

**BEFORE A MEMBER OF THE POLICE BOARD
OF THE CITY OF CHICAGO**

IN THE MATTER OF THE)	
RECOMMENDATIONS FOR DISCIPLINE OF)	
POLICE OFFICER PAUL LANE, STAR No. 15431,)	No. 22 RR 23
AND)	
LIEUTENANT ELVIS ORTEGA, STAR No. 457,)	No. 22 RR 24
STAR No. 8781, DEPARTMENT OF POLICE,)	
CITY OF CHICAGO.)	(CR No. 2020-5147)

REQUEST FOR REVIEW

On December 12, 2022, the Executive Director of the Police Board of the City of Chicago received from the Chief Administrator of the Civilian Office of Police Accountability (COPA) a request for review of the Chief Administrator’s recommendations for discipline of Police Officer Paul Lane, Star No. 15431, and Lieutenant Elvis Ortega, Star No. 457, arising out of the investigation of Complaint Register No. 2020-5147 (“Request for Review”).

The investigation stems from an incident at approximately 3:00 a.m. on November 7, 2020, in the 15th Police District. According to the Summary Report of Investigation, ShotSpotter detected multiple gunshots. An officer monitoring a POD camera observed the incident and provided a description of the subjects over the air. A few minutes later, Officer Lane and Sergeant Kevin Stephans were on patrol when they observed Tyrie Williams running in an alley approximately two blocks from the location of the shooting. Williams had a firearm in his left hand and he matched the description of one of the subjects. Officer Lane exited his vehicle and engaged in a brief foot pursuit of Williams, who tossed his firearm and fell to the ground as he ran around a corner. After some resistance on the part of Williams, Officer Lane and Sergeant Stephans placed handcuffs on Williams and took him into custody. During the struggle, Officer Lane used force against Williams. Following the conclusion of the investigation, the Chief

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Administrator issued recommendations for discipline of Officer Lane, Sergeant Stephans, and Lieutenant Ortega, who reviewed body-worn-camera video and reports of the incident. The Superintendent of Police did not agree with the Chief Administrator's recommendations and proposed less discipline for Officer Lane and Lieutenant Ortega (the Superintendent agreed with the recommendation for discipline of Sergeant Stephans).

The Chief Administrator recommended that the following allegations against Officer Lane be *Sustained*:

On or about November 7, 2020, at approximately 2:56 a.m., at or near 1103 North Lorel Avenue in Chicago, Officer Lane:

1. Struck Tyrie Williams in the groin area without justification while he was handcuffed;
2. Struck Tyrie Williams with his (Officer Lane's) firearm without justification;
3. Pointed his firearm at or in the direction of Tyrie Williams without justification;
4. Directed profanities and unprofessional language at Tyrie Williams without justification; and
5. Acted inconsistently with his training under ETB #18-01, Foot Pursuits Training Bulletin, by failing to make the required notification to the Office of Emergency Management and Communications (OEMC).

The Chief Administrator recommended that Officer Lane be suspended from the Chicago Police Department for a period of three hundred and sixty-six (366) days.

The Superintendent disagreed with the Chief Administrator's recommendation for discipline of Officer Lane. The Superintendent did not agree with the recommendation regarding Allegation No. 5 and proposed that Officer Lane be suspended for a period of three hundred and sixty-five (365) days (the Superintendent agreed that Allegation Nos. 1 – 4 be *Sustained*).

The Chief Administrator recommended that the following allegation against Lieutenant

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Ortega be *Sustained*:

On or about November 8, 2020, at approximately 12:19 a.m., at or near the 15th District police station, Lieutenant Elvis Ortega:

1. Failed to report to COPA the misconduct of Officer Paul Lane that occurred on or about November 7, 2020, at approximately 2:56 a.m., at or near 1103 N. Lorel Avenue.

The Chief Administrator recommended that Lieutenant Ortega be suspended from the Chicago Police Department for a period of three hundred and sixty-six (366) days.

The Superintendent disagreed with the Chief Administrator's recommendation for discipline of Lieutenant Ortega. The Superintendent proposed that Lieutenant Ortega be suspended for a period of thirty (30) days (the Superintendent agreed that Allegation No. 1 be *Sustained*).

According to the Certificate submitted by the Chief Administrator: (1) the Chief Administrator issued the recommendation for discipline on May 27, 2022; (2) the Chief Administrator received the Superintendent's written response on August 24, 2022; (3) the Chief Administrator's designees met with the Superintendent's designees and concluded their discussion of this matter on December 2, 2022; and (4) the Request for Review was sent via email to the Executive Director of the Police Board on December 12, 2022.

The Executive Director of the Police Board prepared and forwarded the Request for Review file to Nanette Doorley, the member of the Police Board who was selected on a random basis, pursuant to Article VI of the Police Board's Rules of Procedure ("Reviewing Member"). The Reviewing Member reviewed the Request for Review pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago and Article VI of the Police Board's Rules of Procedure.

OPINION

It is my opinion that, based on a thorough review of the Request for Review material, the Superintendent met the burden of overcoming the Chief Administrator's recommendations for discipline. Regarding Officer Lane, based on the totality of the circumstances, including that Officer Lane was pursuing a man with a gun and was working with Sergeant Stephans, who was not his regular partner, I am persuaded that the allegation that Officer Lane failed to make the required notification to OEMC should not be sustained and, therefore, a one-day reduction in the suspension (from 366 to 365 days) is appropriate. Regarding Lieutenant Ortega, I believe that a 30-day suspension without pay is a significant level of discipline that will communicate to Lieutenant Ortega and CPD supervisors the importance of reporting an officer's misconduct to COPA.

Therefore, pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago, the Superintendent's proposed discipline of Police Officer Paul Lane, Star No. 15431, and Lieutenant Elvis Ortega, Star No. 457, shall be implemented.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 29th DAY OF DECEMBER, 2022.

/s/ NANETTE DOORLEY
Member

Attested by:

/s/ MAX A. CAPRONI
Executive Director