

WALNUT CREEK PD  
GENERAL OFFENSE HARDCOPY

GO 2008-6605 (PENDING TO D)

01 - 000 PC 187 HOMICIDE

Follow Up # 13

Assignment Information

Assigned to P341 - MCCOLGIN, BRIAN Rank : DETECTIVE  
Org unit : PERSONS UNIT  
Capacity : INVESTIGATE / Follow Up  
Assigned on Mar-24-2008 (Mon.) 1149 by P341 - MCCOLGIN, BRIAN  
Report due on Apr-23-2008 (Wed.)

Submission Information

Submitted on Mar-24-2008 (Mon.) 1547  
Approved on Mar-24-2008 (Mon.) by P300 - TETZLOFF, DON  
Follow Up completed : YES

Related text page(s)

Document: INVESTIGATION

Author: P341 - MCCOLGIN, BRIAN

Related date/time: Mar-24-2008 1149

EVIDENCE:

1. One C.D. of my interview with Beverly Rhoads. This interview was conducted while enroute to John Muir Hospital and while we were at John Muir hospital. I turned the C.D. into evidence.
2. The consent to search form signed by Beverly Rhoads at John Muir hospital giving us permission to search her residence at 1110 Boulevard Way.
3. C.D. containing two photographs of the cuts to Nathan Medina's left wrist. The photographs were taken by Detective Bertolozzi at the M.D.F. I booked the C.D. into evidence.

INVESTIGATION:

On Thursday 3-20-08, at approx. 1032 hrs. Walnut Creek Police dispatch received a "911" call reporting a possible robbery at 1110 Boulevard Way in Walnut Creek. The "911" caller identified herself as Beverly Rhoads. She said that her son had been shot and was lying on the laundry room floor in a pool of blood. She said she was in the laundry room with her son. The caller said she thought the suspect was still in the house and she was afraid to try and leave. She told the dispatcher that the person who shot her son is Nathan Medina. She said Medina was wearing a black hat, black jacket and black pants. She said he was armed with a black handgun.

Several patrol officers responded to the scene and because the suspect was still possibly in the residence a perimeter was set. Officers and police dispatch made several attempts to contact anyone in the house with negative results.

At approx. 1205 hrs. Officer's rescued Beverly Rhoads by having her crawl through the laundry room window. At that time they noticed a white male lying on the laundry room floor. He was unresponsive and he was lying in a large pool of blood. He was bleeding heavily from a head wound. Beverly Rhoads was escorted away from the residence and escorted to Boulevard Way, a safe distance away from her residence. She was crying and was visibly

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upset. She was complaining that her face and eyes were burning from being sprayed with pepper spray. I contacted her and requested an ambulance respond. She identified herself to me as Beverly Rhoads. She indicated to me that her son Joshua Rhoads was inside the house and had been shot. She told me that Nathan Medina shot him.

A.M.R. was summoned to the scene and I road in the ambulance with Beverly Rhoads to John Muir hospital for treatment. While we were enroute to J.M.H. I began a taped interview with Rhoads. The interview was done in the ambulance as well as in the emergency room at J.M.H. I had to stop the interview at various times because Rhoads became very emotional, as well as when she was being treated by hospital personal. Beverly Rhoads gave me the following statement about this incident:

Beverly Rhoads said that she was inside her house with her adult son Joshua Rhoads. She said she and Joshua are the only ones who live in the house. There is a small cottage behind her house that she rents out to a person named Sean Mendell.

