

[Appendix A (Exhibit “AA”): Treatment Plain Review of 2015

APPENDIX “A”

MICHIGAN DEPARTMENT OF CORRECTIONS

MICHIGAN DEPARTMENT OF CORRECTIONS - BUREAU OF HEALTH CARE SERVICES

IDENT: RONNIE BOONE
DATE OF BIRTH: 02/15/1959
E: 07/30/2015 9:11 AM
T TYPE: Treatment Plan/Review

Medical Problems

Description
Reflux, esophageal
Constipation
Headache, tension
Hepatitis C viral w/o hepatic coma

Reactions
Reaction

Psychosocial Assessment

Diagnosis and Axis II:
Major Depressive Disorder, Recurrent, Moderate to Severe (311)
Cocaine Dependence, Unspec (304.20)
Personality Disorder, NOS (301.9)
IV: Moderate
Issues related to:
Legal system/crime

Functioning:
Current GAF: 60 on 07/30/2015.

Treatment Plan

This is a revised plan.

Biopsychosocial Summary:

Mr. Boone is a single Black male and indicates that he began being treated for Depression in the 1980's and took Prozac throughout his imprisonment in Texas from 1988. He is the 3rd youngest of 7 born to married parents in East Chicago, Indiana. He reports he was raised in Gary, Indiana in "average" economic circumstances. He denies any abuse, neglect, sexual abuse, or placement or juvenile court history in his youth. He is currently incarcerated for Robbery Armed for 22 years 6 months to 75 years with an ERD of 8/4/2026 and a max date of 2/4/2079.

Problem 1: Depression
Goal: Mr. Boone will have an ongoing stable mood.

Intervention in the words of the person served: "I want to be happier."

Effective Date: 02/15/2016

Objective 1
Intervention: Will discuss medication efficacy.
Action: Medication Review
Date: 07/30/2015 Frequency: q 90 days Staff: Psychiatrist/NP

Objective 2
Intervention: Will comply with medications at least 98% of the time.
Action: Medication Administration
Date: 07/30/2015 Frequency: daily Staff: Nursing

Objective 3

MICHIGAN DEPARTMENT OF CORRECTIONS

He will report no more than one depressive episode per month.

Intervention: Case Management
Date: 07/30/2015 Frequency: monthly Staff: Social Worker

Discharge Planning: Mr. Boone has several years remaining on his sentence. As his release date approaches parole plans will be discussed.

Relapse Prevention:

Symptoms of illness: No motivation and sleeps a lot
Early warning signs of possible stressors: An increase in sarcasm, indifference, and withdrawal
Major stressors that could increase risk of relapse: Medical problems, problems with bunkies, and problems with officers
Effective interventions: Discussion with therapist and medication
List of substance abuse in the past: cocaine
Plan to avoid relapse if tempted: Will kite OPMH and will talk to unit staff.
Medical issues addressed: He has neurological problems after getting shot before coming to prison: Medical is following up.
Support system identified: Mom, sisters, and brother

Staff Responsible: D. LeBlanc, LMSW

Prisoner rights were reviewed on 07/30/2015.

Provider: Robert T. McQueeney MD

Document generated by: Debra A. LeBlanc, LMSW

EXHIBIT



NAME: BOONE, RONNIE
Inmate ID: 501976
D.O.B.: 02/15/1959

NAME: BOONE, RONNIE
Inmate ID: 501976
D.O.B.: 02/15/1959

[Appendix B (Exhibit BB and *CC*): See copies of date sheets.

APPENDIX “B”

EXHIBIT B B

atient: RONNIE BOONE

Thursday, January 15, 2009

IMPORTANT NOTE: This is a summary and does not contain all possible information about this product. For complete information about this product or your specific health needs, ask your health care professional. Always seek the advice of your health care professional if you have any questions about this product or your medical condition. This information is not intended as individual medical advice and does not substitute for the knowledge and judgment of your health care professional. This information does not contain any assurances that this product is safe, effective, or appropriate for you.

BUPROPION SUSTAINED RELEASE - ORAL (ANTIDEPRESSANT)
you-PRO-pee-on)

COMMON BRAND NAME(S): Wellbutrin SR

WARNING: Antidepressant medications are used to treat a variety of conditions, including depression and other mental/mood disorders. These medications can help prevent suicidal thoughts/attempts and provide other important benefits. However, studies have shown that a small number of people (especially children/teenagers) who take antidepressants for any condition may experience worsening depression, other mental/mood symptoms, or suicidal thoughts/attempts. Therefore, it is very important to talk with the doctor about the risks and benefits of antidepressant medication (especially for children/teenagers), even if treatment is not for a mental/mood condition. Tell the doctor immediately if you notice worsening depression/other psychiatric conditions, unusual behavior changes (including possible suicidal thoughts/attempts), or other mental/mood changes (including new/worsening anxiety, panic attacks, trouble sleeping, irritability, hostile/angry feelings, impulsive actions, severe restlessness, very rapid speech). Be especially watchful for these symptoms when a new antidepressant is started or when the dose is changed.

USES: This medication is used to treat depression. It can improve your mood and feelings of well-being. It works by helping to restore the balance of natural chemicals (neurotransmitters) in your brain. Bupropion is also used to help people quit smoking by decreasing cravings and nicotine withdrawal effects.

OTHER USES: This section contains uses of this drug that are not listed in the approved professional labeling for the drug but that may be prescribed by your health care professional. Use this drug for a condition that is listed in this section only if it has been so prescribed by your health care professional.

Bupropion may be used to treat attention-deficit hyperactivity disorder (ADHD). It may also be used in combination with other mood stabilizers to treat bipolar disorder (depressive phase).

HOW TO USE: Read the Medication Guide and Patient Information Leaflet available from your pharmacist before you start using bupropion and each time you get a refill. If you have any questions regarding the information, consult your doctor or pharmacist.

Take this medication by mouth, usually twice daily with or without food. If nausea occurs, you may take this drug with food. It is important to take your doses at least 8 hours apart or as directed by your doctor to decrease your risk of having a seizure.

This medication must be swallowed whole. Do not crush, chew or break the tablets. Doing so will destroy the slow release of the drug and may increase your risk of side effects, including seizures.

You may have trouble sleeping when you start taking bupropion. Do not take your evening dose too close to bedtime. Let your doctor know if sleeplessness becomes a problem. Your dosage is based on your medical condition and response to therapy. Your dose should be slowly increased to limit side effects such as sleeplessness and decrease the risk of seizures. Do not take more or less medication than prescribed. Taking more than the recommended dose will increase your risk of having a seizure. The usual maximum dose is 300-400 milligrams per day (maximum single dose 150-200 milligrams).

Do not stop taking this medication without notifying your doctor. Use this medication regularly in order to get the most benefit from it. Remember to use it at the same time each day. It may take 4 weeks or more before the full effects of this medication are noticed. Talk to your doctor if your condition persists or worsens.

SIDE EFFECTS: See also the Warning section. Dry mouth, sore throat, nausea, vomiting, stomach/abdominal pain, flushing, headache, loss of appetite, constipation, trouble sleeping, increased sweating, strange taste in mouth, muscle/joint aches, dizziness, or blurred vision may occur. If any of these effects persist or worsen, notify your doctor or pharmacist promptly.

Remember that your doctor has prescribed this medication because the benefit to you is greater than the risk of side effects. Many people do not have serious side effects. Tell your doctor immediately if any of these unlikely but serious side effects occur: fainting, chest pain, fast heartbeat, severe headache, uncontrolled movements (tremor), unusual weight loss or gain, ringing in the ears, mental/mood changes (e.g., agitation, anxiety, hallucinations, nervousness, confusion, restlessness).

EXHIBIT C

Patient: RONNIE BOONE

Thursday, January 15, 2009

IMPORTANT NOTE: This is a summary and does not contain all possible information about this product. For complete information about this product or your specific health needs, ask your health care professional. Always seek the advice of your health care professional if you have any questions about this product or your medical condition. This information is not intended as individual medical advice and does not substitute for the knowledge and judgment of your health care professional. This information does not contain any assurances that this product is safe, effective, or appropriate for you.

FLUOXETINE - ORAL
(Prozac, Sarafem)

COMMON BRAND NAME(S): Prozac, Sarafem

WARNING: Antidepressant medications are used to treat a variety of conditions, including depression and other mental/mood disorders. These medications can help prevent suicidal thoughts/attempts and provide other important benefits. However, studies have shown that a small number of people (especially children/teenagers) who take antidepressants for any condition may experience worsening depression, other mental/mood symptoms, or suicidal thoughts/attempts. Therefore, it is very important to talk with the doctor about the risks and benefits of antidepressant medication (especially for children/teenagers), even if treatment is not for a mental/mood condition. Tell the doctor immediately if you notice worsening depression/other psychiatric conditions, unusual behavior changes (including possible suicidal thoughts/attempts), or other mental/mood changes (including new/worsening anxiety, panic attacks, trouble sleeping, irritability, hostile/angry feelings, impulsive actions, severe restlessness, very rapid speech). Be especially watchful for these symptoms when a new antidepressant is started or when the dose is changed.

USES: Fluoxetine is a selective serotonin reuptake inhibitor (SSRI) used to treat depression, anxiety disorders (panic attacks), obsessive-compulsive disorder (OCD), a certain eating disorder (bulimia), and a severe form of premenstrual syndrome (premenstrual dysphoric disorder). SSRIs work by helping to restore the balance of certain natural substances in the brain (neurotransmitters such as serotonin). Fluoxetine may improve your mood, sleep, appetite, and energy level and may help restore your interest in daily living. It may decrease anxiety/unreasonable fears, persistent/troubling thoughts (obsessions), and unwanted urges that keep returning (compulsions). It may decrease the number and

severity of panic attacks. Fluoxetine may lessen premenstrual symptoms such as irritability, increased appetite, and depression. It may decrease bingeing and purging behaviors in bulimia.

