

Jury acquits Jeffrey Peterson in killing of Shaheen Bean; melee erupts in hallway

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By [Jim O'Hara / The Post-Standard](#)

Syracuse, NY -- An Onondaga County Court jury deliberated about two hours before finding Jeffrey Peterson not guilty of murder in the fatal shooting of Shaheen Bean.

The verdict came less than 10 minutes after the jury had Judge Joseph Fahey re-explain to them the legal elements of murder and of justification. The defense has contended from the outset that Peterson was defending himself and his wife from armed attack by Bean when Bean was killed in a struggle over his gun.

"This was a very challenging case from the very beginning," defense lawyer Edward Menkin said. "I don't think charges should have been brought against Jeffrey Peterson."

Menkin said Peterson was "very gratified" by the outcome. But Peterson remains in custody facing a parole violation, based on being out in violation of a curfew the morning of the shooting, Menkin said.

The verdict set off a raucous melee in the hallway outside the courtroom, Menkin said.

He said a member of Bean's family began shouting threats in the courtroom itself and a disturbance broke out when Bean's family left the courtroom and encountered members of Peterson's family who coming back to the courtroom.

Menkin said he was told that at least one person on each side was charged with disorderly conduct. Several people were briefly detained by court officers until order was restored. Peterson's wife, Oasis Sykes-Peterson, was attacked by the Bean group in the hallway outside the courtroom, Menkin said.

She is due back in Fahey's court Wednesday to face a pending perjury count, from when she gave testimony in her husband's murder case. She was charged with perjury based on her account of what happened to Bean being contradicted by eyewitness Debbie Kinsey.

Menkin said he thinks the perjury count should be dismissed based on the acquittal of her husband.

Menkin said the verdict was a clear finding that Peterson was justified in his conduct defending against Bean.

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By [Jim O'Hara / The Post-Standard](#)



Defense lawyer Edward Menkin.

Update: A jury Tuesday has acquitted Jeffrey Peterson of second-degree murder in the death of Shaheen Bean. We will have more details as they become available.

Earlier:

Syracuse, NY - Defense lawyer Edward Menkin today took more than an hour to urge jurors to quickly acquit Jeffrey Peterson of murdering Shaheen Bean.

Chief Assistant District Attorney Christine Garvey then took a little more than half an hour to urge the jurors to take their time, use their common sense, evaluate the evidence and convict Peterson of the execution-style slaying of Bean.

While Menkin and Garvey urged different outcomes, they both focused attention on the same piece of evidence in their closing arguments: the recording of the 911 call from eyewitness Debbie Kinsey on which the fatal gunshot can be heard.

Garvey urged the jury of nine men and three women to accept Kinsey's testimony as solid proof of Peterson's guilt. Menkin asked the jurors to reject it as unreliable and the emotional outcome of Kinsey having lost her own son to gun violence a decade ago.

The jury was to begin deliberations after hearing legal instructions from County Judge Joseph Fahey.

Peterson, 40, of 2501 E. Genesee St., is charged with second-degree murder and second-degree criminal possession of a weapon in Bean's death June 26.

Authorities have said Bean accosted Peterson and his wife at gunpoint as they arrived home and that Peterson was justified in struggling with Bean for control of the gun during which Bean was shot in the leg and incapacitated. But the prosecution contends Peterson executed Bean by then standing over him and firing a final shot into the back of the victim's head as Bean lay face down on the ground.

"This guy is a predator of the night. He is death and that is what he brought to this moment," Menkin said of Bean today. He repeatedly contended Peterson was justified in everything he did during the 87 seconds from the moment the couple unlocked their door to the end of the incident.

To condemn Peterson for defending himself and his wife would be a "repudiation of the right to self defense," the lawyer argued. To call Bean a "victim" is an insult to anyone who has lost a loved one to violence, he added.

"This guy is coming to deliver death on a doorstep," Menkin said.

Menkin contended Bean had to have pulled the trigger on the shot that struck him in the back of the head because evidence suggested Peterson's hand was on the side of the gun, blocking the spent casing from being ejected from the handgun.

There is no forensic evidence to support Kinsey's eyewitness account, he argued. But even if Kinsey's account was accurate, Menkin contended it did not mean Peterson hadn't acted in defense of himself and his wife as he had no way of knowing if Bean had a second weapon or an accomplice with him.

Garvey then told the jurors Menkin did "everything but backflips and cartwheels" to try and distract them from the evidence against Peterson and Kinsey's key role in providing it. The prosecutor called Kinsey "courageous" for coming out of her home to see what was happening after she heard shots fired that Saturday morning.

Garvey also told the jurors Peterson's wife, Oasis Sykes-Peterson, had every motive to lie in her testimony Monday because she's trying to prevent her husband from being convicted of murder. The prosecutor said she suspected the reason Sykes-Peterson didn't offer many details of what happened was because those details would lead to her husband being found guilty.

Garvey then asked the jurors to focus on why Peterson would have gone into the house and allowed his wife to go back outside alone if they both thought Bean or someone else still posed a threat to them after the final shot was fired. The prosecutor said Sykes-Peterson had no reason to fear going back out to the yard to wait for police to arrive because she saw her husband shoot and kill Bean.

The location in the yard where police found Peterson's purple New York Yankees baseball cap and one of Sykes-Peterson's silver shoes was right where Kinsey said she saw the woman trying to prevent the man from returning to the victim moments before the final shot was fired, Garvey noted.

Garvey told the jurors to go ahead and acquit Peterson if they heard Fahey instruct them that Peterson was free to do whatever he wanted that morning. But she quickly noted the judge was not going to be providing that instruction.

Garvey ended her closing argument by asking the jurors to deliver a specific message to the defendant: "You, Jeffrey Peterson, went too far. You committed an execution. We have an eyewitness who saw you commit that execution. You, Jeffrey Peterson, are guilty of murder."