Rhoads said that this morning she was in her den working at her computer when the electrical power went out. She yelled to her son Joshua that the power went out and he told her to check the circuit box located in the laundry room. Beverly went to the laundry room and checked the circuit box and noticed that all the switches were still on. Joshua then came into the laundry room to assist her. At that point they noticed that only the electrical power in the den was out. The power in the rest of the house was working. Beverly said that while they were in the laundry room she heard her front door open. She walked toward the front door to see who was there. As she walked toward the front door a person who she clearly recognized as Nathan Medina immediately met her. The front door was unlocked, and Medina had walked in the house without knocking. Medina did not say anything and immediately sprayed her in the face with pepper spray. Beverly said she screamed and ran towards the laundry room. Joshua Rhoads heard the scream and came out into the hallway where he confronted Medina. Joshua told Medina to get out of the house. Medina said nothing, and immediately sprayed Joshua with pepper spray. Medina then attempted to grab Beverly, however she and Joshua ran into the laundry room and closed the door. Joshua was pushing the laundry room door shut, in order to prevent Medina from entering. Beverly Rhoads said Medina began shooting his gun through the laundry room door. She said he fired more than one shot, but she could not tell me how many gunshots he fired. Joshua yelled to his mother that he had been shot. He told Beverly to call the police. Beverly said she was very scared and called "911" to report the incident. Beverly said she did not know where Joshua had been shot. She said that while she was on the phone with the dispatcher Medina began breaking the door. She said the door broke in half and that Medina reached through the broken door and continued to shoot her son. Beverly said Medina held the gun in his right hand. Beverly said that Joshua was on the floor lying in front of the door. Beverly could not tell me how many shots Medina fired from his gun. Beverly said that Joshua was not moving and was bleeding very heavily from his head. Beverly told me that Medina was wearing a black knit cap and dark colored long sleeve shirt or jacket. At first she thought he may have been wearing a mask but later she said that he just had the knit cap pulled down on his forehead. She said she clearly recognized him from his face and overall appearance as Nathan Medina. After shooting her son, Medina disappeared from her view. I asked Beverly where she was in the laundry room. She said she was lying down crouched in a corner. She said she didn't think Medina saw her hiding. Beverly said she continued to hear noises and

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thought Medina was still inside the house. She said that is why she didn't want to leave the laundry room, because she thought he would shoot her. At one point after Medina disappeared she heard another loud bang. Beverly Rhoads said Medina was armed with a dark colored handgun. She looked at my handgun, which was holstered, and said Medina's gun looked like mine, except a little smaller (I carry a Sig Sauer P220 .45 caliber pistol).

I asked Beverly how she knew the suspect was Nathan Medina. Beverly Rhoads told me that she has known Nathan Medina and his family for approx. twenty years. At one time they were best friends and spent a lot of time together. I asked her why Medina did this. She said she is suing Medina's stepfather, Anthony (Tony) Latteri. Rhoads said Latteri is a contractor. She said that in 2003 he did a remodel job at her house. She said that during the remodel job Latteri employed Medina to do the electrical work at her house. She said that Medina was not a good electrician and did substandard work. Rhoads said she was dissatisfied with the work and they were unable to resolve the conflict. Eventually Rhoads filed a lawsuit against Latteri. The lawsuit has been a source of conflict in their relationship. She said Nathan was very upset about the lawsuit. Beverly Rhoads said her attorney, Judson Scott [REDACTED] would be able to provide more information about the lawsuit.

Before leaving the hospital Rhoads told me that she was the sole owner of the property. I explained that officers would need to go inside her home and collect evidence for our investigation. Rhoads granted us permission to search her house and collect what ever we needed. She signed Walnut Creek Police Department consent to search form. I turned this form into property as evidence.

During this time the following Detectives began assisting in this investigation:

Detective Bertolozzi  
Detective Jower  
Detective Reese  
Detective Carman  
Detective Slater

For details of their involvement see supplemental reports attached.

At approx. 1357 hrs. the SWAT team made entry into the residence. At this point they found the victim Joshua Rhoads deceased in the laundry room. He was pronounced dead by A.M.R. personal at approx. 1434 hrs. He was suffering from at least one gunshot wound to the back of his head.

A trauma counselor at John Muir hospital advised Beverly Rhoads of her son's death.

After the interview with Rhoads I returned to the police department. At that time detectives had printed a color D.M.V. photograph of Nathan Medina (C.D.L.# U1071410.) I gave a D.M.V. photograph to Officer Rohwer and asked him to go to John Muir hospital and show the photograph to Rhoads. I wanted to verify that Medina was the same person she was referring to as the person who shot her son. Rohwer later told me that Rhoads positively identified Nathan Medina as the person who shot her son. (For details see supplemental report by Officer Rohwer).

While officers were at the scene they determined that there was a small

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cottage in the rear of the residence. They made contact with two people who said that they were in the cottage at the time of this incident. They were later identified as Sean Mendell and Mariele Longfellow. Detective Jower contacted both of them at the scene and transported them to the police department for interviews.

