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Man mistakenly shot by police with gun instead of Taser sues city

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- A Florida man is suing the city of Hollywood after a local cop shot him with a gun instead of a Taser.
 - Michael Ortiz, 43, called 911 while suffering a mental health episode, his lawsuit said.
 - Police tased Ortiz while he was subdued and shot him in the back with a firearm, per the complaint.

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A Florida man who was paralyzed after an officer mistakenly shot him with a gun instead of a Taser is now suing the city of Hollywood and its fire rescue and police departments.

Michael Ortiz, 43, was shot in the back on July 3, 2021, after officers restrained him with handcuffs at his mother's apartment, according to the complaint filed Tuesday in the US District Court for the Southern District of Florida.

Ortiz called 911 after experiencing a mental breakdown and chest pains, and was speaking incoherently and acting erratically when Hollywood Fire and Rescue personnel arrived, said the complaint,

seen by Insider.

He was taking a shower when first responders showed up, and answered the door naked, per the lawsuit.

Fire rescue personnel "gained control of Michael by placing him on the ground," and three police officers arrived at the scene shortly, the complaint said.

Ortiz was screaming and flailing while this happened, but the officers managed to restrain him, the lawsuit said.

Then one of the police officers shot Ortiz with a Taser. The cops placed him in handcuffs and dragged him to the apartment elevator, according to the complaint.

As he started to rouse from the shock of the Taser shot, Ortiz "became alarmed as he was still naked, in handcuffs, and on the ground," per the complaint.

The same officer tried to shoot Ortiz again with a Taser, and that was [when a second officer grabbed his service firearm, placed it on Ortiz's back, and shot him](#), the lawsuit said.

The Hollywood Police Department said in a February 2022 review that [the officer who shot Ortiz had "intended to deploy his Taser, but instead discharged his firearm."](#)

Ortiz was neither committing a crime nor posing a threat to the officers when he was shot, said the lawsuit. He was paralyzed from the waist down after the incident, and must now use a wheelchair.

Hunter Shkolnik, a lawyer for Ortiz, said in a Wednesday press conference that [Ortiz also owes \\$3 million in medical bills because of the incident](#), and that the hospital asks him "weekly" for payment.

Ortiz's complaint names the three police officers, the City of Hollywood, the Hollywood Police Department, and the Hollywood Fire Rescue and Beach Safety Department as defendants.

It accuses the three officers of using excessive force, failing to intervene in the shooting, and said the two officers who tased and shot Ortiz committed battery and assault.

The lawsuit also accused local authorities of failing to train their officers to handle mental health cases, condoning excessive force through their policies, and negligence.

"Michael Ortiz needed a helping hand, but what he got was a bullet to the back," said [civil rights attorney Ben Crump, who is representing Ortiz.](#)

Crump said the incident involving Ortiz would never have happened if officers had followed their training, and accused the three policemen of being "reckless."

Lawyers for Ortiz did not immediately respond to Insider's request for comment. After-hours calls to the press department of the City of Hollywood were not answered.