0.00	☐ No Bond
Charge Degree S		Charge Level MISDEMEANOR	
General Offense Code		Arrest Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI INFLUENCE OF ALCOHOL OR DRUGS			
Administrative Code - Description -			

FILED PDC GUN CLUB
23 APR 3 AM 7:31

APR 21 10:19

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Bond Set by Court

☒ Bond Amount ☐ No Bond
Bond Type(s)

Probable Cause

On April 2, 2023, at approximately 3:04pm I was dispatched to a vehicle crash that occurred southbound on Interstate 95 (State Road 9) north of Northlake Blvd (State Road 850). There were currently three witnesses on scene at the southbound exit ramp to State Road 850 who advised that they had the suspect vehicle blocked in with their vehicles.

Upon arrival, I observed a silver Kia Soul in the outside westbound turn lane. A black tow truck on the inside westbound turn lane directly to the right of the Kia Soul. There was also a black Ford SUV stopped directly behind the silver Kia Soul. There were three individuals at the driver's door to the Kia Soul attempting to provide aid to the driver, a white male. I observed heavy front-end damage on both the front driver's side and front passengers side portion to the silver Kia Soul. The Kia soul was bearing the Florida license plate #AJ43IB (2013 silver Kia Soul) registered to a Domenico Cassanelli.

I advised the three-individual witness' on scene with the driver to escort him out of his vehicle and to the sidewalk. I quickly had all vehicles involved out of the roadway and into the BP gas station just west of Interstate 95. I then immediately made contact with the driver of the silver Kia Soul who was identified by Florida drivers license as Domenico Cassanelli (DL: C254-160-63-418-0, W/M, DOB: 11/18/1963). I attempted to ask Mr. Cassanelli basic medical questions and situational questions, all of which he was unable to answer. Mr. Cassanelli was unable to stand straight, and his skin was pale in color. Mr. Cassanelli was profusely sweating. At this time Palm Beach Gardens Fire Rescue (PBGFR) responded and began administering medical care to Mr. Cassanelli. I was advised by PBGFR that Mr. Cassanelli was not diabetic and had no current medical conditions. PBGFR transported Mr. Cassanelli to Palm Beach Gardens Medical Center (PBGMC) for further assessment. I then spoke with all three witness' involved and was able to ascertain the following:

Mr. Cassanelli was scene driving southbound, he was unable to maintain his lane or speed. Mr. Cassanelli then ran off the roadway to the left resulting in a collision with the inside concrete barrier wall. Mr. Cassanelli was still unable to maintain control of his vehicle, he then veered right back into traffic. Mr. Cassanelli crossed all lanes of traffic, ran of the roadway to the right and collided with the outside concrete barrier wall. This occurred just at the beginning of the southbound exit ramp to State Road 850. Once on the exit ramp, the three witness' involved attempted to box in Mr. Cassanelli. Mr. Cassanelli clipped the outside concrete curb with his front right passenger side tire just before the

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intersection at State Road 850. At this time, Mr. Cassanelli came to a stop while the three witnesses attempted to provide care.

Upon my arrival to PBGMC, I was advised by fire rescue that they delivered Narcan to Mr. Cassanelli which he positively reacted to. Fire rescue also advised that Mr. Cassanelli admitted to taking fentanyl. I was provided with a Sworn Witness Statement which included the time and amount of Narcan that was administered to Mr. Cassanelli, the statement will be attached to the arrest report packet. I then went to speak with Mr. Cassanelli regarding my initial crash investigation. I asked Mr. Cassanelli, "What happened?", "Can you tell me what you remember?". Mr. Cassanelli stated that he took fentanyl and overdosed. I immediately stopped Mr. Cassanelli from continuing to talk. I advised Mr. Cassanelli that I would now be moving into a criminal investigation. I detained Mr. Cassanelli at approximately 3:50pm and read him Florida Miranda Warning. It is important to note that at this time Mr. Cassanelli seemed much more coherent and attentive. He stated that he understood his rights and would continue answering questions. I was able to ascertain the following:

Mr. Cassanelli stated that he was working at the Palm Beach Gardens country club. He got off work at approximately 1:30pm, he then headed north to Indian Town Rd. (State Road 706). Mr. Cassanelli stopped at the McDonalds just east of Interstate 95 on State Road 706. Mr. Cassanelli advised that he met with a Black Male (blue shorts, bright yellow/orange tank top which was cut in half) behind the McDonalds and bought approximately 20 dollars' worth of Fentanyl. He advised that he ingested the Fentanyl by snorting it and that he bought it in the form of a white powder which was inside a small capsule. He then began to drive home (directly after snorting the fentanyl) which is north on Interstate 95 from his current location. Mr. Cassanelli although relatively coherent, appeared very drowsy and his physical movements were slow. Based on the totality of the circumstances, voluntary Standard Field Sobriety Exercises were not reasonable or possible.