OTHER USES: This section contains uses of this drug that are not listed in the approved professional labeling for the drug but that may be prescribed by your health care professional. Use this drug for a condition that is listed in this section only if it has been so prescribed by your health care professional. This drug is also used to treat certain other eating disorders (anorexia nervosa), obesity, and certain nervous system/sleep disorders (cataplexy, narcolepsy).

HOW TO USE: Read the Medication Guide provided by your pharmacist before you start using fluoxetine and each time you get a refill. If you have any questions, consult your doctor or pharmacist.

Take this medication by mouth with or without food, usually once daily or as directed by your doctor. This medication may make you either sleepy or wakeful. Therefore, depending on how this medication affects you, your doctor may direct you to take the entire dose once daily in either the morning or evening. If you are taking this medication twice a day, your doctor may direct you to take it in the morning and at noon. If you are taking fluoxetine for premenstrual problems, your doctor may direct you to take it every day of the month or just for the 2 weeks before your period through the first full day of your period. To help you remember, mark your calendar: If you are using the liquid form of this medication, measure the dose carefully using a special measuring device/spoon. Do not use a household spoon because you may not get the correct dose. The dosage is based on your medical condition and response to treatment. To reduce your risk of side effects, your doctor may start you at a low dose and gradually increase your dose. Follow your doctor's instructions carefully. Do not take more or less medication or take it more frequently than prescribed. Your condition will not improve any faster, and your risk of side effects will increase. Use this medication regularly in order to get the most benefit from it. To help you remember, use it at the same time(s) each day. It is important to continue taking this medication as prescribed even if you feel well. Do not stop taking this medication without first consulting your doctor. Some conditions may become worse when the drug is abruptly stopped. Your dose may need to be gradually decreased. You should see some improvement in 1 to 2 weeks. It may take several weeks before you feel the full benefit. Tell your doctor if your condition does not improve or if it worsens.

[Appendix C (Exhibit DD)]: See Offender Daily Schedule.

APPENDIX “C”

KINROSS CORRECTIONAL FACILITY

Housing Unit : B3

Offender Daily Schedule

Effective Date : 10/06/2015 (Tuesday)

Offender : 501976- Boone, Ronnie

Wing : B3 Lock : Bot - 093

Callout / Assignment - Description	Reporting Station	Room	Department	Depart	Arrive	Depart
684 - Janitorial - ZB-3 DAYROOM-1.31	B3	B3 OFFICER DESK	Classification		11:30	12:00
Psychiatrist - KCF OPT - Psychiatrist 1 - Dr. McQueeney MANDATORY - STATE BLUES REQUIRED TO BE WORN AND TUCKED IN FOR THIS APPOINTMENT. DO NOT ARRIVE MORE THAN FIVE (5) MINUTES BEFORE CALL OUT TIME. THIS APPOINTMENT IS LOCATED IN A-1 WEST.	A1 WEST OFFICER	WEST	Community Mental Health		13:30	13:50
684 - Janitorial - ZB-3 DAYROOM-1.31	B3	B3 OFFICER DESK	Classification		16:00	17:00
Medication - Evening Med Lines MANDATORY ***DO NOT ARRIVE MORE THAN FIVE (5) MINUTES PRIOR TO MED LINE***	H/S OFFICER	HEALTH SERVICES	Medical/Healthcare		19:30	19:50
684 - Janitorial - ZB-3 DAYROOM-1.31	B3	B3 OFFICER DESK	Classification		21:00	23:00
684 - Janitorial - ZB-3 DAYROOM-1.31	B3	B3 OFFICER DESK	Classification		23:30	00:00

VALID ONLY ON THE EFFECTIVE DATE PRINTED ABOVE

EXHIBIT 00

[Appendix D (See Exhibit EE, Policy Directive)]: P.D. 03.02.130(S)

APPENDIX “D”

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MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 07/09/2007	NUMBER 03.02.130
SUBJECT PRISONER/PAROLEE GRIEVANCES	SUPERSEDES 03.02.130 (03/05/07)	
	AUTHORITY MCL 791.203	
	ACA STANDARDS 4-4016; 4-4180; 4-4284; 4-4394; 4-4344	
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Unit Representatives/Warden's Forum".

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2. Decisions made in hearings conducted by hearing officers of the State Office of Administrative Hearings and Rules, including property disposition, and issues directly related to the hearing process (e.g., sufficiency of witness statements; timeliness of misconduct review; timeliness of hearing).
3. Decisions made by the Parole Board to grant, deny, rescind, amend or revoke parole, or not to proceed with a lifer interview or a public hearing.
4. Decisions made in minor misconduct hearings, including property disposition.
5. Issues not within the authority of the Department to resolve. The grievant shall be told who to contact in order to attempt to resolve the issue, if known.

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- G. Prisoners and parolees are required to file grievances in a responsible manner. A grievance shall be rejected by the Grievance Coordinator if it contains profanity, threats of physical harm, or language which demeans the character, race, ethnicity, physical appearance, gender, religion, or national origin of any person, unless it is part of the description of the grieved behavior and is essential to that description. A grievance also may be rejected for any of the following reasons:

1. It is vague, illegible, contains multiple unrelated issues, or raises issues that are duplicative of those raised in another grievance filed by the grievant.
2. The grievant is on modified access pursuant to HH through LL and has filed a grievance in violation of those paragraphs.
3. The grievant did not attempt to resolve the issue with the staff member involved prior to filing the grievance unless prevented by circumstances beyond his/her control or if the issue falls within the jurisdiction of the Internal Affairs Division in Operations Support Administration.
4. The grievance is filed in an untimely manner. The grievance shall not be rejected if there is a valid reason for the delay; e.g., transfer.

- H. In CFA, grievances shall not be rejected or denied solely because the prisoner has not included with his/her grievance exhibits or other documents related to the grievance; funds shall not be loaned to a prisoner to pay for photocopying of such documents. If the grievance references documents and those documents are not in the prisoner's files or otherwise available to the grievance coordinator or respondent except through the prisoner, the documents shall be reviewed with the prisoner as part of the grievance investigation process. If the grievance coordinator or respondent determines that a copy of a document is needed for the grievance investigation, the copy shall be made at Department expense.

- I. A grievant whose grievance is rejected may appeal the rejection to the next step as set forth in this policy. A new grievance shall not be filed regarding the rejection.

- J. Grievances shall not be placed in Counselor files, Record Office files, field files, or Central Office files, nor shall they be referenced on any document placed in these files except as necessary pursuant to Paragraph L. Grievance documents and files shall be accessed only to investigate or respond to a pending grievance, to respond to a request under the Freedom of Information Act, to respond to a request from the Department of Attorney General or appropriate Central Office staff, for audits, for statistical reporting, or to the facility head or his/her supervisor.

- K. A grievant shall not be penalized in any way for filing a grievance except as provided in this policy for misusing the grievance process. Staff shall avoid any action that gives the appearance of reprisal for using the grievance process.

- L. If a grievant intentionally files a grievance which is investigated and determined to be unfounded which, if proven true, may have caused an employee or a prisoner to be disciplined or an employee to receive

POLICY STATEMENT:

Prisoners and parolees shall be provided with an effective method of seeking redress for alleged violations of policy and procedure or unsatisfactory conditions of confinement.

RELATED POLICIES:

- 01.01.140 Internal Affairs
- 03.03.140 Prohibited Sexual Conduct Involving Prisoners

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POLICY:

DEFINITIONS

- A. Respondent: The staff person who investigates and responds to a grievance.

GENERAL INFORMATION

- B. Complaints filed by prisoners regarding grievable issues as defined in this policy serve to exhaust a prisoner's administrative remedies only when filed as a grievance through all three steps of the grievance process in compliance with this policy. This includes but is not limited to complaints of conduct in violation of PD 03.03.140 "Prohibited Sexual Conduct Involving Prisoners".
- C. Investigations of grievances filed regarding conduct in violation of PD 03.03.140 "Prohibited Sexual Conduct Involving Offenders" shall be conducted in accordance with that policy to the extent inconsistent with this policy.
- D. The grievance process shall be equally available to all prisoners housed in Field Operations Administration (FOA) and Correctional Facilities Administration (CFA) facilities, including prisoners incarcerated under the Holmes Youthful Trainee Act, and all parolees, unless placed on modified access pursuant to this policy. Probationers are not covered by this policy but may resolve specific problems and complaints with supervising staff and, if not resolved, with the sentencing court or, if in the Special Alternative Incarceration Program, as set forth in PD 05.01.142 "Special Alternative Incarceration Program".
- E. Grievances may be submitted regarding alleged violations of policy or procedure or unsatisfactory conditions of confinement which directly affect the grievant, including alleged violations of this policy and related procedures. Grievances also may be filed in accordance with OP 03.02.130-A "State Administrative Board Prisoner Property Reimbursement" if the grievant is seeking reimbursement for property lost or destroyed while in the Department's sole possession.
- F. Two or more prisoners and/or parolees may not jointly file a single grievance regarding an issue of mutual impact or submit identical individual grievances regarding a given issue as an organized protest. Such grievances shall be rejected by the grievance coordinator. Grievances that raise the following non-grievable issues also shall be rejected:
 1. A grievant may not grieve the content of policy or procedure except as it was specifically applied to the grievant. If a CFA prisoner has a concern with the content of a policy or procedure, s/he may direct comments to the Warden's Forum as provided in PD 04.01.150 "Prisoner Housing

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corrective action, the grievant may be issued a misconduct report if approved by the Warden or FOA Area Manager; however, major misconduct for Interference with the Administration of Rules shall be issued only if approved by the Warden or FOA Area Manager after consultation with the appropriate Deputy Director or designee. The misconduct report shall be processed as set forth in PD 03.03.105 "Prisoner Discipline". If the grievant is found guilty of misconduct for filing an unfounded grievance, the grievant may be placed on modified access consistent with Paragraphs HH through LL.