On 3/20/08, Detective Jower and Reese spoke with Sean Mendell at the Walnut Creek Police Department. For details see supplemental report by Detective Jower. (Below is an excerpt from Jower's report).

Mendell told them that he rents a detached room that is located in the backyard of 1110 Boulevard Way. Mendell rents the room from Beverly Rhoads, whom he has been a friend with for many years. Mendell is also long time friends with Beverly's son, Joshua Rhoads. Mendell said that Beverly Rhoads commonly goes by the name of "Sam".

On 3/20/08, Mendell was inside of his residence with his girlfriend Longfellow. At approximately 1026 hours, Mendell heard three loud bangs. Mendell looked through the front window of his home, which overlooks the back of the main residence, and noticed that the backyard gate and the door from the garage to the backyard were both open. Mendell was concerned that the family dog would escape; therefore Mendell went outside to close the gate. Mendell exited his residence and as he walked towards the east side of the backyard, towards the gate, he heard the sliding glass door from Beverly's bedroom open. Mendell looked towards the sliding glass door and saw a white male adult, wearing a black beanie style cap, sunglasses and a black coat, exit through the sliding glass door. The WMA walked quickly towards him, and as the WMA did so the WMA removed a handgun from the WMA's trench coat. The WMA waived the handgun in the air and repeatedly yelled, "where is Sam, where is Sam Rhoads". When the WMA got near Mendell, Mendell dropped to his knees. Mendell offered to give the WMA anything that he wanted. The WMA put the handgun to the left side of Mendell's head and fired one round from the handgun. Mendell heard a loud "bang" in his left ear, at which time Mendell thought he had been shot in the head. When he realized he had not been shot, Mendell looked at the suspect, who was manipulating the handgun in what Mendell thought was an effort to reload the gun. The WMA said to Mendell, "Give me your money". Mendell told the WMA he would go into his residence and get his money for him. The WMA agreed and followed Mendell to the threshold of Mendell's front door. Mendell retrieved his wallet and when Mendell returned to his front door, the WMA was gone.

Mendell told them that he did not recognize the suspect. Mendell described the handgun as a black, semi-automatic style handgun. Mendell said that he was not injured after he heard the gun discharge.

Mendell told them that he is aware that Beverly Rhoads was having civil problems with a contractor by the name of Tony. Rhoads hired Tony approximately six years ago to do an addition to her residence. Mendell said that Tony has a son by the name of Nathan, who also helped Tony with the addition. Mendell said that Rhoads had many arguments with Tony and Nathan over the quality of their work. Mendell said that Rhoads ultimately fired Tony and eventually sued Tony for approximately two hundred and fifty thousand dollars. Mendell said that ever since the lawsuit, Rhoads has complained to him about many threatening phone calls that Rhoads has had with Tony. Approximately six months ago, Rhoads was the victim of vandalism and believed the responsible to be Tony or Nathan.

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Mendell told me that he met Nathan approximately four years ago, however would not recognize Nathan if he saw him again.

End of Detective Jower's excerpt.

After Mendell's interview Detective Jower told Mendell that we would need to search his apartment for any possible evidence relating to this crime. Mendell said he understood and agreed to allow us to search the cottage that he was renting from Rhoads. Mendell signed a Walnut Creek Police Department consent to search form. This form was later turned into property as evidence.

On 03-20-08, Detective Jower and Detective Carman interviewed Mariele Longfellow in an interview room at the Walnut Creek Police Department. Below is an excerpt from that interview.

