

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT

DOCKET NO. 2021-428

COMMONWEALTH

v.

RODNEY DANIELS

COMMONWEALTH'S STATEMENT OF THE CASE

Now comes the Commonwealth in the above-captioned matter and submits this Statement of the Case. This statement is provided to assist the court and is not intended to be a bill of particulars, nor does it contain all information known to the Commonwealth at this time.

In the early morning hours of July 20, 1991, just after 3:00 AM, police responded to the third floor apartment at 21-23 Henry Street, Malden, where a 17 year-old victim, Patricia Moreno, was found with a single gunshot wound to the head. The victim was a ward of the Department of Social Services and had been placed with a foster family. Also present in the apartment were Linda Price, the victim's foster mother; Chantele Price (16 years old) and Rochelle Price (13 years old), the biological daughters of Mrs. Price; and Rodney Daniels (18 years old), the boyfriend of Chantele Price and father of her then-unborn child. Daniels was not a permanent resident of the apartment, but sometimes was allowed to stay over. 21-23 Henry St. was a three-story brick apartment building; iron fire escape stairs ran along the side of the building to the ground floor, as depicted in the photograph below.

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Outside the second and third floor apartments were fire escape landings, as depicted in the photograph below:



When police and emergency medical personnel arrived, Daniels, Mrs. Price and her daughters were in the living area of the apartment, while Patricia was alone, face down, on the third floor fire escape landing, still breathing but seriously injured. The victim was rushed to Massachusetts General Hospital, where it was determined that she had suffered an irreversible brain injury. She died that afternoon as a direct result of the gunshot wound.

An autopsy conducted by the Office of the Chief Medical Examiner recovered a single .38 caliber projectile from the victim's brain. The bullet had entered just above her left eyebrow and penetrated her skull at a slightly downward angle. There were no powder burns or stippling on the skin around the entry wound, suggesting that the shot had not been a close-contact wound, but was fired from three or more feet away. No weapon or cartridge casing was recovered from the area around the victim's body, nor was one found during a police search of the apartment, the fire escape area, the roof, or the area of the neighborhood surrounding the building. They did not search the interior of the living room chair or the interior of the chair's upholstery.

The characteristics of the projectile, and the absence of any recovered cartridge casing during the police search of the crime scene, suggested that the murder weapon was a .38 caliber revolver, rather than a semi-automatic weapon, as a semi-automatic weapon would eject a spent cartridge casing. The surviving occupants of the apartment claimed that they had heard a pair of gunshots, but had no information as to the identity of the shooter. There was no evidence of forced entry into the home; there was no damage to the front door, and Linda Price made a regular practice of locking the front door of the apartment securely every night before she went to sleep.

Rodney Daniels was interviewed by police investigators, and told them that he had been sleeping in an armchair in the living room when he was awakened by the sound of two gunshots. He claimed that approximately 15 seconds later he walked out onto the fire escape, where he saw the victim slumped on the fire escape grate, and concluded that she had been shot by an unknown party. He claimed that he looked over the edge of the fire escape and saw no one, and that he then awakened Linda Price.

Police investigation revealed that though Rodney Daniels did not have a license to carry firearms, he had been in possession of multiple handguns close in time to the murder. A witness revealed to police that he had been with Rodney Daniels approximately one month before the murder when Daniels displayed two firearms he was carrying concealed on his person: a small semi-automatic .25 caliber pistol with white or pearl-colored grips, and a .38 caliber revolver with a black barrel and wooden grips. When shown a non-suggestive photo array by a blind presenter not privy to the details of the investigation, the witness identified photos of a Charter Arms Off Duty .38 Special and a Colt Cobra .38 Special as most resembling the revolver he had seen Daniels carrying. Two days after the victim was shot, Daniels called that same witness by phone and asked him directly if he had revealed to police investigators that he had seen Daniels with firearms; when the witness claimed that he had not, Daniels hung up the phone abruptly.

Daniels had also been seen with a handgun in the Price home approximately 5-6 weeks before the victim's death. At that time, he had shown off the weapon to the victim and to Chantele and Rochelle Price, and demonstrated that it contained ammunition that was described as being similar in appearance to the cartridges in a police officer's .40 caliber firearm. When Linda Price discovered that Daniels had brought a gun into the home, she became upset, and ordered him to take it out of the house. Daniels claimed at that time that the weapon was a BB gun, not a genuine firearm, and that it belonged to a friend.

Further investigation revealed that Daniels had engaged in threatening behavior toward the victim in the weeks before her death. Approximately one month before her murder, the victim intervened in an argument between Daniels and his then-girlfriend,

Chantele Price. When the victim told Daniels that she did not like the way he was treating his girlfriend, Daniels told her, "You don't know what I'm capable of." Daniels complained that the victim "did not mind her own business."

