



CIVILIAN OFFICE OF POLICE ACCOUNTABILITY
INTEGRITY • TRANSPARENCY • INDEPENDENCE • TIMELINESS

Log # 2024-0005739

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On June 22, 2024, the Civilian Office of Police Accountability (COPA) received an Initiation Report² from Chicago Police Department (CPD) Lieutenant Joel Keller, relative to improper force tactics used by Officer Lawrence J. Malang in securing a juvenile, ██████ ██████ in a holding cell at 017 District on June 17, 2024. The report indicated Officer Malang had made physical contact with the neck area of ██████

COPA conducted a preliminary investigation, served allegations on Officer Malang, further investigated the matter, and subsequently sustained allegations against Officer Malang regarding Officer Malang's use of excessive force as well as with respect of the officer's failure to secure his pistol before entering a holding cell.



This image (Att. 33) from Officer Murillo's BWC footage depicts Officer Malang's hand around ██████ neck while ██████ is restrained inside the lockup holding cell.

¹ Appendix A includes case identifiers such as the date, time, and location of the incident, the involved parties and their demographics, and the applicable rules and policies.

² Att. 1.

II. SUMMARY OF EVIDENCE³

Multiple officers were involved in the arrest and apprehension of three juveniles (██████████ another male juvenile, and a female juvenile). ██████████ was arrested on charges of attempting a carjacking with what turned out to be a toy airsoft rifle. After attempting to flee on a city bus, the juveniles were subject to an investigatory stop in which all three were initially cooperative. However, when the female juvenile resisted being placed in handcuffs, ██████████ and the other male juvenile began offering some resistance to the officers after they were placed in handcuffs. They resisted being placed in CPD vehicles for transportation and several officers were required to lift them into the back of CPD vehicles.⁴ Each juvenile arrested was transported to 017 District in a separate police vehicle.

Officer Malang was not involved in the arrest and apprehension of ██████████ or the other juveniles; Officer Malang's role was to receive ██████████ at the 017 District police station and bring him into the holding cell for processing. From the moment Officer Malang encountered ██████████ outside the station, ██████████ hands were handcuffed behind ██████████ back. ██████████ remained handcuffed throughout the entire interaction with Officer Malang. Officer Malang did not secure his firearm before the arrival of ██████████ at 017 District and brought the weapon into the detention area.

When Officer Malang met him at the CPD vehicle ██████████ called Officer Malang a "Bitch-ass nigger." Officer Malang and another officer brought ██████████ from the marked CPD patrol car parked outside the station into the building.⁵ A third officer assisted and numerous other officers were present.

The male juvenile who was arrested at the same time as ██████████ was heard yelling from another room in the lockup. ██████████ repeatedly cried out "██████████ be cool!" ██████████ appears to attempt to get up from the bench in lockup. Officer Malang then placed his hand near ██████████ throat.⁶ At the same time as he was placing his hands in the area of ██████████ throat, Officer Malang also drove his left knee into the side of ██████████ body and/or leg. Officer Malang grabbed ██████████ stomach with his open hand, pulling him further back on the bench in order to allow his handcuffs to be affixed to the wall. In response, ██████████ threatened Officer Malang with later retribution ("I'll catch your bitch ass on the street"). ██████████ was seated on the bench inside the holding cell at the time. Thereafter, the handcuffs which secured ██████████ hands

³ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including BWC footage, police reports, and interviews. In particular, evidence in this matter includes body worn camera (BWC) footage of officers who were present: Officer Malang (Att. 21) and Officer Davis Murillo (Att. 22). ██████████ was interviewed in the presence of his mother and his attorney (Att. 47).

⁴ Att. 30 and Att. 32.

⁵ Officer Malang was 37 years old as of the date of his interview; he is significantly taller and twice as heavy (6' tall, 240 lbs. by his own description) compared to ██████████ who was either 15 or 16 years old at the time (5' 07", 111 lbs. as per the arrest report). Officer Malang was accompanied by his partner, Officer Davis Murillo, a designated filed training officer.

⁶ See BWC of Officer Malang, Att. 21, from 3:01 to 3:17; and Att. 34.

together behind ██████████ back were themselves affixed to a fixed point attached to the wall inside the cell with another set of handcuffs by Officer Murillo.

