

From: [Campbell, Christine](#)
To: [Campbell, Christine](#)
Subject: FW: Disturbance and Arrest
Date: Tuesday, May 06, 2014 6:44:54 AM

Sent: Monday, May 05, 2014 5:48 PM
To: LPD Press Release
Subject: Disturbance and Arrest

- I. DATE OF PRESS RELEASE:** May 5, 2014
- II. TYPE OF INCIDENT:** Disturbance and Arrest
- III. FACTUAL INFORMATION:**

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On Saturday, May 2, 2014, about 4:00 p.m., Livermore Police received a 911 call regarding a disturbance at the 3900 block of East Avenue. When LPD Officers arrived on scene, they saw Oscar Herrera approaching them, covered in blood. Officers immediately recognized signs of drug influence and began giving commands to Herrera.

Herrera ignored all commands and charged at the officers. Officer deployed their Tasers, which were ineffective. Officers were ultimately forced to subdue Herrera by taking him to the ground. Once on the ground, Herrera was taken into custody. Herrera was unarmed during the incident and no officers were injured as a result of this incident. Herrera was placed under arrest for trying to attack the officers and threatening to kill the officers.

Once Officers had Herrera handcuffed, Officers recognized Herrera was in need of medical attention for his drug influence and the injuries that he sustained from an earlier physical altercation with an acquaintance. Herrera was transported by ambulance to a local hospital for treatment. An LPD officer accompanied Herrera to the hospital. Once at the hospital, Herrera was admitted to ICU for medical treatment, where he was expected to stay for the next couple of days.

Due to Herrera being admitted into the ICU unit at the hospital, coupled with no officers being injured as a result of his attack, Herrera was 849(b) PC – Released from Custody. LPD Officers planned to seek a criminal complaint with the District Attorney's Office while Herrera was in the ICU.

LPD Officers interviewed the acquaintance who was involved in the physical altercation with Herrera. According to the acquaintance, earlier in the day, Herrera had ingested what he believed to be methamphetamine. A short time after consuming the methamphetamine, Herrera began to act bizarre. A physical altercation occurred between Herrera and the acquaintance prior to police arrival. During the physical confrontation, the acquaintance believed Herrera was trying to "eat" him because Herrera was reaching his hands inside the mouth of the acquaintance. The acquaintance declined any criminal prosecution against Herrera for the physical confrontation.