Detective Carman told me that Longfellow stated that on 03-20-08, at approximately 9:00 A.M. Longfellow woke up at her boyfriend Sean Mendell's residence. Longfellow said that Mendell went into the main house at about 10:00 A.M. to make breakfast. Mendell returned quickly and then began receiving business calls. Longfellow said that at approximately 10:30 A.M. she heard two to three clanking noises (further described as metal hitting something). Longfellow said that a few minutes later she heard two to three more of the same noises. Longfellow said that she guessed the noises were coming from the side gate. Longfellow said that she got out of bed and looked through the window. Longfellow saw that both the side gate and the door leading from the backyard into the garage were open. Mendell went outside to secure the gate to prevent the dog from escaping from the yard. Longfellow said that approximately a minute later she heard a loud pop (similar to the noise of a firecracker). Longfellow then heard Mendell scream and state "What do you want? I'll give you anything". Longfellow said that she looked through the window and saw Mendell hunched over on the lawn area in between the main residence and the back house (Mendell's room). Longfellow said that a male subject wearing a dark colored beanie, sunglasses, and a black trench coat was standing within arms reach of Mendell and had a black handgun pointed at his head. Longfellow said that the handgun was in the male subject's right hand and was close to the left side of Mendell's head, if not touching his head. Longfellow further described the suspect as being a white male in his mid thirties, approximately 5'10" to 6'00" tall and having a medium build. Longfellow said that she moved away from the window and within about a minute the door to Mendell's room opened.

Longfellow said that Mendell walked into the room and she asked him if he (Mendell) wanted her to call the police. Mendell replied, "Not yet". Mendell then told Longfellow to find his wallet. Longfellow looked toward the front door and saw the same male subject standing just outside the threshold of the door. Longfellow said that the male subject had a black handgun in his right hand, which was pointed toward both of them. Longfellow said that the male subject appeared frantic and was moving the handgun slowly from side to side. Longfellow said that both she and Mendell raised their hands into the air. Longfellow recalled that the male subject's face appeared to look unshaven. Longfellow added that the male subject possibly had freckles or dirt on his face. Longfellow also added that she believed the male subject was wearing tightly fitted black rubber gloves. Longfellow stated that she turned her back toward the male subject and began looking for Mendell's wallet. Longfellow said that when she could not find Mendell's wallet, she grabbed money from her wallet and gave

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it to Mendell. Mendell then went outside with the money, however the male subject was no longer visible. Longfellow said that Mendell came back inside his residence (back house) and they locked the front door. Longfellow said that they both got into the closet for a couple of minutes and then Mendell called 911 from his cellular telephone.

Longfellow said that at the direction of the WCPD they then walked from the back house (Mendell's residence) to the main house. Longfellow said that as they walked through the backyard, she could smell gunpowder. Longfellow said that they entered the main house from the backyard, via a sliding glass door off of the living room. Longfellow said that as she crossed through the living room she could smell gunpowder. Longfellow said that she exited the main residence, via the front door, where the police greeted her.

End of Detective Jower's excerpt.

On 3-20-08 Detective Jower assembled a photo line-up, which contained the D.M.V. photograph of Nathan Medina. At approx. 1642 hrs. Jower showed the line-up to Longfellow. She looked at the line-up and positively identified Medina as the person she saw holding the gun to Mendell's head. At approx. 1700 hrs. Jower showed Mendell the photo line-up. Mendell looked at the line-up and positively identified Nathan Medina as the suspect who shot at him. (For further details of the line-up see Jowers report.)

During the interview with Mendell, Detective's Jower and Reese noticed dark powder on the side of Mendell's face. They thought it might be gunpowder residue from the gunshot Medina fired at him. They conducted a G.S.R. test on Mendell's face. The G.S.R. was turned into evidence for analysis.

During this time patrol officers began doing a neighborhood canvass in order to locate any possible witnesses to this crime. During this canvass, Officer Rosenbush contacted John Koller who lives at [REDACTED]. This house is approx. 300 feet north of 1110 Boulevard Way. Koller was at home when he noticed a man walking in front of his house. The man was a WMA wearing sunglasses and wearing tan colored pants. He was holding a long leather coat over his arm. He was walking north away from the scene of the murder. For further details of the canvass, see supplemental report by Rosenbush.

On 3-20-08, Detective Bertolozzi contacted Nathan Medina's parents, Anthony Latteri and Jamie Latteri at Medina's home in Martinez. They came to the police department voluntarily at Bertolozzi's request. At approx. 1600 hrs. I attempted to interview them. Jamie Latteri was hostile and told me that she had just spoken to their attorney. She told me that she was advised not to talk to me. She then told me that she and her husband were going to leave. I explained this investigation and told them that I was concerned about their son. I told her that I hoped she could help us locate him before anyone else got hurt, including her son. She refused to speak to me and she and her husband left the police department.