I determined that there was probable cause to believe that Mr. Domenico Cassanelli committed the offense of driving under the influence by being in actual physical control/operating a motor vehicle while under the influence of alcoholic beverages, any chemical substance per Florida State Statute 877.111, or any controlled substance per Chapter 893, while their normal faculties were impaired. He was placed under arrest at approximately 3:52PM for the above offense. He was handcuffed behind his back, walked out to my patrol vehicle, searched prior to transport and placed in the rear left seat of my patrol vehicle.

I transported Mr. Cassanelli to Palm Beach County Breathe Alcohol Testing (BAT) facility with no further incidents. Mr. Cassanelli underwent a 20-minute observation period where he did not ingest anything by mouth or regurgitate (mouth was confirmed to be empty prior to beginning the observation period). At approximately 6:4pm Mr. Cassanelli consented to a breath testing, result one was 0.000, result 2 was 0.000. Mr. Cassanelli was read Florida Miranda Warning after which he again admitted to taking fentanyl just before driving. Mr. Cassanelli consented to urine however was unable to provide a sample for 3 hours. (See BAT video footage for a complete account of the question and answering

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segment). Mr. Cassanelli was then booked into Palm Beach county jail with no further incident.

All events occurred in Palm Beach County, State of Florida.

Jail Booking Facility

Booking Date/Time	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406			Booking Number
Booking Comments			

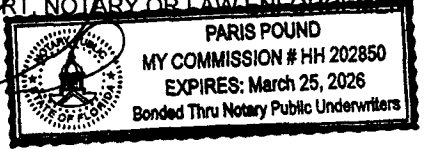
Court

Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 05/03/2023 8:30AM	Court Fine
Comments			

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
ZIMMERMAN, JONATHAN TPR 5061	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPLLWRCC\PALM BEACH\BROW LN TO SR804

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name ZIMMERMAN, JONATHAN	Office Rank TPR	Officer ID No 5061	Sworn and subscribed before me, the undersigned authority This the <u>2nd</u> day of <u>APRIL</u> , <u>2023</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature 			

☐ No Bill / Petition	☐ Issue Warrant	☐ Prosecution Approved	Signature of Assistant State Attorney	Date
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PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 23-053030 PBSO ZONE 3-24
AGENCY CASE # FHP730100171488 CRASH CASE # 89621209-01
TIME OF STOP/CRASH 3:04^{15:04}pm DATE 4/02/2023 DAY Sunday
SUBJECT'S NAME Cassanelli, Domenico RACE W SEX M
HGT 5'11" WGT 210 DOB 11/18/1963
LOCATION SB I95 (SR9) JNOF Northlake Blvd (SR880)
ARRESTING OFFICER'S NAME & ID J. Zimmerman 8061 AGENCY FHP
DIVISION: Troop L
NOTIFIED BY COMMO Y
ARRIVAL AT FACILITY 18:20
ARREST TIME 15:52

BREATH RESULTS:

1)	.000
2)	.000
3)	N/A
4)	URINE

REFUSED

TESTING OFFICER'S ID 24639 PBSO VIDEOTAPE # N/A

TESTING FACILITY TASK REPORT

AGENCY:	FHP-L		
SUBJECT:	CASSANELLI, DOMENICO	CASE NUMBER:	23-053030
DATE:	Apr 2, 2023	VIDEO DVD NUMBER:	N/A
BEGINNING TIME:	18:43	ENDING TIME:	19:04
BREATH TESTS RESULTS:	1) .000 TIME 18:47 A.M. ☐ P.M. ☒ 2) .000 TIME 18:50 A.M. ☐ P.M. ☒		
	3) N/A TIME N/A A.M. ☐ P.M. ☐ 4) N/A TIME N/A A.M. ☐ P.M. ☐		
BREATH OPERATOR:	P.POUND #24639		
MAINTENANCE TECHNICAN:	J. KARLECKE# 6467		

TESTING OFFICER'S OBSERVATIONS

SPEECH:	THICK
ATTITUDE:	CALM, QUIET
CLOTHING:	BLACK PANTS / WHITE T-SHIRT / BLACK SNEAKERS
MEDICAL CONDITIONS:	NONE
MEDICATIONS:	NONE

OTHER:

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 18:20 HRS.

SUBJECT: AGREED TO TAKE TEST

TECH: READ TEST RESULTS

SUBJECT: STATED HE UNDERSTOOD TEST RESULTS

A/O: ASKED FOR A URINE SAMPLE AT 18:53 HRS

SUBJECT: STATED HE WOULD NOT PROVIDE A URINE SAMPLE

A/O: READ I/C

SUBJECT: STATED HE UNDERSTOOD I/C AND WOULD PROVIDE A URINE SAMPLE AT 18:55 HRS

A/O: READ RIGHTS

SUBJECT: STATED HE UNDERSTOOD RIGHTS

A/O: CONDUCTED Q&A

SUBJECT: ANSWER QUESTIONS

NO URINE SAMPLE PROVIDE

A/O: CALLED URINE REFUSAL AT 20:27 HRS

REFUSED

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT**

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006240 Software: 8100.27
Date of Test: 04/02/2023

