

# THE CORD

THE TIE THAT BINDS WILFRID LAURIER UNIVERSITY SINCE 1926

VOLUME 56, ISSUE 17 · JANUARY 8, 2016

## UNVEILING THE TRUTH

*News Editor **Laura Howells** reports on the court proceedings of Toronto Police Service officer after fatal shooting*

James Forcillo's lawyer asked the jury to use its "common sense" as he wrapped up his concluding argument Wednesday in the trial of the Toronto police officer accused of shooting and killing 18-year-old Sammy Yatim.

Lawyer Peter Brauti argued that Forcillo was just doing what he was trained to do and had to make difficult decisions in the spur of the moment.

Brauti said the Crown needs to prove that Forcillo wanted to kill Yatim, and that it has not successfully done so.

"You'd have to believe he shot him for sport. Or that he shot him out of anger or spite, as they want you to believe," he said.

Forcillo, 32, is charged with second-degree murder and attempted murder, after shooting Yatim nine times aboard an empty Toronto streetcar. He has pleaded not guilty to both charges.

Police were called to the scene after Yatim exposed himself to other passengers and brandished a 10-centimeter switchblade. He was still holding the switchblade when Forcillo arrived, and refused 12 orders to drop it.

Forcillo fired two volleys of shots at Yatim, first shooting three times and knocking him to

the floor. He then fired six more bullets.

Brauti said that several misconceptions led Forcillo to believe that Yatim might attack him, including Forcillo's testimony that Yatim grabbed the switchblade and sat up after the first round of shots.

The Crown has repeatedly shown the jury video showing that Yatim did not sit up after the first three shots were fired—he was paralyzed from the waist down by one of the first three bullets that fractured his spine.

Brauti argued that Forcillo's intense focus lead him to misperceive things.

"An honest but mistaken belief," said Brauti.

He said that even if shooting Yatim was a departure from police training, that did not equate to murder.

Brauti argued that many people on the streetcar believed Yatim was going to attack them.

He reminded the jury that police were called to the scene by a 911 call, and said that many people were frightened by Yatim, some even crying when Forcillo arrived.

The Crown began its final arguments Thursday morning.