

Toronto police officer guilty in shooting death of teen in rare court decision

Canadian officer James Fortillo found guilty of attempted murder in the 2013 killing of Sammy Yatim, which was caught on video, sparking protests

Associated Press in Toronto

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A Toronto police officer has been found guilty of attempted murder in the shooting death of a teen in 2013.

The killing, caught on video, sparked protests in Canada's largest city after it was posted online.

Constable James Forcillo, however, was cleared of second-degree murder Monday in the death of 18-year-old Sammy Yatim. A murder charge against a police officer in Canada is rare.

The video shows Yatim holding a knife inside a streetcar, with police outside. Yatim goads police while officers yell, "Drop your knife!" Shortly after, three shots are fired. After a pause, six more shots are fired.

The second-degree murder charge against the officer relates to the first three shots he fired, while the attempted murder charge pertains to the second volley.

Some lawyers who followed the case said it appeared jurors tried to reach a compromise.

"This has been reflective of a sea change of where we're going in terms of police accountability," said Julian Falconer, the lawyer for the Yatim family. "Video has made police accountable."

Forcillo told the court he believed the knife-toting teen was about to come off the streetcar to attack him, which was why he fired.

Prosecutors had argued that Forcillo was a "hothead and a bully" who ignored other viable use-of-force options when he shot Yatim.

The case prompted the city's police chief to launch a review of officers' use of force and their response to emotionally disturbed people.

It wasn't immediately clear how much jail time, if any, the officer will receive. Forcillo's

lawyer Peter Brauti indicated he will try to have the proceedings stayed - which happens after a finding of guilt but before a conviction is registered. It disentitles the state to a conviction because of an abuse of process.

“We say the abuse of process is Const. Forcillo substantially followed the police training he was given and so if the state gave him that training, they should not be entitled to a conviction in the matter,” Brauti said outside the courthouse.

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