Date of Last Agency Inspection: 03/10/2023

Observation Period Began: 18:20

Subject's Name: DOMENICO CASSANELLI

DOB: 11/18/1963 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:

Test	g/210L	Time
Diagnostics Check	OK	18:46
Air Blank	0.000	18:46
Control Test	0.080	18:46
Air Blank	0.000	18:47
Subject Sample #1	0.000	18:47
Air Blank	0.000	18:48
Air Blank	0.000	18:50
Subject Sample #2	0.000	18:50
Air Blank	0.000	18:51
Control Test	0.080	18:51
Air Blank	0.000	18:52
Diagnostics Check	OK	18:52

Cylinder Lot: 08622080A1
Exp: 06/05/2024

State of Florida, County of PALM BEACH,

Personally appeared before me the undersigned authority, who (☒) is personally known to me or (☐) produced _____ as identification, and who after being placed under oath, states:

I PARIS D POUND, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: _____

Signature

Date: 04/02/23

Sworn to (or affirmed) before me this 2nd day of APRIL, 2023

Signature of Notary Public-State of Florida

TPR J. ZIMMERMAN
Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

SUBJECT: CASSANELL, DOMENICO

CASE NUMBER: _____

IMPLIED CONSENT FOR DUI IN A MOTOR VEHICLE

NOTE: READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING.

I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.

OR

I am now requesting that you submit to a lawful test of your **URINE** for the purpose of determining the presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am _____ of the _____

If you refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED, or if you have been PREVIOUSLY FINED under s. 327.35215, for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended, or if you have been previously fined under s. 327.35215, for a refusal to submit to a lawful test of your **breath, urine** or blood, you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law.

Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

NOTE: IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER'S LICENSE (CDL), READ THE FOLLOWING,

If you are a Commercial Driver License (CDL) holder or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privilege for a period of one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from holding a CDL or operating a CMV.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

SUBJECTS SIGNATURE: (X) READ ON CAMERA

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

1. You have the right to remain silent and not answer any questions.
2. Any statement must be freely and voluntarily given.
3. You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.
4. If you cannot afford a lawyer, you are entitled to the presence of a court appointed lawyer before you make any statements and during any questioning.
5. If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.
6. I can make no threats or promises to induce you to make a statement. This must be of your own free will.
7. Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: (X) READ ON CAMERA

SUBJECT: CASSANELLI, DOMENICO CASE NUMBER: _____

QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME OF, ALL OF, OR NONE OF THE FOLLOWING QUESTIONS AS YOU LIKE.

WERE YOU OPERATING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT? yes

WHERE WERE YOU GOING? home

WHAT STREET OR HIGHWAY WERE YOU ON? 95, interstate 95

*DIRECTION OF TRAVEL? N WHERE DID YOU START? marisal country club

WHAT TIME DID YOU START? 1:30pm WHAT TIME IS IT NOW? not sure 7-8pm

WHAT IS TODAY'S DATE? april 2nd 2023 WHAT DAY OF THE WEEK IS IT? Sunday

WHAT COUNTY AND CITY ARE YOU IN NOW? palm beach county

WHEN DID YOU LAST EAT? 4-5 hours ago WHAT DID YOU EAT? chicken parm

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? in custody

HOW MUCH DO YOU WEIGH? 210 HAVE YOU BEEN DRINKING? no WHAT? N/A

HOW MUCH? N/A WHERE? N/A WITH WHOM? N/A

WHEN DID YOU HAVE YOUR FIRST DRINK? N/A AND YOUR LAST DRINK? N/A

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? N/A

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? N/A ARE YOU UNDER THE INFLUENCE? doesn't feel anything

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? no HOW MUCH? N/A

WHAT? N/A WHERE? N/A WHEN? N/A

WHAT LINE OF WORK ARE YOU IN? Restaurant cook WHEN DID YOU LAST WORK? today

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? no WHAT? N/A

ARE YOU SICK OR INJURED? no WHAT'S WRONG? N/A

DO YOU LIMP? no DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? no

WERE YOU IN AN ACCIDENT TODAY? yes

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? no fentanyl WHEN? 2:00 pm roughly

* HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? no yes WHO? hospital WHY? overdose

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? yes WHAT? Selexa WHEN? yesterday

DO YOU HAVE: yes - nelexone

EPILEPSY? no

GLASS EYE? no

FALSE TEETH? dentures

EAR INFECTION? no

INNER EAR TROUBLE? no

DIABETES? no

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? no

DO YOU TAKE INSULIN? no IF SO, WHEN WAS YOUR LAST INJECTION? N/A

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? yes WHERE? new jersey

INTERVIEWER: _____



**PALM BEACH COUNTY
SHERIFF'S OFFICE**
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2023008602	Date: 4/3/2023
	Specialist Name/ID: M. Tooks #8557