

**VICTIM IMPACT STATEMENT  
DÉCLARATION DE LA VICTIME**

SUPERIOR/ONTARIO\* COURT OF JUSTICE  
COUR SUPÉRIEURE DE JUSTICE/DE JUSTICE DE L'ONTARIO\*

CANADA  
PROVINCE OF ONTARIO  
PROVINCE DE L'ONTARIO

Toronto  
(Region / Région)

Form / Formule 34.2  
Subsection 722(4) of the Criminal Code  
Paragraphe 722(4) du Code criminel

Case/File No. / N° du cas/dossier

Court Location: Superior Court of Justice - Toronto  
Adresse du tribunal :

In the matter of: R. v. James Forcillo  
Dans l'affaire de : R. c. (insert name of accused/offender / nom de l'accusé/du délinquant)

Victim/writer's name: Sahar Bakhali  
Nom de la victime/du déclarant :

This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. You may attach additional pages if you need more space.

*La présente formule peut être utilisée pour présenter une description des dommages—matériels, corporels ou moraux—ou des pertes économiques qui vous ont été causés par suite de la perpétration d'une infraction ainsi que des répercussions que l'infraction a eues sur vous. Vous pouvez ajouter des pages additionnelles au besoin.*

**Your statement must not include:**

**La déclaration ne peut comporter :**

- any statement about the offence or the offender that is not relevant to the harm or loss you suffered;  
*de propos concernant l'infraction ou le délinquant qui ne sont pas pertinents au regard des dommages ou pertes que vous avez subis;*
- any unproven allegations;  
*d'allégations non fondées;*
- any comments about any offence for which the offender was not convicted;  
*de commentaires sur des infractions pour lesquelles le délinquant n'a pas été condamné;*
- any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence; or  
*de plaintes au sujet d'un particulier, autre que le délinquant, qui était associé à l'enquête ou à la poursuite de l'infraction;*
- except with the court's approval, an opinion or recommendation about the sentence.  
*sauf avec la permission du tribunal, de points de vue ou de recommandations au sujet de la peine.*

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

*Vous pouvez présenter un compte rendu détaillé des répercussions de l'infraction sur votre vie. Les sections ci-après ne constituent que des exemples de renseignements que vous pouvez inclure dans votre déclaration. Vous n'êtes pas obligé d'inclure tous ces renseignements.*

## Emotional Impact

### Répercussions d'ordre émotif

Describe how the offence has affected you emotionally. For example, think of

*Veillez décrire les répercussions d'ordre émotif que l'infraction a eues sur vous, par exemple, en ce qui concerne :*

- your lifestyle and activities;  
*votre mode de vie et vos activités;*
- your relationships with others such as your spouse, family and friends;  
*vos relations avec les autres, notamment votre époux ou épouse, votre famille et vos amis;*
- your ability to work, attend school or study; and  
*votre capacité à travailler, à fréquenter l'école ou à étudier;*
- your feelings, emotions and reactions as they relate to the offence.  
*vos sentiments, vos émotions et vos réactions à l'égard de l'infraction.*

*Pls. see attached.*

## Physical Impact

### Répercussions d'ordre physique

Describe how the offence has affected you physically. For example, think of

*Veillez décrire les répercussions d'ordre physique que l'infraction a eues sur vous, par exemple, en ce qui concerne :*

- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitation;  
*la douleur physique persistante, l'inconfort, les maladies, les cicatrices, le défigurement ou les restrictions physiques;*
- hospitalization or surgery you have had because of the offence;  
*une hospitalisation ou des interventions chirurgicales que vous avez dû subir en raison de l'infraction;*
- treatment, physiotherapy or medication you have been prescribed;  
*les traitements, la physiothérapie ou les médicaments qui vous ont été prescrits;*
- the need for any further treatment or the expectation that you will receive further treatment; and  
*les traitements supplémentaires dont vous aurez besoin ou que vous vous attendez à recevoir;*
- any permanent or long-term disability.  
*une invalidité permanente ou de longue durée.*

*P/s. see attached.*

## Economic Impact

### Répercussions d'ordre économique

Describe how the offence has affected you financially. For example, think of

*Veillez décrire les répercussions d'ordre économique que l'infraction a eues sur vous, par exemple, en ce qui concerne :*

