



Const. James Forcillo loses appeal of attempted murder conviction in Sammy Yatim shooting

Canadian Press

More from Canadian Press

Published:
April 30, 2018

Updated:
April 30, 2018 12:07 PM EDT

Filed Under:
[Toronto SUN](#) > [News](#) >
[Toronto & GTA](#)



Toronto Police Const. James Forcillo leaves the courthouse at 361 University Ave. in Toronto on May 16, 2016. Ernest Doroszuk/Toronto Sun

RELATED

NEWS

Forcillo loses appeal of attempted murder conviction



NEWS

Skateboarder sought in alleged assault downtown



MUSIC

From sports to music: Meet The Lay Awakes



NEWS

MANDEL: JP who helped lover finally getting benched



TORONTO — A Toronto Police officer who was convicted of attempted murder in the shooting death of a troubled teen has lost his appeal of his conviction.

In July 2013, Const. James Forcillo fired two separate volleys at Sammy Yatim, an 18-year-old who had consumed ecstasy and was wielding a small knife on an empty streetcar.

Court heard the first round of shots was the one that killed him.

Yatim's killing set off a wave of public outrage and protests after a video of the shooting went viral.

Enhanced audio/video - Shooting of Sammy Yatim by Toronto Polic...



Forcillo was convicted of attempted murder related to the second volley, but was acquitted of the more serious charge of second-degree murder.

He was sentenced to six years behind bars, a year more than the mandatory minimum.

Forcillo had asked the appeal court to substitute a not-guilty verdict or order a new trial due to evidence the judge excluded from trial.

The defence has argued Superior Court Justice Edward Then was wrong to exclude cellphone and expert evidence about the possibility of “suicide by cop.”



Sammy Yatim

They say the judge should have declared a mistrial because excluding that evidence prevented the defence from countering the narrative put forward by prosecutors, which painted Yatim as a young man in crisis.

Court documents show Forcillo's lawyers had intended to argue the crisis was such that it could not be de-escalated.

10 Comments
Share your thoughts

Featured Articles



Marlies avoid first-round upset with 4-0 win over Utica

They were Toronto's two swaggering hundred-point regular season teams, who each hoped to play into late May. Both were in danger of being eliminated in April, the Maple Leafs first to fall on...

RELATED POSTS

HOMES

Colin and Justin: Your own personal patio

TORONTO & GTA

Forcillo loses appeal of attempted murder conviction

TORONTO MAPLE LEAFS

Lamoriello out as Leafs GM

TOP STORIES



Lamoriello out as Leafs GM

Maple Leafs to sign Swedish centre Par Lindholm: Reports

MALCOLM: 'Poor' asylum seekers dump expensive electroni

GOLDSTEIN: Scheer's carbon fantasies as bad as Trudeau's



Forcillo loses appeal of attempted murder conviction



MANDEL: JP who helped lover finally getting benched

THIS WEEK'S FLYERS

PETSMART health & solutions

for the love of pets

SAVE UP TO \$7

Hover for **Flyer**

IKEA

is sweet to be neat.

SHOP NOW

Hover for **Flyer**

NAPA AUTO PARTS

SHOP NOW

Hover for **Flyer**

Leon's

part of the family

SALE 100 YEARS

SAVE \$800 SOFAS & SECTIONS | SAVE \$1000 BEDROOM SETS

Hover for **Flyer**

Power

COMMENTS

We encourage all readers to share their views on our articles and blog posts. We are committed to maintaining a lively but civil forum for discussion, so we ask you to avoid personal attacks and please keep your comments relevant and respectful. If you encounter a comment that is abusive, click the "X" in the upper right corner of the comment box to report spam or abuse. We also have a Facebook commenting. [Visit our FAQ page](#) for more information.

10 Comments

Sort by



Add a comment...

**Robert Jarrett** · Western University

Interesting contrast between how Forcillo "handled" the confrontation and that of the recent confrontation between another cop and the van driver on Yonge Street. I th literally got away with murder.

Like · Reply · 6 · 3h

**Wayne Thompson** · Brock University

the cop who handeled the van did not follow procedure as stated by his chief. The cop asked the chief what would have happeend to him if he did and fired. H follow procedure putting lives at risk because of this case where the officer did and was sent to prison. Thats scary. police not following procedure out of fear c

Like · Reply · 31m

**Enrico Palazzo**

Wayne Thompson Nonsense. If a cop can apprehend a criminal with out killing them and putting further civillians lives in danger then he did the right thing. Th the streetcar was contained and the situation was in control, There was no need for death by a one man firing squad...

Like · Reply · 6m

**Wayne Thompson** · Brock University

as the appeal states this Forcillo is the only officer in the history of the Common wealth to have been justified in killing a man but sent to jail for trying to kill that same r same incident. The absurdity is beyond reason. This should be over turned

Like · Reply · 29m

**Pete Wal**

Thank God we have smartphones or this Toronto cop would be getting away with muder and still on the job. How many criminals do we still have on the Toronto force? than we all think.

Like · Reply · 1 · 2h

**John Lee**

Who is paying for this high price legal help? We know Forcillo is broke.

Like · Reply · 2 · 3h

**Branden Townsend** · Independent Learning Centre

Police Union

Like · Reply · 2h

**John Lee**

Branden Townsend

Not sure about that.

I think McCormack said last year they were not paying anymore.

Like · Reply · 1h

**Adam Peters** · Entrepreneur at Supporting welfare bums for 40 years

Weep not over one less, make that two punk tough-guy wannabes on the streets.

Like · Reply · 3h

[Load 5 more comments](#)[Facebook Comments Plugin](#)

CONNECT WITH TORONTO SUN

[Subscribe](#) | [Edit Profile](#) | [Ways to Read](#) | [FAQS](#) | [Sitemap](#) | [Advertise](#) |