



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: June 4, 2020

TO: Steven J. Bukala, Chief of Police

FROM: Michael T. Burns, City Manager

RE: Disciplinary Action Report

In the past three weeks, I have had three times where I have had to counsel or discipline you regarding your actions as Chief. Two of those occasions resulted in verbal counseling. There is a continuing pattern of behavior where I find your actions violate the policies of the City and the Department:

- **Police Department Policy #1, Chapter #4 Conduct Unbecoming of a Police Officer** – Your actions have brought disrepute to the Police Department and impaired the efficient operation of the Department.
- **Police Department Policy #1, Chapter #4 Personnel shall not allow personal feelings to influence their professional conduct** – Documented evidence indicates a pattern where your personal feelings through your written communication, including on Departmental and personal social media, are affecting your professional conduct. Your statements and actions affect the Department's perception within the community.
- **Employee Handbook Section 2.8** – The information you posted on the Department's social media page pertaining to the events on June 2, 2020 included unneeded personal commentary and inserted political and debatable issues into a Departmental notice which caused unneeded concern by some city residents. Your actions created an unnecessary negative portrayal of the City in some citizen's view.

As the City's Chief of Police, your actions and statements reflect directly on the City, both on-duty and off-duty. You are held to a higher standard than the citizens of this city. You serve all citizens regardless of viewpoint and your credibility as an impartial law enforcement officer is critical to your role as Chief. I can no longer condone remarks made publicly which discredit your role and the Lowell Police Department and conflict with these expectations. It is our role to protect and serve, not to opine on the issues of the day. We do not insert ourselves into political issues, whether directly or indirectly. Your rhetoric and actions on these three issues are unprofessional and reflect poorly on the City and the Department. This pattern of behavior is not acceptable.

In 2017, I suspended you for 90 days due to your criminal issue adjudicated in Barry County. These issues are obviously not related. However, I do not have confidence in your ability to serve as the Chief of Police any longer.

I will give you until 5:00 PM on Thursday June 4, 2020 to voluntarily resign your position as Chief of Police. If you choose not to do so you will be terminated at 5:01 PM on Thursday June 4, 2020.

CITY OF LOWELL CITY MANAGER INVESTIGATION OF CHIEF STEVEN BUKALA

ORIGIN

On Tuesday June 2, 2020 at approximately 1300 hours, Chief Bukala notified me of an incident where four armed men were going to walk in the Downtown District in support of the Second Amendment. As this is protected speech and open carry in Michigan is legal, this was going to be allowed and I directed Chief Bukala to post this on the City Facebook Page alerting people of this activity.

INFORMATION

At approximately 1330 hours, Chief Bukala posted the following on the Lowell Police Department Facebook Page, "Greetings. Just to inform the public we will have four open carry 2nd Amendment citizens walking Main Street. They took the time to inform LPD that they're coming out. They are well within their second amendment (sp) rights to do this. We at the Lowell Police Department support the legally armed citizen and the second amendment."

When I observed the last sentence of the statement it appeared to me this was taking a political position and possibly escalating rhetoric. Immediately after I observed this, I went to Chief Bukala's office and I informed him that I am most likely going to receive complaints regarding this. His response is "this is a true statement." I didn't bring this up further at that time and I left the office.

Approximately 10 minutes later, I was called by Mayor DeVore who informed me he received four complaints from people regarding his last post and wanted the last sentence removed. I immediately contacted Chief Bukala and ordered him per the Mayor to remove the last sentence in this post.

Social media chatter on this was very hostile. People were in support of the statement and there were people against this response. I also received additional anonymous complaints from residents regarding the statement. I do note that people were making comments on Social Media pertaining to his previous criminal matter.

In the past three weeks this is the third episode whereby I had to gently remind him of his communication on Facebook and in sending emails. On May 11, 2020 I received an anonymous verbal complaint from an individual stating that Chief Bukala posted a photo on his personal Facebook page of him and his wife in front of a Home Depot. The photo had his wife wearing a mask and him wearing a mask on his elbow. He also made other personal posts not in support of Governor Whitmer. Immediately after the complaint, I went to Chief Bukala and informed him of the complaint and to be mindful of what he posts on Social Media. On May 12, I received a second complaint which was written regarding the matter. I redacted the name of the complainant for anonymity. I informed both individuals I received the complaints from I addressed the matter with the Chief and hopefully this would rectify the matter.

On May 27, 2020, I was informed of an email Chief Bukala received regarding a caravan of vehicles honoring 2020 Lowell High School Graduates. They were hoping for police assistance with the caravan. However, due to the Stay at Home Orders in place at that time, the City may be in violation of the Executive Order if we participated in the caravan. Chief Bukala responded in an email in which I was copied on. The email is attached however, in the email he stated "this was a violation of the Executive Order and the Police Department cannot be a party to this." He also gave a suggestion to handle the event in a reasonable manner however he stated this option would keep the "Gretchen Posse off my back and the city's back."

I immediately responded to him stating he probably didn't need to use the term Gretchen Posse. I later reminded him to be professional and that he could have easily responded to her as Governor Whitmer.

DISPOSITION

I believe these actions are a pattern of inappropriate behavior of our Chief of Police. While not related to this issue, there was a 2017 incident of a criminal matter adjudicated in Barry County which resulted in a 90 day suspension. I will be issuing a Disciplinary Action report where termination is being considered for multiple violations of the Police Department Policy Handbook and City of Lowell Employee Handbook.