██████████ did not appear to have suffered any discernable injury from the interaction. ██████████ was calm, awake, and aware in the immediate aftermath of the incident.⁷ In his statement to COPA, ██████████ indicated that he requested medical attention at the time, but that it was not provided. ██████████ stated that his neck had red marks on it after the incident; this does not appear to have been documented anywhere and is not apparent from BWC footage. By the time ██████████ was assessed by the lockup keeper at 026 District, ██████████ did not appear to be injured, and the arrest report indicates that he did not request medical attention at 026 District.⁸ ██████████ was subsequently assessed when he was in-processed at the juvenile detention facility; he did not request additional medical attention at that time. According to ██████████ it was early in the morning, and he had not had the opportunity to sleep all night.⁹

III. ALLEGATIONS

Officer Lawrence Malang:

On or about June 17, 2024, at approximately 6:29 p.m., in a holding cell at the 17th District CPD, 4462 North Pulaski Road, Chicago, IL 60634, Officer Lawrence J. Malang, committed misconduct through the following acts or omissions by:

1. Using excessive force by placing his hands on ██████████ neck and pushed him into a wall.

- **Sustained**, in violation of Rules 2, 3, 6, 8, and 9.

2. Before entering a holding cell, while escorting ██████████ failed to properly secure his firearm, without justification.

- **Sustained**, in violation of Rules 2, 3, 6, and 10.

IV. CREDIBILITY ASSESSMENT

The credibility of an individual relies primarily on two factors: 1) the individual's truthfulness, and 2) the reliability of the individual's account. The first factor addresses the honesty of the individual making the statement, while the second factor speaks to the individual's ability to accurately perceive the event at the time of the incident and then accurately recall the event from memory. COPA finds there is sufficient evidence to question the credibility Officer Malang and ██████████

⁷ Att. 32.

⁸ Att. 3.

⁹ According to the arrest report (Att. 3) ██████████ arrived in the 025 District lockup at 29 minutes past midnight on June 18, 2024 and was released from lockup three hours later ("SENT TO AUDY."); in his statement ██████████ indicated that he was transported from 017 District to 025 District at some point.

In his statement to COPA, Officer Malang indicated that ██████ tried to bite him and that ██████ attempted to reach for Officer Malang's Taser. The BWC footage does not support this. There is no mention of any attempt by ██████ to bite Officer Malang or to reach for Officer Malang's Taser in any of the reports filed by Officer Malang at the time of the incident.

Additionally, not every aspect of ██████ statement matches up with the events depicted in the BWC video footage.¹⁰ ██████ indicated that he objected to Officer Malang concerning the restriction to his airway and that he requested medical attention from a female sergeant after the interaction with Officer Malang, but neither of those events appear to have been captured on BWC footage.

V. ANALYSIS¹¹

COPA finds that Allegation 1 that Officer Malang used excessive force by placing his hands on ██████ neck and pushed him into a wall is Sustained. CPD's stated highest priority is the sanctity of human life. In all aspects of their conduct, CPD expects that its members act with the foremost regard for the preservation of human life and the safety of all persons involved. CPD members are only authorized to use force that is objectively reasonable, necessary, and proportional, under the totality of the circumstances, to ensure the safety of a member or a third person, stop an attack, make an arrest, control a subject, or prevent escape. This means that CPD members may use only the amount of force necessary to serve a lawful purpose. The amount and type of force used must be proportional to the threat, actions, and level of resistance a person offers.

It is clear that Officer Malang placed his hands on ██████ neck, pushed ██████ against the wall of a holding cell at 017 District.¹² Although Officer Malang indicated that he considered ██████ an assailant based on ██████ threatening statement and was concerned that ██████ might spit, bite, kick, or head-butt him, ██████ is not making any movements on the BWC immediately prior to his neck being grabbed that indicate that he was an assailant. ██████ is a child who is significantly younger, smaller, and lighter than Officer Malang. ██████ hands were shackled behind his back. ██████ was in a CPD holding cell, inside a police station. ██████ was not armed and, although ██████ was providing some resistance to the officer and had been arrested on a serious charge, ██████ did not have the means of causing any serious harm to Officer Malang. Moreover, Officer Malang had his partner in the cell at the time and Officer Murillo was available to assist him.

