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Attorney: Menlo Park police sergeant in fatal shooting saw man reach for gun, heard shot

Suspect was at-large parolee

by Sandy Brundage

The attorney representing one of the Menlo Park police officers involved in Tuesday's fatal shooting said the officer returned fire after the suspect allegedly drew a gun.



Jerry Lee Matheny (Photo: California Department of Corrections.)

Jerry Lee Matheny, 52, has been identified by the county coroner's office as the man who was shot and killed by Menlo Park police during a pursuit on Nov. 11 on Willow Road, near Willow Place, at about 12:50 p.m.

Attorney Alison Berry Wilkinson, who is representing the police sergeant involved in the shooting, told the Almanac on Thursday (Nov. 13) that the officer had joined others in the foot pursuit along Willow Road and initially reached for his baton.

"As the sergeant was reaching for his baton, he saw the subject reach for his waistband, pull a gun and point it at the sergeant with a menacing look on his face," Ms. Wilkinson said. "As he saw the suspect's gun and heard a shot fired, the sergeant transitioned from reaching for his baton to pulling out his duty weapon, and returned fire."

Menlo Park Police Chief Robert Jonsen said that video footage of the shooting from the cameras worn by the officers will be given to the District Attorney's Office for review, but not released to the public. The police officers involved in the shooting are on paid leave until the review is finished, he said.

Mr. Matheny, a resident of Nuevo in Riverside County, was reportedly wanted by the state for violating parole, according to law enforcement sources. The California Department of Corrections and Rehabilitation issued a warrant for him on July 22 related to possession of a controlled substance. He remained at large before Nov. 11.

He was also a suspect in other burglaries along the Peninsula, according to police. District Attorney Steve Wagstaffe told the Almanac that his office had filed a felony case out of San Mateo for two counts of commercial burglary and one count of identity theft against Mr. Matheny on Oct. 21, which was pending on the issuance of an arrest warrant by a judge, he said.

A witness at the scene of the shooting who didn't want to be identified said a woman employed at a Willow area business alerted police upon spotting a man who resembled a burglary suspect pictured on a flier distributed by her landlord to commercial tenants.

Officers responded and "found a male suspect involved in a burglary in progress," according to a police statement. A stolen wallet was found at the scene.

Police pursued Mr. Matheny on foot and "a Taser device was deployed to stop the suspect. The ... suspect

pulled out a gun and possibly took aim at the officer," the statement said. The weapon was recovered at the scene.

Officers shot the suspect, who was pronounced dead by medics, police said. One officer was taken to the hospital with a knee injury sustained during the foot pursuit.

The investigation is ongoing. The body remained in the road, covered by a yellow tarp, for some time, and Willow Road was reportedly closed between Middlefield and Creek Drive. News helicopters hovering overhead added to the frantic environment.

Other police departments, including Atherton's and Palo Alto's, were called in to help with traffic control.

Any witnesses are asked to call the Menlo Park Police Department at (650) 330-6300.

The last [officer-involved shooting](#) in Menlo Park was on Dec. 22, 2006, police said.

Almanac staff reporters and photographer Michelle Le contributed to this story.