Sgt. J. Hill is in charge of the department's C.S.I. team. The following personal processed the crime scene for evidence:

Officer Hopkins  
Officer Gerstner  
Officer Rangel

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Property clerk Current.

At 1752 hrs. I visited the crime scene with other detectives. Prior to them collecting any evidence I briefed them on the information that was provided by Beverly Rhoads, Mariele Longfellow and Sean Mendell. I specifically mentioned the fact that Rhoads mentioned that the power went off in her den prior to Medina entering her home. We went to the fuse box located on the north side of the house and noticed that the cover had been removed. We looked inside the box and noticed wires had been cut. I mentioned to the crime scene investigators that Medina had done the electrical work on the house during the remodel. Obviously he had knowledge of the electrical wiring and knew which wires to cut to cut off the power to the house. C.S.I. photographed and fingerprinted the electrical box. During their search they recovered numerous items of evidence including several spent 9mm bullet casings, 9mm expended bullets, one unexpended 9mm bullet and numerous photographs of the crime scene.

During this investigation Detectives found that Nathan Medina had two roommates. Jennie Hamilton is Medina's live in girlfriend and Timothy Kent who rents a room from him. Detective Reese determined that Hamilton has a 9mm pistol registered to her.

Detective Bertolozzi interviewed Timothy Kent. For details see Bertolozzi's supplemental report.

On 3-20-08, Detective Reese wrote a Ramey Warrant for the arrest of Nathan Medina for the murder of Joshua Rhoads and the attempted murder of Sean Mendell. She also prepared a search warrant for Nathan Medina's property at 2472 Morello Heights Circle, Martinez CA. 94553, as well as his vehicle. Judge Brady signed the warrant.

At approx. 2245 hrs. I called Nathan Medina's step father, Anthony Latteri on his cell phone. I asked him if he had heard from Nathan. He told me he had not heard from Nathan and he and his family were very worried. I told him that this case was very serious and I encouraged him to have Nathan turn himself in to the police. Latteri told me that if he spoke to Nathan he would tell him to turn himself in.

At approx. 2300 hrs. Officers executed the search warrant at 2472 Morello Heights Circle. During the search they recovered several pieces of evidence including two boxes of 9mm ammunition, long black leather trench coat similar to the one worn by Medina while committing this crime. For further details of the items seized see supplemental report by Officer Brown.

On 3-20-08, Detective Carman wrote a search warrant for the cell phone records of Nathan Medina. Judge Brady signed the warrant that night.

On 3-21-08 Carman received Medina's cell records. She reviewed those records and determined that on 3-20-08 at 0943 hrs. a call was made from Medina's cell phone, which registered on a cell tower near Hwy 24 and Hwy 680. This is within 1/2 mile of the murder scene and the call occurred approx. fifty minutes before police received the "911" call from Beverly Rhoads. (For further details refer to Detective Carman's supplemental report). The phone number that was called was ~~XXXXXXXXXX~~ I called that number and left a message for the person who had the phone to call me.

On 3-21-08 at approx. 0800 hrs. I attended the autopsy of Joshua Rhoads. Officer Lyons and C.S.I Officer Gerstner also attended the autopsy.

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Gerstner collected evidence at the autopsy. Dr. Josselson conducted the autopsy. During the autopsy Josselson determined that Rhoads had been shot twice. Rhoads suffered a through and through gunshot wound to his right hand in the wrist area. The bullet entered the back of Rhoads hand and exited through the palm area. The second bullet entered the back of Rhoads head on the left side and exited on the right side of his head (These spent bullets were recovered from the crime scene on 3-20-08 by C.S.I personnel). Josselson told me that the head wound was fatal and that life saving measures would not have been successful. He said Rhoads died within minutes of receiving the bullet wound. (For further details see Coroners report. Also see supplemental report by Officer Gerstner).

At approx. 0845 hrs. I received a phone call from Sgt. Tetzloff. He told me that he had received a phone call from an attorney named Terrence A. Beard. Beard told Tetzloff that he was representing Nathan Medina. He said that he would bring Medina to the Walnut Creek Police Department this morning so that he could turn himself in for the murder warrant.

At approx. 0930 hrs. Beard brought Medina to the police department. I recognized him from his photograph. I placed him under arrest for the Murder warrant. As I was handcuffing Medina I noticed that he had a bandage on his left wrist. At the same time Beard told me to be careful of his left wrist because Medina had an injury. I asked Beard how he received the injury. Beard told me that he would not discuss it. I handcuffed Medina and escorted him in to an interview room. Beard was present while I read Medina his Miranda Rights off my D.A. issued Miranda card. Medina said he understood his rights, but did not want to speak to me. At approx. 1000hrs. Detective Bertolozzi and I escorted Medina to the M.D.F. where he was booked for the warrant. Prior to leaving for the M.D.F., I recovered the shoes Medina was wearing as possible evidence.

Bertolozzi and I were concerned about the injury to Medina's left wrist. We thought he might have gotten the injury during the commission of the murder. Bertolozzi looked at the injury and noticed that Medina had several horizontal lacerations across the inside of his left wrist. Bertolozzi said the injury looked new. The injury looked consistent with a suicide attempt. Bertolozzi photographed the injury. The photographs were later turned into property as evidence.

On 3-21-08 I requested Officer Brown respond to the M.D.F. with a Blood technician and draw blood from Nathan Medina. Brown also did a G.S.R. test on Medina.

Detective Reese also did a G.S.R. test on the black leather trench coat that was recovered from Medina's residence during the search warrant on 3-20-08. Reese turned the G.S.R. into evidence for analysis.

On 3-21-08 Detective Jower reinterviewed Sean Mendell at the W.C.P.D. Jower wanted to show Mendell the leather jacket that was recovered from the search warrant at Medina's house. He also wanted to show him the shoes that I recovered from Medina earlier today. Mendell looked at both pieces of evidence. He said the leather jacket looked like the one Medina wore during the commission of the crime. He also said the shoes looked like the ones worn by Medina.

On 3-21-08 Detective Reese spoke to Judson Scott who is the attorney who represented Beverly Rhoads during the lawsuit with Tony Latteri. Scott provided Reese with many details about the lawsuit. For details of the



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interview, see supplemental report by Detective Reese.

On 3-21-08 Officer Olson did research on Nathan Medina's financial history. For details see supplemental report by Officer Olson.

On 3-21-08 Officer Aaron McGraw of the Pleasant Hill police department located Medina's 2003 Black Ford F150 pick up truck, Ca license# 7H25427 parked unattended in front of 118 Blackwood Dr. in Pacheco. Detective Carman and Sgt. Hill responded to that location and towed the vehicle to the W.C.P.D. for processing. Officer Hopkins processed the vehicle for evidence on 3-24-08. For details see her supplemental report.

On Sunday 3-23-08, at approx. 1330 hrs. I received a phone call from Gina Holland. She identified herself as the person who has the cell phone with the phone number [REDACTED]. I told her who I was and asked her if she knew Nathan Medina. She paused and then told me that she knew him. She asked me why I was calling. I asked her about the phone call that Medina placed to her on 3-20-08 at approx. 0943 hrs. She was reluctant to talk to me. She said she knew about Medina's arrest and didn't think he could commit such a crime. She said she didn't want to get involved and knew nothing about the case. I convinced her to tell me about the phone call. She told me that she only spoke to Medina briefly. She said he just made small talk and asked her if she wanted to go to lunch that day. She said she told Medina she couldn't have lunch with him that day. She told me that he didn't say anything unusual and he seemed his normal self. I asked her about their relationship and she told me that was none of my business. She said that Medina had a girlfriend and she didn't want to talk about their relationship. She told me that she knew about the lawsuit with the Rhoads family. I asked her how she knew about it. She said that Medina had talked about it, but it didn't seem to bother him. She also indicated that she knew Beverly Rhoads. She did not say how she knew her. She then said she didn't want to get involved in this investigation and didn't want to talk to me any more. She then hung up the phone.

On 3-24-08, I spoke to Beverly Rhoads via telephone. I asked her if she knew Gina Holland. She told me that she didn't recognize the name.

Based on this investigation I am forwarding this case to the District Attorney's office for review. I request the appropriate charges be filed against Nathan Robert Medina.