



Office of the District Attorney

825 Fifth Street, Fourth Floor
Eureka, CA 95501
TEL 707.445.7411
FAX 707.445.7416
districtattorney@co.humboldt.ca.us

Maggie Fleming
District Attorney

News Release

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In response to a request by his family, District Attorney Maggie Fleming has reviewed the circumstances of the death of Mr. Daren Borges in June of last year. Two Deputy District Attorneys also reviewed all materials obtained from the Eureka Police Department and the Humboldt County Sheriff's Office. The following summarizes the findings of the District Attorney.

On June 13, 2014 shortly after 2:00 pm, a citizen in Eureka called to report a male who appeared to be under the influence removing his clothes near the intersection of 7th and D. The citizen further reported that the male was throwing himself on the ground. Eureka Police Department dispatched an officer who contacted the person. The individual, identified at that time as Mr. Daren Borges, was arrested pursuant to Penal Code section 647(f) –public intoxication. The officer began transporting Mr. Borges to the Humboldt County Correctional Facility (HCCF) at 2:12 p.m.

Mr. Borges' family provided information about two citizens who had been at the scene and found Mr. Borges' cell phone. Both noted the officer was asking questions of Mr. Borges. One stated that the officer showed concern for Mr. Borges.

The Eureka Police Department provided continuous video and or audio of the interaction with Mr. Borges. Dashboard-camera video from the patrol car used to respond to the incident shows the officer driving to the location and then records the officer's interaction with Mr. Borges. These images support the citizen's perception that Mr. Borges was under the influence of drugs or alcohol. Audio recording in the patrol car covers Mr. Borges' entry into the car and transport to the HCCF. The patrol-car audio and video from cameras at the HCCF cover the arrival of Mr. Borges at the facility at 2:17 p.m. Mr. Borges remained in the vehicle while the officer left and prepared paperwork. Mr. Borges was directed to exit the vehicle at 2:23 p.m. and walked into the intake area of HCCF. Video surveillance within the HCCF covers Mr. Borges being placed in a cell at approximately 2:39 p.m. and shows him alone in the cell until the point the correctional officers enter to check on him at 4:02 pm. Medical staff at HCCF enter the cell about 2 minutes later. The Fire Department and an ambulance responded at 4:09 p.m. and transported Mr. Borges to St. Joseph Hospital where he was pronounced dead at 4:34 p.m.

An autopsy was performed on June 23, 2014. The forensic pathologist determined the cause of death to be "acute methamphetamine intoxication." Analysis of blood drawn from Mr. Borges yielded a methamphetamine concentration of 25 mg/L. The lab report states that blood methamphetamine in the range of 0.2 - 5 mg/L is potentially toxic. Thus, the level of methamphetamine in Mr. Borges' blood was 5 times the upper level known to be potentially toxic.

The pathologist's report states: "Considering the circumstances surrounding his death, as I understand them at this time, death is attributed to the toxic effects of methamphetamine which the decedent had in his blood in an extremely high level. ...The high level suggests he ingested a large quantity of the drug prior to being confronted by the Eureka PD officer on the street."

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In summary, a very complete record of Mr. Borges' interaction with law enforcement yields no evidence of criminal conduct by any law enforcement or correctional officer. The autopsy identified ingestion of a toxic level of methamphetamine as the cause of death.

District Attorney Maggie Fleming has notified the family of her findings and expressed to them her deepest regret for the loss of their son.