¹⁰ It is important to recall in this regard that this complaint was not initiated by ██████ by his mother, by a guardian *ad litem*, or by an attorney. It was initiated by a CPD supervisor. ██████ was interviewed at COPA's initiative, as a witness in COPA's investigation. ██████ mother had been unaware of the nature and extent of the use of force against her son prior to the COPA's interview with ██████ Unlike Officer Malang, ██████ has had no opportunity to view BWC footage of the event.

¹¹ For a definition of COPA's findings and standards of proof, see Appendix B.

¹² See BWC of Officer Malang, Att. 21, from 03:01 to 03:17; and Att. 34. See also BWC of Officer Murillo, Att. 22, 02:36 to 03:00.

In Officer Malang's statement to COPA, he defended his actions, stating that ██████ attempted to bite him¹³ although this is not reflected in the BWC footage.¹⁴ Further, Officer Malang denied choking ██████ but rather indicated that he was knocked off balance. However, the BWC footage does not corroborate his account of this being an accidental touching of ██████ neck. ██████ was interviewed by COPA and stated that at no time did he attempt to bite Officer Malang or reach for a weapon on Officer Malang's utility belt.¹⁵ ██████ also stated he had difficulty breathing when Officer Malang's hand was around his throat.¹⁶

Lieutenant Keller told COPA¹⁷ that at 02:55 of Att. 22 (BWC of Officer Davis Murillo) Officer Malang's right hand was near ██████ neck area and that appeared problematic to him.¹⁸ Lieutenant Keller also told COPA that, at 02:33 of Officer Murillo's BWC, Officer Malang's left hand was near the neck area of ██████ and that this is not an acceptable technique for an officer to use on arrestee.¹⁹ Lieutenant Keller felt that the tactics used by Officer Malang in restraining ██████ warranted further investigation by COPA.²⁰

Considered in the totality of the circumstances, Officer Malang's actions were excessive and unjustified, and therefore misconduct. COPA finds Allegation 1 against Officer Malang to be **sustained**.

COPA finds Allegation 2 against Officer Malang to be **sustained**. Officer Malang alleged that he did not have sufficient time to disarm. However, COPA finds that Officer Malang had sufficient time to secure his firearm before escorting ██████ into 017 District.²¹ Officer Malang, however, did not secure his pistol; Officer Malang's firearm remained in its holster in the holding cell while he was attempting to restrain ██████²² When asked if he could have secured his firearm while standing at the door prior to ██████ arriving, he stated, "I guess that's possible, but we were looking for the cars to come in."²³ Per S06-01-02, officers are required to secure their firearms before entering a holding cell with a detainee.²⁴ Officer Malang's conduct violates the explicit requirements of S06-01-02²⁵ and was not excused by any exigent circumstances.

VI. DISCIPLINARY RECOMMENDATION²⁶

a. Officer Lawrence Malang

¹³ Att. 22 at 02:52.

¹⁴ Att. 22 at 02:52: ██████ opens his mouth, makes no contact with Officer Malang, and does not appear to be attempting to bite him.

¹⁵ Att. 47 at 17:29 to 17:54.

¹⁶ Att. 47 at 11:30, 11:44, 11:58, 12:44, 13:28.

¹⁷ Att. 48.

¹⁸ Att. 48, Pg. 14, Lns. 10-16.

¹⁹ Att. 48, Pg. 12, Lns. 8-12.

²⁰ Att. 48, Pg. 7, Lns. 5-9.

²¹ See Att. 22, BWC of Officer Murillo, from 00:56 to 01:34.

²² Atts. 33 and 34.

²³ Att. 51 at 22

²⁴ See S06-01-02, para. III, A, 1.

²⁵ See Att. 48, Pg. 10, Lns. 15-21.

²⁶ COPA policy, "Disciplinary and Remedial Recommendations," effective June 24, 2021.

i. Complimentary and Disciplinary History²⁷

The “Five Year Employee Compliant Register History” report received from CPD’s Bureau of Internal Affairs (BIA) lists no recent complaints where allegations against Officer Malang were sustained. CPD’s “SPAR History Report” lists no sustained findings. BIA’s report indicates that Officer Malang has 12 awards, including a 2019 Crime Reduction Award.

ii. Recommended Discipline

COPA has considered Officer Malang’s complimentary history and disciplinary history. This case involved the use of excessive force against a handcuffed child in CPD custody. [REDACTED] does not appear to have suffered any injury and Officer Malang did not at any time appear to intend or attempt to cause an injury to [REDACTED]. That said, given [REDACTED] size and age, it was incumbent on Officer Malang not to meet [REDACTED] level of intensity with his own, but to maintain and display a professional demeanor throughout the interaction. This Officer Malang did not do; he displayed a lack of discipline and professionalism when he disregarded the orders to which he is subject and resorted to unnecessary force. COPA recommends that he receive a suspension of 30 – 90 days and Use of Force Training.

Approved:

[REDACTED]

Sharday Jackson
Deputy Chief Administrator – Chief Investigator

November 26, 2024

Date

²⁷ Att. 49.

Appendix ACase Details

Date/Time/Location of Incident:	June 17, 2024 / 6:29 p.m. / 17 th District CPD, 4462 North Pulaski Road, Chicago, IL 60630
Date/Time of COPA Notification:	June 22, 2024 / 3:10 p.m. (Initiation Report)
Involved Officer #1:	P.O. Lawrence Malang, Star #7369, Employee ID# [REDACTED] Date of Appointment: August 16, 2017, Unit of Assignment: 017, Male, Asian
Involved Officer #2 (Complainant)	Lieutenant Joel T. Keller, Star #622, Employee ID# [REDACTED] Date of Appointment: July 12, 1999, Unit of Assignment: 017, Male, White
Involved Individual #1:	[REDACTED] Male, Black

Applicable Rules

- Rule 1:** Violation of any law or ordinance.
- Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 5:** Failure to perform any duty.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10:** Inattention to duty.
- Rule 14:** Making a false report, written or oral.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.

Applicable Policies and Laws

- 18 U.S.C. § 242, Deprivation of Rights Under Color of Law
- 720 I.L.C.S. 5/12-3, Battery
- G03-02: De-Escalation, Response to Resistance, and Use of Force (Effective Date: June 28, 2023)
- G08-05: Prohibition of Retaliation (Effective Date: August 22, 2023)
- S06-01-02: Detention Facilities General Procedures and Responsibilities (Effective Date: August 17, 2020)

Appendix B

Definition of COPA’s Findings and Standards of Proof

For each Allegation, COPA must make one of the following findings:

1. Sustained – where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained – where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded – where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated – where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that a proposition is proved.²⁸ For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with Department policy than that it did not, even if by a narrow margin, then the preponderance of the evidence standard is met.

Clear and convincing evidence is a higher standard than a preponderance of the evidence but lower than the “beyond-a-reasonable doubt” standard required to convict a person of a criminal offense. Clear and convincing can be defined as a “degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true.”²⁹

²⁸ See *Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005) (a proposition is proved by a preponderance of the evidence when it is found to be more probably true than not).

²⁹ *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th ed. 2000)).

Appendix C**Transparency and Publication Categories**

Check all that apply:

- Abuse of Authority
- Body Worn Camera Violation
- Coercion
- Death or Serious Bodily Injury in Custody
- Domestic Violence
- Excessive Force
- Failure to Report Misconduct
- False Statement
- Firearm Discharge
- Firearm Discharge – Animal
- Firearm Discharge – Suicide
- Firearm Discharge – Unintentional
- First Amendment
- Improper Search and Seizure – Fourth Amendment Violation
- Incidents in Lockup
- Motor Vehicle Incidents
- OC Spray Discharge
- Search Warrants
- Sexual Misconduct
- Taser Discharge
- Unlawful Denial of Access to Counsel
- Unnecessary Display of a Weapon
- Use of Deadly Force – other
- Verbal Abuse
- Reports: Failure to Submit ISR