In June of 1991, the victim revealed to her foster mother that one week prior she had awakened to find Daniels in her bedroom. She could see that Daniels had a gun in his hand, which he put up to her head. Linda Price confronted Daniels about what he had done. Asked why he had been in the victim's bedroom, and why he had a gun, Daniels explained that something was "forcing him to try to kill her," but that he couldn't do it. Daniels did not claim at this time that the weapon was a BB gun. The foster mother, a devout Christian, then convened the entire family, including her two biological daughters, her foster daughter Patricia, and Daniels, in order to lay hands on him and pray for his strength to resist evil forces. She told Daniels that there were to be no guns in her home. She did not contact either the police or the Department of Social Services about what Daniels had admitted.

When interviewed at the Malden police station, Daniels insisted he had no idea who was responsible for the victim's death. When questioned about the threats he had made to the victim, Daniels told a detective that it hadn't been a real gun, but a BB gun that he had borrowed from a Puerto Rican friend. Daniels told the detective that he had known the friend who loaned him the weapon for two years, but that he could not recall his friend's name.

Upon returning from the police station, Daniels went directly to the chair in the living room of the apartment where he had slept the night before, laid down on the floor beside it, and extended his arm underneath the chair. Linda Price could not see what if anything he grasped beneath the chair, but observed that when he reached under it, Daniels

had "a smirk" on his face. Though numerous parties were interviewed by police, no arrest was made in the case.

Daniels continued his relationship with Chantele Price. Approximately one month after the victim was killed, Daniels was with the Price family when he was talking with an unknown party on the telephone. When he hung up the phone, he bragged that the police "didn't find any gunpowder on him because they didn't take the test" to determine if there was chemical residue on his hands. He smiled as he made this observation. Several months later, Daniels was again with the Price family when Linda Price was watching a news story on television. The story related to a party who was wanted for murder, prompting Linda Price to observe out loud, "You can't get away with murder." Rodney Daniels responded, "Yes you can."

In 2020, crime scene investigators returned to 21-23 Henry St. and reconstructed the position of the victim on the third-floor fire escape, where she had frequently been observed smoking cigarettes while seated in a chair on the landing. Based on the position of the entry wound and the downward trajectory of the bullet, the path of the bullet was consistent with having been fired by an individual standing in the area of the doorway to Apartment 3 – the apartment where the victim had resided with her foster family, and where Daniels had been staying that evening.

In 1991, in sworn testimony before a grand jury, Chantele Price had claimed that she knew that Rodney Daniels could not have shot the victim, because when she heard the sound of gunshots, she could see Daniels seated in a chair beside her. In 2008, Chantele Price offered a partial recantation of that testimony, testifying before a different grand jury that when she heard the shots, she did not look at the chair, and that she did not know if

Daniels was sitting in the chair at the time the shots were fired. In 2020, Chantele Price passed away after contracting the COVID-19 virus. In 2021, investigators learned that Chantele Price had disclosed to her younger sister that the alibi statement she had made before the grand jury in 1991 had been false. In an interview with State Police and Malden Police detectives, Rochelle Price revealed what her sister Chantele had confided in her many years before: that on the night of the shooting, Rodney Daniels had admitted to Chantele that he had shot Patricia Moreno; that he had successfully concealed the murder weapon in a hole in the living room chair he slept in; and that he later disposed of the firearm. Rochelle Price pleaded with her sister to report what she knew to the police, but Chantele Price indicated that she was afraid to do so because she had lied to protect Daniels, and she knew that lying before a grand jury was a serious crime. In her grand jury appearance in 1991, the prosecutor who questioned Chantele Price had specifically warned her, "If someone lies or commits perjury here in the grand jury on a murder case, they can face up to life in prison."


Also in 2021, police made contact with a witness who had been out of the United States for an extended period. That witness, who lived in a nearby second-floor apartment at the time of the crime, revealed that on the night of the murder he had been awakened by a loud noise and immediately looked to the fire escape. The witness, whose bed was positioned directly against the wall and close to the window, could see in the darkness that the doorway into the victim's third floor apartment was open onto the fire escape and visible illumination was emerging from the apartment. In the doorway the witness could see a young Black male, described as "not very tall, medium in stature," with short hair cropped close to his head. Daniels, who is Black, wore his hair in the same style at the

time, and police booking records from shortly before and shortly after the time of the murder list Daniels as being 5'5" tall, and weighing 160 lbs., consistent with the witness' description. In front of the Black male the witness could see a female party laying on the fire escape, who he described as "gasping for air." He recognized the young woman, as he had seen her on prior occasions, sitting in a chair on the fire escape and smoking cigarettes. Within seconds, the witness saw the Black male retreat back into the apartment and close the door behind him. The witness was explicit that he "definitely" did not see or hear anyone else on the fire escape. Rodney Daniels was the only male residing in the victim's apartment the night she was killed.

Respectfully Submitted
For the Commonwealth

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