

Forcillo Sentence: Toronto Police Officer Receives 6-Year Term For Shooting Sammy Yatim

CP | By Paola Loriggio, The Canadian Press

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TORONTO - A Toronto police officer has been sentenced to six years in the shooting death of a troubled teen on an empty streetcar.

Const. James Forcillo was convicted of attempted murder in the 2013 death of 18-year-old Sammy Yatim, which was captured on a cellphone video that went viral and spurred outrage in Toronto.



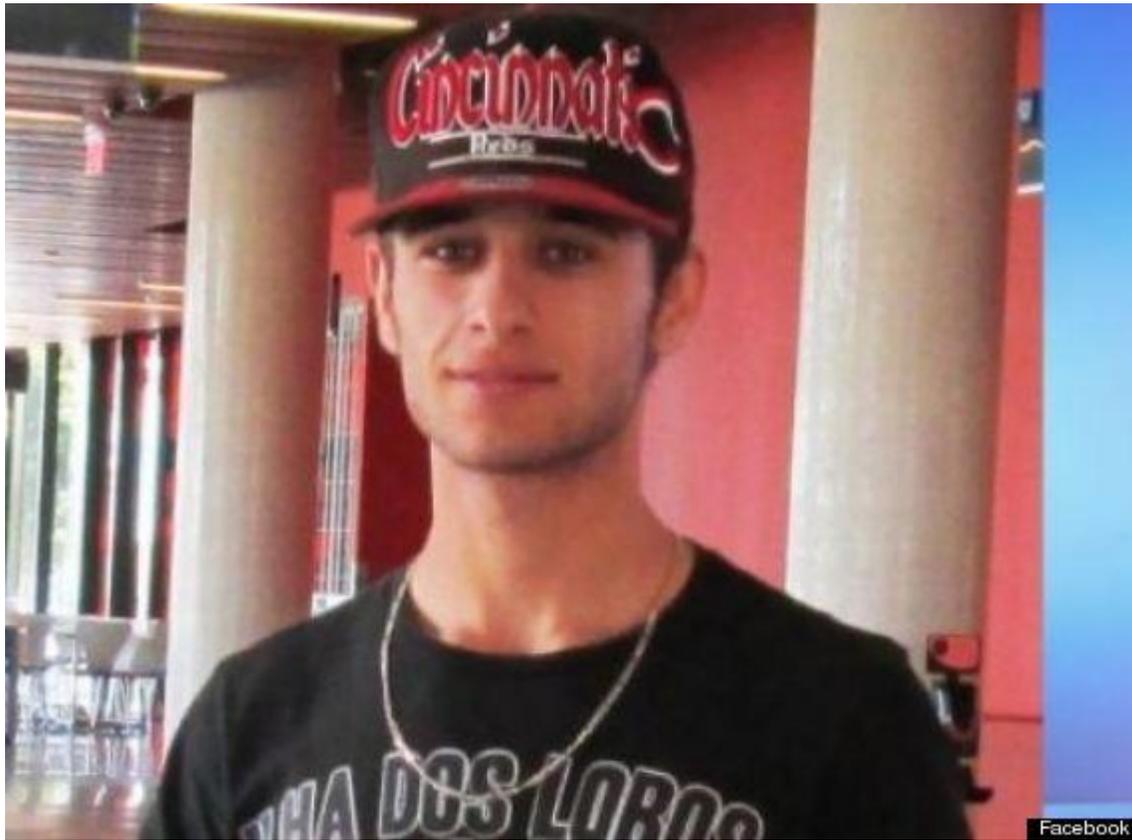
CP Const.

James Forcillo arrives at a Toronto courthouse on July 28, 2016 to be sentenced. (Photo: Michelle Siu/Canadian Press)

In handing down his sentence, Justice Edward Then said that video was "powerful evidence" that what Forcillo said occurred on the streetcar did not happen.

The police officer was acquitted in January of second-degree murder, but found guilty of attempted murder for continuing to fire after the dying teen had fallen to the floor.

His lawyers had argued for house arrest instead of a prison sentence, while the Crown asked for the officer to spend eight to 10 years behind bars.



Yatim was 18 when he died in a police shooting.

The offence carries a mandatory minimum sentence of four or five years, but the officer filed a constitutional appeal.

His lawyers have argued the mandatory minimum was never intended to apply to peace officers who legitimately carry a gun at the behest of the state in order to protect society.

Prosecutors say the mandatory minimum is meant to apply to everyone and argues that police officers shouldn't get special treatment.

They have argued that Forcillo's case appears to be "among the most egregious examples of unjustified violence by a police officer in Canada."

The public outrage over the July 2013 incident prompted the city's police chief to launch a review of officers' use of force and their response to emotionally disturbed people.



Yatim's mother, Sahar Bahadi, gave a victim impact statement during the trial. (Photo: The Canadian Press)

Yatim's mother, Sahar Bahadi, told the court she will never forgive Forcillo for killing her child.

"They say to move on, you have to forgive," she said during her victim impact statement. "But as a mother, I will not forget and I will never forgive. Human life matters. My son, Sammy, matters."

The teen's father also said he struggled to make sense of his son's death and wondered what would have happened if another officer had been on duty that night.

Forcillo's wife, meanwhile, said her husband doesn't deserve to go to jail because he isn't a risk to society.

In a letter to Justice Edward Then, Irina Forcillo said her husband is "the one whose purpose has always been to protect."

Forcillo has been out on bail ever since being charged in the July 2013 shooting.

The officer fired two separate volleys — three shots and then six shots — at Yatim, who had consumed ecstasy and was wielding a small knife on an empty streetcar.

Forcillo testified that he never wanted to kill anybody when he confronted Yatim, but fired because he thought the teen was about to come at him with his switchblade.