

# Sgt. Keith Sweeney convicted of murder in Oklahoma killing of suicidal man

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## A police officer shot an unarmed, suicidal man soaked in lighter fluid. He was convicted of murder.

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By [Tim Elfrink](#)

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Dustin Pigeon raised a bottle of lighter fluid above his head, illuminated by the flashlights of two Oklahoma City police officers in his front yard. He had called 911 threatening to kill himself, and then doused himself in the accelerant. Now, he was trying to spark a fire.

Body-camera footage from the Nov. 15, 2017, incident showed the two officers pleading with the 29-year-old to put down the bottle. Suddenly, a third officer, Sgt. Keith Sweeney, ran into the yard, his voice booming.

“Drop it!” Sweeney screamed. “I will f-----g shoot you!”

Seconds later, that’s exactly what Sweeney did, firing five times and killing Pigeon.

A jury in Oklahoma City on Monday convicted Sweeney of second-degree murder in the deadly shooting of an unarmed, suicidal man, the Associated Press reported. Prosecutors said Sweeney, 34, ignored both his training and clear messages that Pigeon wasn’t armed — a case backed up by Sweeney’s two colleagues on the scene, who each testified last month that they didn’t see Pigeon as a threat.

The Oklahoma City Fraternal Order of Police, the union representing Sweeney’s force, called the case “extremely difficult.”

“Cases like these are extremely difficult for juries, police officers and, of course, Dustin Pigeon’s family. We grieve for and with everyone affected by this case, including Sgt. Sweeney’s family and friends,” John George, the union’s president, said in a statement. “Police officers routinely face split-second, life-altering decisions with incomplete information. We know Sgt. Sweeney did not go to work that night expecting to be placed in this position.”

The jury’s verdict brings a conclusion to a case that drew national scrutiny to Oklahoma police training after deaths of mentally ill suspects in matter of months.

Pigeon had struggled with substance abuse and mental illness for years, his family said. A Native American of Muscogee (Creek) descent, he had bipolar disorder, abused alcohol and had spent time in mental health facilities for anxiety and depression, Tesina Pigeon Halbert, his sister, told the Oklahoman.

When Pigeon called 911 before 2:30 a.m., he told dispatchers he intended to kill himself without specifying how, said Oklahoma County District Attorney David Prater.

The first two officers who responded, Troy Nitzky and Erik Howell, quickly assessed the situation. “He’s got lighter fluid in his hand?” one of the pair asked before they approached the yard.

As Prater later noted, both followed the department’s de-escalation policies. Nitzky approached with a bean bag shotgun, a less-than-lethal weapon, while Howell kept his gun holstered as they repeatedly asked Pigeon to drop the bottle.

Their urgency increased, Prater said, when they noticed a lighter in Pigeon’s right hand, which he was sparking repeatedly.

Before they could act, though, Sweeney appeared, running toward Pigeon and screaming commands.

A nine-year police veteran who also served in the U.S. Navy, Sweeney also ran a patriotic fitness clothing line featuring images of automatic weapons and phrases like, “Stay Fit Stay Dangerous,” reported NonDoc Media, an Oklahoma City publication. He had been involved in another fatal shooting in 2015, when he and his partner killed a 37-year-old man after he allegedly drove at them following a pursuit.

In the body-cam footage, as Sweeney screams at him, Pigeon backs away, and then briefly lowers his arms. Nitzky fired a bean bag into his hip, and then Sweeney quickly started shooting with his 9mm service weapon. Just 12 seconds elapsed between Sweeney running from his patrol car and firing at Pigeon.

As Pigeon died on the ground, Sweeney asked, “Is that a knife in his hand?” and then muttered an expletive when informed it was just lighter fluid. “I didn’t know you had a bean bag,” he told Nitzky.

In an interview with police, Sweeney later added that “I thought he was coming at me with a knife.”

In December 2017, Prater charged Sweeney with second-degree murder, though he also gave the jury the chance to choose an alternative charge of first-degree manslaughter. He said Sweeney didn’t follow policy when he showed up late to the scene and began barking orders and that he failed to heed de-escalation rules.

“You saw two officers completely act consistently with their training,” Prater said. “Two officers decided to employ that training and one didn’t.”

In court last month, Sweeney’s defense argued that he had never heard any warnings that Pigeon was holding only a plastic bottle and that he feared being attacked with a knife in the dark yard.

“The two things that are so important in this case is the time that elapsed and the information that was not given to officer Sweeney to make the proper decision of what’s going on,” said Gary James, Sweeney’s attorney, the Oklahoman reported.

But both Nitzky and Howell testified that Pigeon clearly wasn’t a threat. Asked whether he thought Sweeney needed to fire on the suicidal man, Howell told the courtroom, “I personally did not feel that they were to that point,” the Oklahoman reported.

Pigeon’s family, who later filed a civil suit against Sweeney, wondered how a call for help could have so quickly turned deadly.

“We are questioning why my brother was shot when he is the one who called police,” Halbert told the Oklahoman.

George, the union’s president, said the case should lead to more money for police departments to increase training on dealing with suicidal people.

“More and more, police officers are called to respond to people suffering mental health crises,” George said. “Our community must increase funding to train officers and provide mental health services for people in need.”

Sweeney faces between 10 years and life in prison on the murder charge.