M. Wardens and FOA Area Managers shall ensure prisoners and parolees are provided assistance in completing a grievance form, if needed. In such cases, assistance shall be provided by a staff member who is not involved in the grievance.

GRIEVANCE COORDINATORS

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N. In each CFA institution, the Warden shall designate at least one staff member to serve as the Step I Grievance Coordinator and at least one staff member to serve as the Step II Grievance Coordinator. The FOA Deputy Director shall designate staff members to serve as Step I Grievance Coordinators and Step II Grievance Coordinators for each FOA field office and facility, including corrections centers and Technical Rule Violation Centers (TRVs). Step III grievances shall be processed by the Grievance and Appeals Section of the Office of Legal Affairs in Operations Support Administration.

O. Each Step I Grievance Coordinator shall prepare and submit monthly reports on grievances filed in his/her respective facility or office to the Grievance and Appeals Section, as directed by the Manager of the Grievance and Appeals Section. The monthly report shall include information on the subject matter of each grievance filed and, for rejected grievances, the basis for the rejection.

GRIEVANCE PROCESS

P. Prior to submitting a written grievance, the grievant shall attempt to resolve the issue with the staff member involved within two business days after becoming aware of a grievable issue, unless prevented by circumstances beyond his/her control or if the issue falls within the jurisdiction of the Internal Affairs Division in Operations Support Administration. If the issue is not resolved, the grievant may file a Step I grievance. The Step I grievance must be filed within five business days after the grievant attempted to resolve the issue with appropriate staff.

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Q. A grievant in a CFA institution may file a Step I grievance directly with the inspector of the institution at which the prisoner is housed instead of with the grievance coordinator as set forth in Paragraph V if the grievance alleges conduct which falls under the jurisdiction of the Internal Affairs Division pursuant to PD 01.01.140 "Internal Affairs"; this includes claims alleging staff sexual misconduct. All grievances alleging such conduct, whether filed with the inspector or a CFA or FOA grievance coordinator, shall be referred to the Internal Affairs Division for review as set forth in PD 01.01.140 "Internal Affairs" even if they would otherwise be rejected under Paragraphs F or G; however, duplicative grievances may be rejected. The Manager of the Internal Affairs Division or designee shall notify the Warden or FOA Deputy Director or designee, and either the inspector or grievance coordinator as appropriate, in writing if the grievance is determined to fall within the jurisdiction of the Internal Affairs Division; in such cases, an investigation shall be conducted in accordance with PD 01.01.140 and the grievant notified that an extension of time is therefore needed to respond to the grievance. The Manager of the Internal Affairs Division or designee also shall notify the Warden or FOA Deputy Director or designee, and the inspector or grievance coordinator as appropriate, if it is determined that the grievance is not within the jurisdiction of the Internal Affairs Division; in such cases, the grievance shall continue to be processed as a Step I grievance in accordance with this policy.

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R. A grievant shall use a Prisoner/Parolee Grievance (CSJ-247A) to file a Step I grievance; a Prisoner/Parolee Grievance Appeal (CSJ-247B) shall be used to file a Step II or Step III grievance. The forms may be completed by hand or by typewriter; however, handwriting must be legible. The issues should be stated briefly but concisely. Information provided is to be limited to the facts involving the issue being grieved (i.e., who, what, when, where, why, how). Dates, times, places, and names of all those involved in the issue being grieved are to be included. Information should be confined to the form and not written on the back, sides, or margins of the form, or in the response area. Additional pages may be attached to the grievance form if necessary to provide required information; however, grievants

are encouraged to limit the information to the grievance form itself. If additional pages are necessary, the grievant is to submit four copies of each additional page; grievance forms should not be used for this purpose. Prisoners in a CFA institution may use an interdepartment mail run, if available, to send a grievance to another facility. If an interdepartment mail run is not available and the prisoner does not have sufficient funds to mail the grievance, postage shall be loaned as set forth in PD 05.03.118 "Prisoner Mail".

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S. Grievances and grievance appeals at all steps shall be considered filed on the date sent by the grievant. The total grievance process from the point of filing a Step I grievance to providing a Step III response shall generally be completed within 120 calendar days unless an extension has been approved in writing by the Grievance Coordinator at Step I and/or Step II. An extension for a Step I or II response shall not exceed 15 business days unless the grievance falls within the jurisdiction of the Internal Affairs Division. The Grievance Coordinator shall immediately notify the grievant in writing whenever an extension has been approved; the extension also shall be noted in the grievance response.

T. If a grievant chooses to pursue a grievance which has not been responded to by staff within required time frames, including any extensions granted, the grievant may forward the grievance to the next step of the grievance process within ten business days after the response deadline expired, including any extensions which have been granted.

U. Prisoners and staff who may be involved in the issue being grieved shall not participate in any capacity in the grievance investigation, review, or response, except as necessary to provide information to the respondent.

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Step I

V. Within five business days after attempting to resolve a grievable issue with staff, a grievant may send a completed Prisoner/Parolee Grievance (CSJ-247A) to the Step I Grievance Coordinator designated for the facility, field office, or other office being grieved; if the office being grieved does not have a designated Grievance Coordinator, the grievance shall instead be sent to the Step I Grievance Coordinator for the facility in which the grievant is housed or appropriate field office for processing. A grievant in a CFA facility alleging conduct under the jurisdiction of the Internal Affairs Division may send the grievance to the inspector for investigation and processing as set forth in Paragraph Q.

W. The Grievance Coordinator shall log and assign a unique identifying number to each Step I grievance received, including those which may be rejected. Where available, a computerized grievance tracking system shall be used for this purpose.

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X. After receipt of the grievance, the Grievance Coordinator shall determine if the grievance should be rejected pursuant to this policy and, if so, sign and return the grievance to the grievant with an explanation as to why it was rejected. In CFA, if the grievance is being rejected, the Grievance Coordinator's supervisor shall review the reason for the rejection to ensure it is in accordance with policy; both the Grievance Coordinator and the supervisor shall sign the grievance before returning the grievance to the grievant. If the grievance is accepted, the Grievance Coordinator shall assign an appropriate respondent and identify the date by which the response is due. The respondent shall generally be the supervisor of the person being grieved except for grievances involving the Parole Board; the Parole Board Chairperson shall designate the respondent for grievances involving the Parole Board. The due date shall be within 15 business days after receipt of the grievance unless an extension is granted pursuant to Paragraph S. If the issue is of an emergent nature, the Grievance Coordinator may order a Step I response within two business days. The Grievance Coordinator may respond at Step I to grievances which require only minimal investigation or rejected for reasons authorized by this policy. However, if the Grievance Coordinator responds to the merits of the grievance, a grievance interview must be conducted as required in Paragraph Y.

Y. The respondent shall interview the grievant unless s/he refuses to participate in the interview, the respondent is not assigned to the location at which the grievant is confined, or, if the grievant is on parole in the community, the respondent does not have ready access to the field office to which the grievant is assigned. If the grievant is not interviewed, the reason shall be included in the written response to the grievance. The grievant shall have the opportunity to explain the grievance more

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completely at the interview to enable the Step I respondent to identify and gather any additional information needed to respond to the grievance. The interview also provides the opportunity to resolve the grievance to the mutual satisfaction of the grievant and the Department.

- Z. Each Step I grievance response shall be reviewed by the respondent's supervisor prior to the grievance being returned to the Step I Grievance Coordinator to ensure that it appropriately addresses the issue raised in the grievance and accurately reflect Department policy and procedure. Where there is limited staffing in an FOA facility or field office, the requirement for supervisory review of a Step I response shall not apply if the response is prepared by an FOA supervisor/manager. The respondent shall identify in the response the specific policies, rules, or procedures that are directly related to the issue or conduct being grieved.
- AA. The Step I Grievance Coordinator shall ensure that a thorough investigation was completed for each Step I grievance accepted, that the response was reviewed by the appropriate supervisor, and that a copy of the response is provided to the grievant by the due date, including any extension granted.

Step II

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- BB. A grievant may file a Step II grievance if s/he is dissatisfied with the response received at Step I or if s/he did not receive a timely response. To file a Step II grievance, the grievant must request a Prisoner/Parolee Grievance Appeal (CSJ-247B) from the Step I Grievance Coordinator and send the completed form to the Step II Grievance Coordinator designated for the facility, field office, or other office being grieved within ten business days after receiving the Step I response or, if no response was received, within ten business days after the date the response was due, including any extensions. If the office being grieved does not have a designated Grievance Coordinator, the grievant is to send the grievance to the Step II Grievance Coordinator for the facility in which s/he is housed or appropriate field office for processing.
- CC. The Grievance Coordinator shall log each Step II grievance received, including those which may be rejected. Where available, the Grievance Coordinator shall use a computerized grievance tracking system to do so. The Grievance Coordinator shall determine if the grievance should be rejected pursuant to this policy and, if so, return the grievance to the grievant with an explanation as to why it was rejected. If accepted, the Grievance Coordinator shall assign an appropriate respondent and indicate the date by which the response is due. The due date shall be within 15 business days after receipt of the grievance, unless an extension is granted as set forth in Paragraph S.

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- DD. The respondents for Step II grievances shall be as follows:
 1. The Warden for CFA institutions, except that s/he may delegate this responsibility to the appropriate Deputy Warden if more than one institution is supervised. If the Warden supervises a camp, s/he may delegate this responsibility for camp grievances to the facility head.
 2. The Regional Health Administrator or designee, for grievances regarding health care issues.
 3. The Administrator of Michigan State Industries (MSI) or designee for grievances involving MSI.
 4. The CFA Region III Business Manager for grievances involving administrative support functions for CFA facilities in Jackson.
 5. The appropriate Area Manager for FOA area offices and facilities.
 6. The FOA Deputy Director or designee for all other FOA grievances.

- EE. The Grievance Coordinator shall ensure that any additional investigation was completed as necessary for each Step II grievance accepted and that a copy of the response is provided to the grievant by the due date, including any extensions granted pursuant to Paragraph S.

Step III

- FF. A grievant may file a Step III grievance if s/he is dissatisfied with the Step II response or does not receive a timely response. To file a Step III grievance, the grievant must send a completed Step III grievance, using the Prisoner/Parolee Grievance Appeal form (CSJ-247B), to the Grievance and Appeals Section within ten business days after receiving the Step II response or, if no response was received, within ten business days after the date the response was due, including any extensions.
- GG. The Grievance and Appeals Section shall be the respondent for Step III grievances on behalf of the Director. Each grievance received at Step III, including those which may be rejected, shall be logged on a computerized grievance tracking system. The tracking system shall include information on the subject matter of each grievance received and, for rejected grievances, the basis for the rejection. The Grievance and Appeals Section shall forward grievances regarding health care issues to the Administrator of the Bureau of Health Care Services (BHCS). The BHCS Administrator shall ensure the grievance is investigated and a response provided to the Grievance and Appeals Section in a timely manner. The Manager of the Grievance and Appeals Section shall ensure that any additional investigation is completed as necessary for each Step III grievance accepted, including referral to the Internal Affairs Division and, for disability issues, to the Equal Employment Opportunity Office within the Bureau of Human Resources, as appropriate, and that a copy of the Step III response is provided to the grievant.

MODIFIED ACCESS

KCF LAW Library

- HH. A prisoner or parolee who files an excessive number of grievances which are vague, duplicative, raise non-grievable issues, or contain prohibited language as set forth in Paragraph G, or is found guilty of misconduct for filing an unfounded grievance as set forth in Paragraph L, may have access to the grievance process limited by the Warden or FOA Area Manager for an initial period of not more than 90 calendar days. If the prisoner or parolee continues to file such grievances while on modified access, the Warden or FOA Area Manager may extend the prisoner's or parolee's modified access status for not more than an additional 30 calendar days for each violation. In CFA, a recommendation to place a prisoner on modified access shall be submitted only by the Grievance Coordinator and shall include a list of the grievances forming the basis for the recommendation and the reason for the recommendation.
- II. The Warden or FOA Area Manager, as appropriate, shall ensure that a prisoner or parolee placed on modified access, or who has had that status extended, is immediately notified in writing of this determination, including a list of the grievances upon which the determination was based. The Warden or FOA Area Manager also shall immediately notify the Regional Prison Administrator or Regional Administrator, as appropriate, and the Grievance and Appeals Section in writing whenever s/he places a prisoner or parolee on modified access or extends that status.
- JJ. The Manager of the Grievance and Appeals Section also may place a prisoner or parolee on modified access, or extend that status, for the reasons set forth in Paragraph HH. The Manager of the Grievance and Appeals Section shall ensure that each prisoner or parolee placed on modified access or who has that status extended is immediately notified in writing of that determination, including a list of the grievances upon which the determination was based. The Manager of the Grievance and Appeals Section also shall ensure that the appropriate Warden or FOA Area Manager is notified in writing of the determination.
- KK. While on modified access, the prisoner or parolee shall be able to obtain grievance forms only through the Step I Grievance Coordinator. A grievance form shall be provided if the Step I Grievance Coordinator determines that the issue the prisoner or parolee wishes to grieve is grievable and otherwise meets the criteria outlined in this policy. The Grievance Coordinator shall maintain a record of requests received for grievance forms and whether the request was approved or denied and, if denied, the reason for the denial. If a prisoner or parolee on modified access attempts to file a grievance using a form not provided by the Grievance Coordinator, the Grievance Coordinator may reject the grievance in accordance with Paragraph G. The Warden, FOA Area Manager, or Manager of the Grievance and Appeals Section may extend the prisoner's or parolee's modified access status for not more than an additional 30 days for each violation. Notification of such extensions shall be consistent with the requirements set forth in Paragraphs II and JJ.

EXHIBIT EE

DOCUMENT TYPE POLICY DIRECTIVE	EFFECTIVE DATE 07/09/2007	NUMBER 03.02.130	PAGE 7 OF 7
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LL. A prisoner or parolee shall remain on modified access for the approved period even if transferred to another facility or field location. The Grievance Coordinator for the sending facility or field location shall ensure that the Grievance Coordinator for the receiving facility or field location is notified of this information.

KCF LAW Library

OPERATING PROCEDURE

MM. The Administrator of the Office of Legal Affairs shall ensure that procedures are developed to implement requirements set forth in this policy directive. Procedures shall be completed within 60 calendar days after the effective date of this policy directive. This includes ensuring that existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed.

AUDIT ELEMENTS

NN. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist Wardens, FOA Regional Administrators, and the Administrator of the Office of Legal Affairs with self audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

KCF LAW Library

Approved: PLC 06/13/07

EXHIBIT EE

[Appendix E (Exhibit NO.1)]: See, Grievance form KCF-1406-0652-09z

APPENDIX “E”



STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

RICK SNYDER
GOVERNOR

DANIEL H. HEYNS
DIRECTOR

TO: Boone, Ronnie #501976

SUBJECT: Step III Grievance
KCF-14-06-0652-09z

Your Step III grievance, including any materials included with your appeal from Step II, has been fully reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances". The responses you received at Steps I and II reflect that your issues were in fact considered and appropriately responded to at the facility level. As there is no additional information or basis found for relief at Step III, the Step II decision is upheld.

kca

Approval Signature:  Date mailed: JUN 11 2015
Richard D. Russell

cc: Warden (KCF)
Prisoner (KCF)

EXHIBIT No. 1

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
CSJ-247B

Date Received by Grievance Coordinator
at Step II: REC'D 9/25/2014

Grievance Identifier: KLF1A10600652 07E

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE. The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

RECEIVED - MDOG
SEP 25 2014
Office of Legal Affairs

If you should decide to appeal the Step I grievance response to Step II, your appeal must be submitted to the WARDEN'S OFFICE by 7/14/14. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
<u>Boone</u>	<u>501976</u>	<u>KLF</u>	<u>A363</u>		

STEP II – Reason for Appeal

The grievance has not been resolved. The french fries was raw/haft done, Sergeant Johnson seen it also himself. Aramark employee told the prisoner who was serving the fries to put only six (6) french fries on the food tray because they were running out, there were no 1 cup (8oz) used.

STEP II – Response

See attached response

Date Received by
Step II Respondent:
REC'D 9/25/2014

Kather Olson A/Warden Kather Olson 8/12/14
Respondent's Name (Print) Respondent's Signature Date

Date Returned to
Grievant:
8/13/14

STEP III – Reason for Appeal

See attached papers,

EXHIBIT No. 1

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III – Director's Response is attached as a separate sheet.

DISTRIBUTION: White – Process to Step III; Green, Canary, Pink – Process to Step II; Goldenrod – Grievant

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
CSJ-247A

Date Received at Step I 6/23/14 Grievance Identifier: KCF140600657 89Z

Be brief and concise in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison Law Library.

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
RONNIE BOONE	501976	KCF	A-3-63	06/19/14	06/21/14

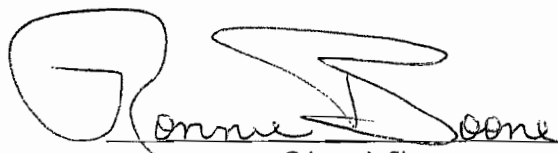
What attempt did you make to resolve this issue prior to writing this grievance? On what date? _____
If none, explain why.

On 06/19/14, grievant informed Aramark Food Steward about the raw/haft done (french fries), and about receiving only six (french fries). Grievant was told by Aramark employee the (fries) are cooked, and that's all the (fries) are going to be served. Grievant took the food tray over to Sergeant Johnson showed him the uncooked/raw (french fries), and the amount that was giving. Sergeant said he will make a note of it.

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used. Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.


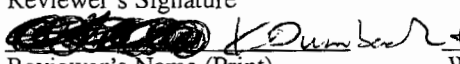
On 06/19/14, I Grievant (Boone) housed in A-Unit went to the kitchen/chow-hall to eat lunch. Aramark ran out of food (french fries), and there were two other Units left to feed/eat lunch, G, and C. Aramark tried to hurry up and prepare some more food (french fries), but the (fries) was not a wholesome adequate meal. The (fries) was not cooked/raw, and Aramark served them anyway. Grievant informed the Aramark Food Steward about the raw/haft done (french fries), and about receiving only six (french fries). Grievant was told by Aramark employee (in which he did not have a name tag on) stated the (fries) are cooked, and that's all the (fries) are going to be served. Grievant took the food tray over to Sergeant Johnson showed him the uncooked/raw (french fries), and the amount that was giving. Sergeant said he will make a note of it. Aramark Food Service are not preparing the correct number of wholesome adequate meals as stated in the Policy, "all prisoners shall be provide with wholesome and nutritionally adequate meals as set forth in P.D. 04.07.100 'Offender Meals,' meals shall be prepared and served in accordance with MCL 333.12901 et seq. of the Michigan Public Health Cord." Aramark failed to provide grievant with food that was adequate to eat, adequate in quantity, nutritional value or in any other respect.

EXHIBIT No. 1


Grievant's Signature

RESPONSE (Grievant Interviewed? Yes No If No, give explanation. If resolved, explain resolution.)

The French Fries grievant is referencing ARE THE Red Robin french fries THAT ARE LARGER ~~than regular~~ than regular french fries. The meal required 1 box (8oz) serving because that particular brand of fries are ^{Bulky}. It might look less on tray because a bigger cut of potato. But they still receive three 8oz.

S. Lewis 6/26/14  7/10/14
Respondent's Signature Date Reviewer's Signature Date
S. Lewis FSHS  Bussing
Respondent's Name (Print) Working Title Reviewer's Name (Print) Working Title

Date Returned to Grievant: 7/11/14 If resolved at Step I, Grievant sign here. Resolution must be described above. _____
Grievant's Signature Date

Step III - Reason for Appeal

KCF-14-06-00652-09z

Step I nor Step II has been resolved. Aramark keep running out of food or not preparing enough food, and then try to hurry up and prepare more food. When Aramark rush to prepare more food, the food will not be adequate to eat (cooked/raw), nor be adequate in quantity, and not have the nutritional value and any other respect.

At Step I respondent indicates that french fries were a larger cut. Since the meal required one cup it might have looked like less on the tray due to the bigger cut of potatoes. The grievant received eight ounces.

- (a) As stated in Step I Response, since the meal required one cup it might have looked like less on the tray due to the bigger cut potatoes, grievant received eight ounces.
- (1) There is on way Aramark could tell if they are putting eight ounces (8oz) of potatoes on each food tray, even if the fries/potatoes are larger cut, because they are not all cut the same size, and the line server do not use any kind of utensil or 8oz cup, they use there hands to put the fries on all the food tray; and
- (2) Aramark told the line server to put only six (6) french fries on all the remaining food trays because they were running out of fries again.

At Step II it is noted that the Step I response is partially supported. Food Service is following the menu provided by the MDOC Central Office Food Service program manager. "All weights are before cooking." The Tool Used Chart is to insure portions served follows the portions on the menu and the proper tools. KCF Food Service serves all meals in compliance with PD-04.07.102 Q. and OP-KCF-04.07.102. The issue with serving size with the meal on this particular day was addressed but the issue with the food being cooked was not. Staffs are reminded to cook the product thoroughly before serving to the prisoner population.

- (a) As stated in Step II Response, the Food Service is following the menu provided by the MDOC Central Office Food Service program manager;
- (1) "WHY" is the food being served half cooked? In P.D. 04.07.102 I, under FOOD EVALUATION: it states the preservice quality checks shall be made at least 30 minutes before the meal is served. Quality checks in

institutions shall be made. Menu items that are unacceptable for service shall not be served unless corrected, but Aramark keep serving uncooked food; and

(2) "WHY" are Aramark keep running out of food? Here at XCF Aramark has been serving meals for almost one (1) year, and they still have not prepared enough food for the prison population.

(b) As stated in Step II Response, "all weights are before cooking." The tool used chart is to insure portions served follows the portions on the menu and the proper tools;

(1) "NO" were in Step I dose grievant mention anything about the weight of the food. Grievant stated Aramark told the prisoner on the serving line to put only six (6) french fries on the food tray, regardless if there are bigger cut or not.

(c) As stated in Step II Response, the issue with serving size with meal on this particular day was addressed but the issue with the food being cooked was not. Staffs are reminded to cook the product thoroughly before serving to the prisoner population.

(1) The issue with serving size with the meal on that particular day was not addressed.

(2) There was no issue about the serving size. The issue was with how many fries Aramark instructed the prisoner to put on the food trays because they did not prepare enough food after running out.

(3) Again Aramark instructed the prisoner to put only six (6) french fries on all the remaining food trays after running out of fries.

(d) As stated in Step II Response, Aramark staffs are reminded to cook the product thoroughly before serving to the prisoner population.

(1) If this was the first time this has happen (running out of food, and

not cooking the food thoroughly before serving it to the prisoner population), one could maybe excuse the mistake. There are all sorts of unsavory reports, and grievance that has been filed on this matter. and

- (2) The department cites hundreds of incidents in which Aramark made unauthorized substitutions or not prepared the required number of meals, records show.

EXHIBIT No. 1

PRISONER'S NAME: Boone #501976, A-3-63

DATE RECEIVED: 07/24/14 KCF 1406 0652 09z

STEP II RESPONSE: Your second step grievance regarding Food Service was received and reviewed by the Warden's Office. The first step response is appropriate and is supported by the Warden's Office.

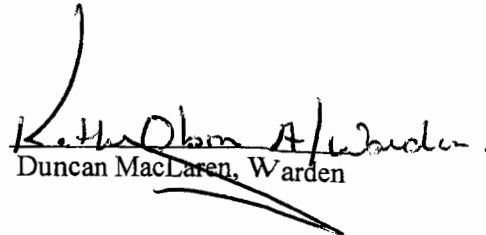
At Step I the grievant states that on 6-19-14 while going through the serving line the kitchen ran out of french fries. When he finally did receive them, they were raw and he was served only six. He contends that Aramark was contracted to serve food that is adequate to eat, adequate in quantity, has nutritional value and any other respect. At Step II the issue remains the same.

At Step I respondent indicates that french fries were a larger cut. Since the meal required one cup it might have looked like less on the tray due to the bigger cut of potatoes. The grievant received eight ounces. Grievance denied.

At Step II it is noted that the Step I response is partially supported. Food Service is following the menu provided by the MDOC Central Office Food Service program manager. "All weights are before cooking." The Tool Use Chart is to insure portions served follows the portions on the menu and the proper tools. KCF Food Service serves all meals in compliance with PD-04.07.102 Q. and OP-KCF-04.07.102. The issue with serving size with the meal on this particular day was addressed but the issue with the food being cooked was not. Staffs are reminded to cook the product thoroughly before serving to the prisoner population.

Grievance is partially resolved.

8/12/14
Date Returned


Duncan MacLaren, Warden

DM:mm

EXHIBIT No. 1

[Appendix F (Exhibit “No.2”): See Grievance Form KCF-1406-0694-28a

APPENDIX “F”



STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

RICK SNYDER
GOVERNOR

DANIEL H. HEYNS
DIRECTOR

TO: Boone, Ronnie #501976 *A363*

SUBJECT: Step III Grievance
Grievance #: KCF-14-06-0694-28a

Your Step III grievance, including any materials included with your appeal from Step II, has been fully reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances". The response you received at Steps I & II reflect that your issue was in fact considered and appropriately investigated. As there is no additional information or basis found for relief at Step III, the Step II decision is upheld at Step III.

sl

Approval Signature: *Richard D. Russell* Date Mailed: JUN 11 2015
Richard D. Russell

cc: Warden (KCF)
Prisoner (KCF)

EXHIBIT No. 2

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
 CSJ-247B

Date Received by Grievance Coordinator
 at Step II: **REC'D AUG 04 2014**

Grievance Identifier: **KCF 14 06 00694 28A**

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the Goldenrod copy if one has not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

RECEIVED MDOC
 SEP 25 2014
 Office of Legal Affairs

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: WARDEN'S OFFICE by 8/4/14. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
BOONE	501976	KCF	A363		

STEP II — Reason for Appeal

Grievance form KCF-14-06-00694-29a was rejected because the issue grieved is addressed in grievance KCF-14-06-00652-09z. The issues in grievance KCF-14-06-00694-28a is a complete difference subject/meal than grievance KCF-14-06-00652-09z, (see, Copy of Grievance KCF-14-06-00652-09z; (EXHIBIT " A ")). Grievance KCF-14-06-00694-28a is dealing with uncooked spaghetti noodles with white sauce that was water down, and grievance KCF-14-06-00652-09z is dealing with raw/half done french fries, and the amount, two different meals. Grievance KCF-14-06-00694-28a should not have been rejected.

STEP II — Response

See attached response

Date Received by
 Step II Respondent:
REC'D AUG 04 2014

Kath Olson DW
 Respondent's Name (Print)

Kath Olson
 Respondent's Signature

8/12/14
 Date

Date Returned to
 Grievant:
8/13/14

STEP III — Reason for Appeal

See attached papers,

EXHIBIT NO. 2

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

STEP III.--Reason for Appeal
Grievance KCF-1406-0694-28a

Step I.-II. has not been resolved. Grievance Coordinator L. Berlinger in Step I, and Deputy Warden Kathy Olsen in Step II., are not addressing the issue raised by grievant.

Grievance KCF-1406-0694-28a, is dealing with: 1) Aranark running out of cheesy rotini casserole; 2) attempted to serve uncooked spaghetti noodles, with water down white cheese sauce; 3) Aranark went from a 10 ounce scoop to a 6 ounce scoop; 4) grievant, and some other prisoner's went to Sgt. Cryderman, and showed her what Aranark was trying to serve, she immediately went over and stopped Aranark employees from serving that inappropriate meal; 5) Aranark then stated serving peanut butter and jelly sandwich; and 6) grievant are not receiving the wholesome and nutritionally adequate meal as set forth in MDOC Statewide Menu, that is provided by the MDOC Central Office Food Service when Aranark keep running out of food. None of the six (6) issues in KCF-140694-28a was addressed in KCF-1406-0652-09z.

In Grievance KCF-1406-0652-09z, it is dealing with: 1) Aranark running out of french fries; 2) tried to hurry up and prepare some more fries, but the fries was not cooked/raw; 3) the amount served (six); and 4) Aranark failed to provide grievant with food that was adequate to eat, adequate in quantity, and nutritional value or in other respect, (see, Step I. Grievance KCF-1406-0652-09z; (EXHIBIT "A")). Even in Step II. Response it states the grievance was partially resolved, all the issues was not addressed in the grievance, (see, Step II. Grievance Response KCF-1406-0652-09z; (Exhibit "B")).

Norma Killough, RD, is a registered dietitian employed by MDOC, and states that all MDOC menus are designed to comply with the nutritional and caloric recommendations set forth in the Dietary Reference Intakes: The Essential Guide to Nutrient Requirements, which are "a common set of reference values for a healthy population based on the relationships between nutrient intakes and health or the prevention of disease." Ms. Killough also states that MDOC follows the current Dietary Guidelines for Americans, issued by the United States Department of Health and Human Services and Agriculture, for menu planning, and MDOC plans its menus to meet nutrient and caloric needs.

Based on the foregoing, Aramark has failed to provide grievant with food that is adequate to eat, in quantity, nutritional value or in any other respect, or a wholesome and nutritionally adequate meals, when they keep running out of food/meals, or changes in some of the menu items, or shortages in what the scheduled meal item was supposed to be:

- (1) They are not meeting the nutritional and caloric requirements set forth in the dietary reference intake with frequent substitutions of menu item; and
- (2) They are not providing meals that are adequate to eat when rushing to prepare more meals, because the meals are not prepared right, cooked/raw, and dose not meet the reference values for a healthy population based on the relationships between nutrient intake and health or the prevention of disease.

EXHIBIT No. 2

PRISONER'S NAME: Boone #501976, A-3-63

DATE RECEIVED: 08/04/14 KCF 1406 0694 28a

STEP II RESPONSE: Your second step grievance regarding meals was received and reviewed by the Warden's Office. The first step response is appropriate and is supported by the Warden's Office.

At Step I grievant states on 6-21-14 he was served a substitute for lunch. At Step II the issue remains the same.

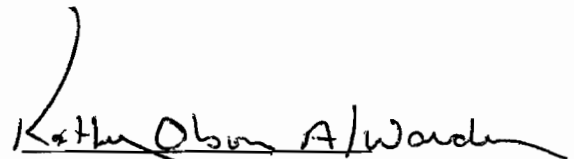
At Step I respondent indicates that the issue being grieved is addressed in grievance KCF-14-06-0652-09z.

PD-03.02.130 states, "A grievance shall be rejected by the Grievance Coordinator if it raises issues that are duplicative to those raised in another grievance filed by the grievant." Grievance rejected.

At Step II it is noted that the Step I response adequately addresses issue raised by the grievant. The issue is duplicative of a grievance already filed.

Grievance denied.

8/12/14
Date Returned


~~Duncan MacLaren, Warden~~

DM/mm

EXHIBIT NO. 2

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
CSJ-247A

Date Received at Step I 6/30/14 Grievance Identifier: KCF A 06 09 A 09A

Be brief and concise in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison Law Library.

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
RONNIE BOONE	501976	KCF	A-3-63	06/21/14	06/27/14


What attempt did you make to resolve this issue prior to writing this grievance? On what date? _____
If none, explain why.

On 06/21/14, the tray of food was taken over to Sergeant Cryderman and she immediately stopped Aramark employees from serving that inappropriate meal.

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used. Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.

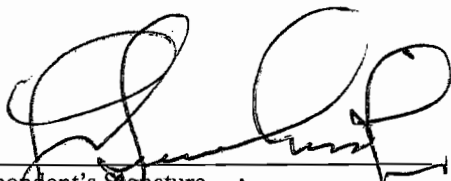
On 06/21/14, Aramark Correction Services ran out of the menu item to be served (cheesy rotini casserole). There was an attempt to serve grievant (Boone) under cooked spaghetti noodles with a white sauce (that I observed a food serve employee water down). Aramark supervisor instructed the inmate to do so. Also a much smaller scoop from 10 ounce, to a 6 ounce was given to the inmate worker who was serving the white sauce. At this time grievant approached Sgt. Cryderman and showed her serving. Sgt. Cryderman immediately instructed the Aramark employees that substitution was inappropriate. At that point the serving line was stopped for about 15 min., and resumed after Aramark started serving peanut butter and jelly. Grievant does not feel as if he received a "wholesome and nutritionally adequate meal, as set forth in P.D. 04.07.100 'Offender Meal.'"

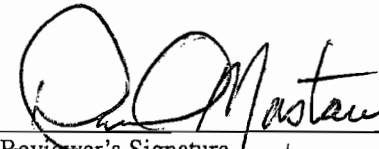
EXHIBIT No. 2


Grievant's Signature

RESPONSE (Grievant Interviewed?) Yes No If No, give explanation. If resolved, explain resolution.)

SEE ATTACHED RESPONSES.


Respondent's Signature 6/30/14
Respondent's Name (Print) BOONE, RONNIE Working Title CC


Reviewer's Signature 7/1/14
Reviewer's Name (Print) D. MASTAN Working Title Adm Asst

Date Returned to Grievant: 7/2/14 If resolved at Step I, Grievant sign here. Resolution must be described above. Grievant's Signature _____ Date _____

Grievance response:

KCF-14-06-00694-28a

Boone #501976, A-3-63

The issue being grieved is addressed in grievance KCF-14-06-00652-09z.

PD 03.02.130 states, "A grievance shall be rejected by the Grievance Coordinator if it raises issues that are duplicative to those raised in another grievance filed by the grievant."

Grievance rejected.

EXHIBIT No. 2

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
CSI-247A

Date Received at Step I 6/21/14 Grievance Identifier: KAF 140400657 892

Be brief and concise in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison Law Library.

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
RONNIE BOONE	5019TG	KCF	A-3-43	06/19/14	06/21/14

What attempt did you make to resolve this issue prior to writing this grievance? On what date? _____

If none, explain why.

On 06/19/14, grievant informed Armark Food Steward about the raw/half done (french fries), and about receiving only six (french fries). Grievant was told by Armark employee the (fries) were cooked, and would all the (fries) be served. Grievant took the food tray over to Sergeant Johnson showed him the uncooked/raw (french fries), and the receipt that was giving. Sergeant said he will take a note of it.

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used.

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.

On 06/19/14, I Grievant (Boone) housed in A-Unit went to the kitchen/chow-hall to eat lunch. Armark ran out of food (french fries), and there were two other units left to feed/eat lunch, C, and C. Armark tried to hurry up and prepare some more food (french fries), but the (fries) was not a wholesome adequate meal. The (fries) was not cooked/raw, and Armark served them anyway. Grievant informed the Armark Food Steward about the raw/half done (french fries), and about receiving only six (french fries). Grievant was told by Armark employee (in which he did not have a receipt) stated the (fries) are cooked, and that's all the (fries) are going to be served. Grievant took the food tray over to Sergeant Johnson showed him the uncooked/raw (french fries), and the receipt that was giving. Sergeant said he will take a note of it. Armark Food Service are not preparing the correct number of wholesome adequate meals as stated in the Policy, "all prisoners shall be provided with wholesome and nutritionally adequate meals as set forth in P.D. 04.07.100 'Offender Meals,' meals shall be prepared and served in accordance with MCL 333.12001 et seq. of the Michigan Public Health Code." Armark failed to provide grievant with food that was adequate to eat, adequate in quantity, nutritional value or in any other respect.

EXHIBIT No. 2

[Handwritten Signature]
Grievant's Signature

RESPONSE (Grievant Interviewed?) Yes No If No, give explanation. If resolved, explain resolution.)

[Handwritten notes: The French fries were not cooked... Then someone else... The... of... they still...]

Respondent's Signature S. Boone Date 6/26/14 Reviewer's Signature [Signature] Date 6/26/14
Respondent's Name (Print) S. Boone Working Title FSM Reviewer's Name (Print) [Name] Working Title [Title]

Date Returned to Grievant: 7/14/14 If resolved at Step I, Grievant sign here. Resolution must be described above. Grievant's Signature _____ Date _____

PRISONER'S NAME: Boone #501976, A-3-63

DATE RECEIVED: 07/24/14 KCF 1406 0652 09z

STEP II RESPONSE: Your second step grievance regarding Food Service was received and reviewed by the Warden's Office. The first step response is appropriate and is supported by the Warden's Office.

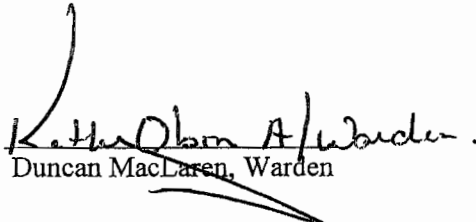
At Step I the grievant states that on 6-19-14 while going through the serving line the kitchen ran out of french fries. When he finally did receive them, they were raw and he was served only six. He contends that Aramark was contracted to serve food that is adequate to eat, adequate in quantity, has nutritional value and any other respect. At Step II the issue remains the same.

At Step I respondent indicates that french fries were a larger cut. Since the meal required one cup it might have looked like less on the tray due to the bigger cut of potatoes. The grievant received eight ounces. Grievance denied.

At Step II it is noted that the Step I response is partially supported. Food Service is following the menu provided by the MDOC Central Office Food Service program manager. "All weights are before cooking." The Tool Use Chart is to insure portions served follows the portions on the menu and the proper tools. KCF Food Service serves all meals in compliance with PD-04.07.102 Q. and OP-KCF-04.07.102. The issue with serving size with the meal on this particular day was addressed but the issue with the food being cooked was not. Staffs are reminded to cook the product thoroughly before serving to the prisoner population.

Grievance is partially resolved.

8/12/14
Date Returned


Duncan MacLaren, Warden

DM:mm

EXHIBIT NO. 2

[Appendix G (Exhibit “No.3”): See, Grievance Form, KCF-1408-0862-09z

APPENDIX “G”



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

62911

To Prisoner: Boone #: 501976 *B393*
Current Facility: *KCF*
Grievance ID #: KCF-14-08-0862-09z
Step III Received: 10/28/2014

Your Step III appeal, has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances". Upon examination it has been determined that your issue was in fact considered, investigated, and a proper decision was rendered.

As there is no additional information found that would provide a basis for overturning the previous decision, that decision is upheld and your appeal is DENIED.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

Date Mailed: SEP 08 2015

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

cc: Warden, Filing Facility: *KCF*
Prisoner: *KCF*

EXHIBIT NO. 3

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
 CSJ-247B

Date Received by Grievance Coordinator
 at Step II: REC'D 10/15/2014

Grievance Identifier: KCF 14080086Z 09A

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE. The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

RECEIVED - MDO
 OCT 28 2014

If you should decide to appeal the Step I grievance response to Step II, your appeal should be filed to: WARDEN'S OFFICE by 9/15/14. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
<u>BOONS</u>	<u>501976</u>	<u>KCF</u>	<u>A-363</u>		

STEP II — Reason for Appeal

Grievance has not been resolved, nor has been proper addressed. In Step I Response Aramark staff stated they spoke to staff about health and safety issues on the line about washing hands & changing there gloves. There were no issues in step I grievance about the kitchen workers who was serving the food not washing there hands nor changing there gloves. The issues is about how prisoner Hooper (487213) who was receiving his food went over the glass counter on the serving line with his open dirty hand, stuck it in the pan of chicken (twice), and took two (2) pieces of chicken, touching the other pieces, and that made all the other pieces on that pan/tray unsanitary, sufficientlly gross, a health hazard. All remaining pieces of chicken on that pan/tray should have been taking off the serving line, and thrown away, but Aramark served the remaining pieces of chicken any way. Aramark are not addressing the issues that are stated in the grievance.

STEP II — Response

Date Received by
 Step II Respondent:
REC'D 10/15/2014

D. McCarren
 Respondent's Name (Print)

[Signature]
 Respondent's Signature

10-6-14
 Date

Date Returned to
 Grievant:
10/6/14

STEP III — Reason for Appeal

See attached papers.

EXHIBIT No. 3

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

PRISONER'S NAME: Boone #501976, A-3-63

DATE RECEIVED: 9/15/14, KCF 14 08 00862 09z

STEP II RESPONSE: Your second step grievance regarding food service was received and reviewed by the Warden's Office. The first step response is appropriate and is supported by the Warden's Office.

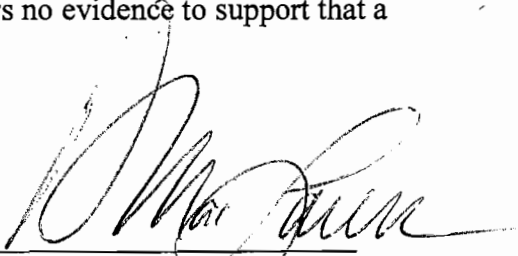
At Step I the grievant states that on 8/3/14, Aramark was serving chicken for dinner. Grievant states he was in the serving line when Hooper 487213 went over the glass counter with his open dirty hand, stuck it in the pan of chicken twice and took two pieces of chicken. Grievant states an Aramark employee saw this and immediately stopped the serving line. Grievant states the Aramark employee took the chicken from Hooper, threw it on the floor and fired the prisoner who was serving the chicken on the line. Grievant states the whole pan of chicken that Hooper put his hand in was unsanitary and should have been taken off the line. Grievant states Aramark served the remaining pieces of chicken from that pan making it a health hazard. Grievant states this is a violation of grievant's constitutional rights. At Step II the issue becomes the Step I response.

At Step I the respondent states that staff were spoken to about health and safety issues on the line and about washing hands and changing their gloves.

At Step II the Step I response is appropriate. PD 03.03.130 Humane Treatment and Living Conditions for Prisoners states "All prisoners shall be provided wholesome and nutritionally adequate meals as set forth in PD 04.07.100 'Offender Meals'. Meals shall be prepared and served in accordance with MCL 333.12901 et seq. of the Michigan Public Health Code". As noted in the Step I response, staff were spoken to about health and safety issues on the line and about washing hands and changing their gloves. There appears no evidence to support that a violation of policy or procedure occurred.

Grievance denied.

10-6-14
Date Returned


Duncan MacLaren, Warden

DM/md

EXHIBIT No. 3

STEP III -- Reason for Appeal
(KCF) 14-08-00862-00z

Grievance has not been resolved, nor proper addressed. In Step I & II response it states:

Staff were spoken to about health and safety issues on the line and about washing hands and changing their gloves. There appears no evidence to support that a violation of policy or procedure occurred.

Once again there were no issues in the grievance(s) about the kitchen workers who were serving the food not washing their hands nor changing their gloves. This was not a kitchen worker who stuck his dirty/unclean hand in the pan/tray of chicken.

NOTE:

SOME OF THE PRISONERS HERE AT (KCF) HAS A INFECTIOUS DISEASES, SUCH AS (HIV, AIDS, HEPATITIS, OR MRSA), A SERIOUS MEDICAL CONDITION, A HEALTH & SAFETY ISSUE. THIS IS A KNOWN FACT BECAUSE OF GRIEVANT MEDICAL CONDITION.

The issues is about how I grievant observed prisoner Hooper (487213), receiving his food in the serving line, went over the glass counter with his open dirty/unclean hand that could may have been cut, and bleeding, stuck it in the pan/tray of chicken (twice), and took two (?) pieces of chicken, touching the other pieces, and contaminating them - (infect by contact or association), making all the other pieces unsanitary, sufficiently gross, and a health hazard.

As stated in Step I & II - Grievances:

Acamak employee seen prisoner Hooper stick his hand in the pan/tray of chicken, all the remaining pieces of chicken on that pan/tray should have been taking off the serving line, and thrown away. On 08/14/14, in grievant interview with Acamak staff, respondent S. Lewis, even she stated that the staff should have taking the remaining pieces of chicken on that pan/tray off the serving line. But Acamak staff displayed "deliberate indifference" or "reckless disregard" for the safety of grievant/prisoners by failing to "act reasonably" in response to the danger, and served the remaining pieces of chicken anyway, making it a food-borne illness risk factors, and that particular condition endanger grievant/prisoners health or safety.

EXHIBIT NO. 3

As stated in Step II - Response:

There appears no evidence to support that a violation of policy or procedure occurred:

As stated in the Humane Treatment And Living Conditions For Prisoners, P.D. 03.03.130:

Sec. E. As used in this act:

(E) All prisoners shall be provided wholesome and nutritionally adequate meals as set forth in P.D. 04.07.100 "Offender Meals". Meals shall be prepared and served in accordance with MCL 333.12901 et seq. of the Michigan Public Health Code.

As stated in M.C.L. 33.12901, now see M.C.L.A. sec. 289.1107, Definition;

Sec. 1107. As used in this act:

(c) "Evaluation" means a food safety audit, inspection, or food safety and sanitation assessment, whether announced or unannounced, that identifies violations or verifies compliance with this act and determines the degree of active control by food establishment operators over food-borne illness risk factors.

This were food that was inadequate in amount (prison must provide "nutritionally adequate food that is prepared and served under conditions which do not present an immediate danger to the health and well-being of inmates who consume it"):

- (1) Contaminated chicken is an immediate danger to the health and well-being of grievant/prisoners who consume the chicken, and a violation of policy, procedure, and constitution;
- (2) When prisoner Hooper stuck his dirty/unclean hand in the pan/tray of chicken (twice) while being served his food, that contaminated the remaining pieces making it sufficiently gross, a health hazard, or a risk factor;
- (3) When a health hazard in food preparation and service are sufficiently gross, grievant/prisoners need not prove that serious food-borne illness has already occurred, the risk is enough, Palmigiano, 443 F. Supp. at 962-63, in Step I - Grievance; and
- (4) The meal/chicken were not served in accordance with MCL 333.12901 of the Michigan Public Health Code, because the food establishment was

EXHIBIT NO. 3

a food-borne illness risk factor, a violation of food safety and sanitation assessment.

EXHIBIT No. 3

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
CSJ-247A

Date Received at Step I 8/6/14 Grievance Identifier: KCF 1A0800862 097

Be brief and concise in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison law library.

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
RONNIE BOONE	501976	KCF	A-3-63	08/03/14	08/05/14

What attempt did you make to resolve this issue prior to writing this grievance? On what date? 08/03/14
If none, explain why.

Told the Aramark employee about the other pieces of chicken that was in the pan/tray may have been touched by the prisoners' hand, the remaining pieces of chicken was served anyway.

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used. Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.

On 08/03/14, Sunday, Aramark Food Services was serving MDOC Statewide Menu baked chicken leg & thigh for dinner. Grievant was in the serving line receiving his dinner meal when prisoner Hooper (487213) went over the glass counter on the serving line with his open dirty hand, stuck it in the pan of chicken (twice), and took/grabbed two (2) pieces of chicken. Aramark employee seen prisoner Hooper, and immediately stopped the serving line. Aramark employee ("got mad," the two had some words), went over to prisoner Hooper took the two (2) pieces of chicken (back), threw them behind the serving line on the floor, and took his identification (ID) in order to write him a misconduct ticket. Aramark employee made another prisoner clean up the chicken off the floor, and then fired the prisoner who was serving the chicken on the serving line (in which did not have anything to do with Hooper stilling the chicken). DO TO THE FACT THAT PRISONER HOOPER GRABBED AND STUCK HIS OPEN DIRTY HAND IN THE PAN/TRAY OF CHICKEN, AND MAY HAVE TOUCHED THE OTHER PIECES, THAT MADE ALL THE OTHER PIECES IN THE PAN/TRAY UNSANITARY, SUFFICIENTLY GROSS A HEALTH HAZARD, (the hold pan/tray of chicken should have been taking off the serving line and thrown away), BUT ARAMARK SERVED THE REMAINING PIECES OF CHICKEN ANYWAY MAKING IT A HEALTH HAZARD. This health hazard is indeed a violation of grievant constitution right, (see, Palmigiano v Garrahy, 443 F. Supp. 956, 962-63 (D.R.I. 1977)) ("most unsanitary food service cases involve a variety of unsanitary condition. However a single dangerous practice may be unconstitutional if it presents a serious risk, be medically certified. If health hazards in food preparation and service are sufficiently gross, prisoners need not prove that serious food-borne illness has already occurred, the risk in enough").

Ronnie Boone
Grievant's Signature

RESPONSE (Grievant Interviewed?) Yes No If No, give explanation. If resolved, explain resolution.)

Spoke to staff about health and safety of the line about washing hands & changing their gloves. Referred to sign

S. Lewis Respondent's Signature 8/14/14 Date
S. Lewis Respondent's Name (Print) HFS Working Title
[Signature] Reviewer's Signature 8/26/14 Date
[Signature] Reviewer's Name (Print) Bussing Working Title

Date Returned to Grievant: 9/2/14 If resolved at Step I, Grievant sign here: Resc EXHIBIT NO. 3 Date

[Appendix H (Exhibit "LL")]: See, Food Code 3-701.11(D)

APPENDIX "H"

Food Code

U.S. Public Health Service



PROPERTY OF:
KCF LIBRARY

01-106467 NC 2/26/2001
JDG:WILLIAM LUCAS
HUBBARD ERIK
VS

U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service • Food and Drug Administration

Washington, DC 20204

PROPERTY OF:
KCF LIBRARY

PROPERTY OF:
KCF LIBRARY

EXHIBIT ^{" "}LL

P. 1 of 5

Food Code

1995 Recommendations of the
United States Public Health Service
Food and Drug Administration



The Food Code consists of model requirements for safeguarding public health and ensuring food is unadulterated and honestly presented when offered to the consumer.

This model is offered for adoption by local, state, and federal governmental jurisdictions for administration by the various departments, agencies, bureaus, divisions, and other units within each jurisdiction which have been delegated compliance responsibilities for food service, retail food stores, or food vending operations.

For public sale by:

U.S. Department of Commerce
Technology Administration
National Technical Information Service
5285 Port Royal Road, Springfield, VA 22161
(703) 487-4650, refer to report number PB95-265492CEH

ii

EXHIBIT LL, P. 2 OF 5

FOOD CODE

1995 Recommendations of the
United States Public Health Service
Food and Drug Administration
refer to report number PB95-265492CEH

CONTAMINATED FOOD

Subpart
3-701 Disposition

Disposition 3-701.11 Discarding or reconditioning unsafe ADULTERATED, or contaminated FOOD.

(A) A FOOD that is unsafe, ADULTERATED, or not honestly presented as specified in section 3-101.11 shall be reconditioned according to a procedure by the REGULATORY AUTHORITY or discarded.

(B) FOOD that is not from an APPROVED source as specified in section section 3-201.11 through .17 shall be discarded.

(C) READY-TO-EAT-FOOD that may have been contaminated by an EMPLOYEE who has been restricted or excluded as specified in section 2-201.12 shall be discarded.

(D) FOOD that is contaminated by FOOD EMPLOYEES, CONSUMERS, or other PERSONS through contact with their hand, bodily discharge, such as nasal or oral discharges, or other means shall be discarded.

4-101.14 Copper, Use Limitation.*

Copper and copper alloys such as brass may not be used in contact with a FOOD that has a PH (pH) below 6 such as vinegar, fruit juice, or wine or for a fitting or tubing installed between a backflow prevention device and a carbonator.

4-101.16 Galvanized Metal, Use Limitation.*

Galvanized metal may not be used for UTENSILS or FOOD-CONTACT SURFACES of EQUIPMENT that are used for BEVERAGES, acidic FOOD, moist FOOD, or hygroscopic FOOD.*

4-101.18 LINENS, Napkins, and Sponges, Use Limitation.

(A) Except as specified in ¶¶ (B) and (C) of this section, LINENS, napkins, and sponges may not be used in contact with FOOD.

(B) LINENS and napkins may be used to line containers used for the service of FOODS if the LINENS and napkins are replaced each time the container is refilled for a new CONSUMER.

(C) Cloth gloves may be used in direct contact with FOOD that is subsequently cooked as required under Part 3-4 such as frozen FOOD or a PRIMAL CUT of MEAT.

(D) Sponges may not be used in contact with cleaned and SANITIZED or in-use FOOD-CONTACT SURFACES.

4-101.17 Pewter, Use Limitation.

(A) Pewter may not be used as a FOOD-CONTACT SURFACE.

(B) Imitation pewter meeting the characteristics of multiuse UTENSILS specified under § 4-101.11 may be used as a FOOD-CONTACT SURFACE.

4-101.18 Solder and Flux, Use Limitation.

Solder and flux containing lead in excess of 0.2% may not be used on surfaces that contact FOOD.

4-101.19 Wood, Use Limitation.

(A) Except as specified in ¶¶ (B), (C), and (D) of this section, wood and wood wicker may not be used as a FOOD-CONTACT SURFACE.

(B) Hard maple or an equivalently hard, close-grained wood may be used for:

(1) Cutting boards; cutting blocks; bakers' tables; and UTENSILS such as rolling pins, doughnut dowels, salad bowls, and chopsticks; and

(2) Wooden paddles used in confectionery operations for pressure scraping kettles when manually preparing confections at a temperature of 110°C (230°F) or above.

(C) Whole, uncut, raw fruits and vegetables, and nuts in the shell may be kept in the wood shipping containers in which they were received, until the fruits, vegetables, or nuts are used.

(D) If the nature of the FOOD requires removal of rinds, peels, husks, or shells before consumption, the whole, uncut, raw FOOD may be kept in:

(1) Untreated wood containers; or

(2) Treated wood containers if the containers are treated with a preservative that meets the requirements specified in 21 CFR 178.3800 Preservatives for wood.

4-101.110 NonFOOD-CONTACT SURFACES.

NonFOOD-CONTACT SURFACES of EQUIPMENT that are exposed to splash, spillage, or other FOOD soiling or that require frequent cleaning shall be constructed of a CORROSION-RESISTANT, nonabsorbent, and SMOOTH material.

4-102.11 Characteristics.*

Materials that are used to make SINGLE-SERVICE and SINGLE-USE ARTICLES:

(A) May not:

Single-Service and Single-Use

(C) Sufficient in weight and thickness to withstand repeated WAREWASHING;*

(D) Finished to have a SMOOTH, EASILY CLEANABLE surface;*

(E) Resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition.*

4-101.12 Cast Iron, Use Limitation.

(A) Except as specified in ¶¶ (B) and (C) of this section, cast iron may not be used for UTENSILS or FOOD-CONTACT SURFACES of EQUIPMENT.

(B) Cast iron may be used as a surface for cooking.

(C) Cast iron may be used in UTENSILS for serving FOOD if the UTENSILS are used only as part of an uninterrupted process from cooking through service.

4-101.13 Ceramic, China, and Crystal UTENSILS, Use Limitation.

Ceramic, china, crystal UTENSILS, and decorative UTENSILS such as hand painted ceramic or china that are used in contact with FOOD shall be lead-free or contain levels of lead not exceeding the limits of the following UTENSIL categories:

UTENSIL Category	Description	Maximum Lead (MG/L)(mg/L)
Hot BEVERAGE Mugs	Coffee Mugs (1.18 QT)	0.5
Large Hollowware	Bowls > 1.1 L (1.18 QT)	1
Small Hollowware	Bowls < 1.1 L (1.18 QT)	2.0
Flat UTENSILS	Plates, Saucers	3.0

4-101.14 Copper, Use Limitation.*

Copper and copper alloys such as brass may not be used in contact with a FOOD that has a PH (pH) below 6 such as vinegar, fruit juice, or wine or for a fitting or tubing installed between a prevention device and a carbonator.

4-101.16 Galvanized Metal, Use Limitation.

Galvanized metal may not be used for UTENSILS or FOOD-CONTACT SURFACES of EQUIPMENT that are used for BEVERAGES, acidic FOOD, moist FOOD, or hygroscopic FOOD.*

4-101.18 LINENS, Napkins, and Sponges, Use Limitation.

(A) Except as specified in ¶¶ (B) and (C) of this section, LINENS, napkins, and sponges may not be used in contact with FOOD.

(B) LINENS and napkins may be used to line containers used for the service of FOODS if the LINENS and napkins are replaced each time the container is refilled for a new CONSUMER.

(C) Cloth gloves may be used in direct contact with FOOD that is subsequently cooked as required under Part 3-4 such as frozen FOOD or a PRIMAL CUT of MEAT.

(D) Sponges may not be used in contact with cleaned and SANITIZED or in-use FOOD-CONTACT SURFACES.

4-101.17 Pewter, Use Limitation.

(A) Pewter may not be used as a FOOD-CONTACT SURFACE.

(B) Imitation pewter meeting the characteristics of multiuse UTENSILS specified under § 4-101.11 may be used as a FOOD-CONTACT SURFACE.

4-101.18 Solder and Flux, Use Limitation.

Solder and flux containing lead in excess of 0.2% may not be used on surfaces that contact FOOD.

Chapter 4 Equipment, Utensils, and Linens

Parts

- 4-1 MATERIALS FOR CONSTRUCTION AND REPAIR
- 4-2 DESIGN AND CONSTRUCTION
- 4-3 NUMBERS AND CAPACITIES
- 4-4 LOCATION AND INSTALLATION
- 4-5 MAINTENANCE AND OPERATION
- 4-6 CLEANING OF EQUIPMENT AND UTENSILS
- 4-7 SANITIZATION OF EQUIPMENT AND UTENSILS
- 4-8 LAUNDERING
- 4-9 PROTECTION OF CLEAN ITEMS

4-1	MATERIALS FOR CONSTRUCTION AND REPAIR
Subparts	
4-101	Multiuse
4-102	SINGLE-SERVICE and SINGLE-USE

Multiuse

4-101.11 Characteristics.*

Materials that are used in the construction of UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT may not allow the migration of deleterious substances or impart colors, odors, or tastes to FOOD under normal use conditions shall be:

(A) Safe;

(B) Durable, CORROSION-RESISTANT, and nonabsorbent;*

EXHIBIT LL P. 4 OF 5

4-202.15 Can Openers.

Cutting or piercing parts of can openers shall be readily removable for cleaning and for replacement.

4-202.16 NonFOOD-CONTACT SURFACES.

NonFOOD-CONTACT SURFACES shall be free of unnecessary ledges, projections, and crevices, and designed and constructed to allow easy cleaning and to facilitate maintenance.

4-202.17 Kick Plates, