

Investigators' visit to apartment led to Const. James Forcillo's arrest

The Toronto police officer was sentenced to six years in prison for the 2013 shooting of Sammy Yatim, but had been out on bail while appealing his conviction.

A Toronto cop convicted of attempted murder has been arrested for allegedly breaching bail. Const. James Forcillo is accused of breaching house arrest conditions. (The Canadian Press)

By [BETSY POWELL](#) City Hall Bureau

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Opening a door this week may have cost Toronto police Const. James Forcillo his freedom — albeit under strict house arrest conditions — while he waits for his appeals to be heard next year.

Forcillo was found guilty of attempted murder in January 2016 in the 2013 shooting death of Sammy Yatim as the teen stood alone on a TTC streetcar brandishing a small knife.

He was sentenced to six years' imprisonment and was released in July 2016 pending appeals of his conviction and sentence. Forcillo's bail conditions included that he live with a surety, his now ex-wife Irina Ratushnyak, in their Vaughan home with their two children.

She and her parents each signed a surety in the combined amount of \$510,000, money pledged to the court if Forcillo breached his bail conditions or failed to show up in court.

But the marriage fell apart, the couple divorced, and Forcillo reconnected with a woman he knew from college in California.

That woman, Sara Balderrama, moved to Toronto and the pair planned to move into an apartment together and marry. Earlier this month, Forcillo's lawyers filed an application to have his address changed and add Balderrama as a surety. Court documents filed as

part of that application detail the changes in Forcillo's personal life. A hearing was scheduled for Thursday.



Const. James Forcillo was arrested for allegedly breaching his bail conditions related to his house arrest. Forcillo is shown leaving court in Toronto on Jan. 25, 2016. (CHRIS YOUNG / THE CANADIAN PRESS)

But before that happened, two investigators knocked on a Toronto apartment door Tuesday at 9:30 a.m.

“Good morning, James, you are not supposed to be here,” one of the investigators said, according to court documents filed on behalf of the attorney general. “I know, it is only temporary, I’m not here all the time, it is just temporary,” Forcillo replied.

The next day, Forcillo was arrested, taken into custody and charged with failing to comply with his recognizance, which carries a maximum sentence of two years’ imprisonment.

A bail hearing in relation to the new charge was adjourned in provincial court until Friday.

Except on Thursday, the attorney general filed a notice with the Ontario Court of Appeal asking a judge to revoke Forcillo's bail.

"There are reasonable grounds to believe that the respondent has violated the terms and conditions of the judicial interim release order . . . by being outside his court-ordered residence," the application notice states.

The revocation and detention is in the public interest because there is evidence he "flagrantly breached" his house arrest and because his sureties "are no longer suitable, having failed to effectively supervise him in the community," the application states.

The court file includes a photo of the name "J. Forcillo," which appears on the intercom directory in the apartment lobby where he answered the door. There is also a copy of the lease signed Oct. 29 by Forcillo and Balderrama.

On Friday, prosecutor Peter Scrutton indicated that the bail hearing was adjourned pending the outcome of the revocation application in the Court of Appeal, which is expected to be heard in the next two weeks.

Forcillo was remanded in custody and will return to court Nov. 30. Because he is a police officer, he is in protective custody at the jail.

Read more:

[Attorney general seeking to revoke Const. James Forcillo's bail](#)

[Drunk driving case collapses after Toronto cop charged in Dafonte Miller beating fails to testify](#)

[Const. James Forcillo charged with breaching bail conditions](#)