- the value of any property that was lost or damaged and the cost of repairs or replacement;  
*la valeur des biens perdus ou détruits et le coût de réparation ou de remplacement de ces biens;*
- any financial loss due to missed time from work;  
*les pertes financières imputables à l'absence du travail;*
- the cost of any medical expenses, therapy or counselling;  
*les dépenses médicales et le coût de la thérapie et du counseling;*
- any costs or losses that are not covered by insurance.  
*les coûts, pertes ou dépenses qui ne sont pas couverts par l'assurance.*

**Please note that this is not an application for compensation or restitution.**

***Veillez noter que la présente déclaration ne constitue pas une demande d'indemnisation ou de dédommagement.***

*Pls. see attached.*

## Fears for security

### *Craintes concernant la sécurité*

Describe any fears you have for your security or that of your family and friends. For example, think of

*Veillez décrire toute crainte que vous avez pour votre sécurité ou celle de votre famille et de vos amis, par exemple :*

- concerns with respect to contact with the offender; and  
*des préoccupations concernant des contacts avec le délinquant;*
- concerns with respect to contact between the offender and members of your family or close friends.  
*des préoccupations concernant des contacts entre le délinquant et des membres de votre famille ou des amis proches.*

*Pls. see attached.*

**Drawing, poem or letter** (attach a separate page if needed)

**Dessin, poème, lettre** (joindre une page additionnelle au besoin)

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you.  
*Vous pouvez utiliser cet espace pour faire un dessin ou écrire un poème ou une lettre si cela peut vous aider à dépeindre les répercussions que l'infraction a eues sur vous.*

*P/s. see attached.*

☒ I would like to present/read my statement in court.  
*J'aimerais présenter/lire ma déclaration devant le tribunal.*

To the best of my knowledge, the information contained in this statement is true.  
*À ma connaissance, les renseignements contenus dans la présente déclaration sont exacts.*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_,  
*Fait ce \_\_\_\_\_ jour de \_\_\_\_\_,*

at \_\_\_\_\_  
*à(au) \_\_\_\_\_*

\_\_\_\_\_  
*Signature of Declarant / Signature du déclarant*

Your name:  
*Votre nom :*

If you completed this statement on behalf of the victim, please indicate the reasons why you did so and the nature of your relationship with the victim.

*Si vous avez rempli la présente déclaration au nom de la victime, veuillez indiquer les raisons pour lesquelles vous l'avez fait ainsi que la nature de votre relation avec elle.*

If you are not the person against whom the offence was committed but are completing this form on your own behalf, please indicate your relationship with the victim.

*Si vous n'êtes pas la personne contre qui l'infraction a été commise, mais que vous remplissez le présent formulaire pour votre propre compte, veuillez indiquer votre lien avec la victime.*

Dated this 15 day of April, 20 16,  
Fait ce \_\_\_\_\_ jour de \_\_\_\_\_

at Toronto  
à(au) \_\_\_\_\_ (location / lieu)

Sahar Bahadi 

Signature of Declarant / Signature du déclarant

Your name: \_\_\_\_\_

Votre nom: \_\_\_\_\_

mother of  
victim  
Sammy

## Victim Impact Statement of Sahar Bahadi

First of all, I am thankful to the Judge, the Crown Attorney and the jury for their hard work. I know that this was a challenging trial and I am grateful for their efforts.

Let me start by saying that in Syria, I used to belong to a group of professionals that met regularly to discuss cultural events, classical and modern books and international issues. I would sometimes read aloud some of the poetry I had written. Writing poetry was a way of expressing my emotions. However, no statement that I have written since Sammy's death can express the emotions of anger and denial I have screaming inside of me.

Today I am here to speak for my son, Sammy. It is important to me that everyone understands that Sammy's life did not only consist of the period of time we saw him on the streetcar on July 27<sup>th</sup>, 2013. When he died – it was not only one death. A big part of everyone who knew Sammy died that day. His life was so much more.

Sammy was a wonderful young man and he was a very important part of our family. He was the first child to be born in my family and his father's family. When he was born it was like a present from God to us. He was the sunshine of our lives. He was everything to us. We were so happy. We watched him all of the time – awake or sleeping. Like many mothers, I live for my children.

When I have talked with his friends and asked them to tell me stories about my son, they tell me we could talk day and night for a month and still not describe Sammy completely. I feel that way, too. Sammy was a quiet boy, a good boy. Everyone liked him, his friends, teachers, everybody. I remember one time, when he was young and was in Scouts, he broke his arm and they brought him to my clinic. When I took him back the next week, there were about 700 Scouts there and they were so happy to see him that they lifted him onto their shoulders. I have played another memory over and over in my head when Sammy was about four years old. It was very dusty in Aleppo one day – it fell just as snow would fall here in Canada. Sammy looked at me and asked, "Mommy – why is it so dusty outside? Is God cleaning his house?" He was loved by people who knew him and constantly wondering about the world around him.

It was important when they were young that my children loved books as much as I did. I always bought them books. Sammy borrowed so many from the library during one of his summer visits to Canada that they actually gave him an award. He was interested in so many things and much more than just a good student. He loved sports. He swam like a fish and was on the first place basketball team in Syria. Both of my children went to music school when they were young. Sammy played the guitar and my daughter, Sara, played violin. Their instruments were two of the very few things we brought with us when we left Syria.

He was a loving son, a protective older brother, and cared very much for his family. Once, when I asked him if there was a place for me in his future life, he told me that not only would he take care of me and his sister, he would also be responsible for my sister (his aunt) and his grandmother. He was so important to his family, and so loved.



The Sammy we know is not the Sammy we saw on the street car. It was clear to everyone who knew him that something was wrong that night. He was not himself. Listening to my son being judged and his reputation manipulated was so hard. I felt so bad because Sammy was not as he was described. So many times in court I wanted to stand and scream and say, 'no, no, he's not like that,' but I had to control myself. That was very hard for me. As his mother, watching what happened again and again, I can only imagine how scared he was when he was on that streetcar and how terrifying it must have been for him - lying on the floor. As a mother and a doctor, I struggle with the fact that I could not help him, that I could not help ease any of the pain he was experiencing.

I suffer every second of every day because of what happened to my son. I miss my Sammy. I would die myself to look at his face and see his green eyes once again. I feel Sammy in every cell of my being. I want to hold him in my arms - not his ashes. I relive our memories over and over again in my head. He is with me every second of every day. Often when I am reminded of Sammy - either a place in the city we travelled or I am close to where he worked, I close my eyes - he is between my eye and my eyelids. With my eyes closed I am closer to him. The hardest time of the day is the morning when I have to wake up and realize what happened is true. I look forward to going to sleep because I can relive all of my memories of each day of his short life. The last hour of his life destroys me.

My life will never be the same. I used to be very hard working and very active. Now I feel disabled. The death of my son, and more importantly the tragic way he died, changed who I am, as a person. As a doctor I spent my whole career caring for sick people. I could never imagine what it was like for mothers who lost their children because of illness. Their deaths affected me and I cried if my patients died. I always prayed to God for my children to be healthy. My biggest fear was that they would get sick. Never could I have imagined that my child would die this way. Now, more than ever, I have so much compassion with anyone who suffers - especially those who are in crisis and need help.

I know that nothing in this world will compensate me for the loss of my son. Nor will anything bring him back to me. But all I ask for is justice for him. I hope there are changes in police policies for dealing with people who are in crisis in order for this painful incident not to repeat again. I want the police to remain a source of confidence, security and respect for all people.

I do not want another mother to suffer, as I do. I have confidence in the justice of God and the law. I want Sammy's death to mean something. I don't want Sammy or anyone like him to be forgotten. I can't help but wonder if it happened to someone else, would they accept it? In my work I saw the pain of others but didn't live it myself. Experiencing something like this, yourself, makes it very real. It is the difference between empathy and imagining some else's pain and actually feeling the devastating pain yourself.

They say to move on you have to forgive. As Christians, we are taught to forgive. But, as a mother, I will not forget and I will never forgive.

Human life matters. My son, Sammy, mattered.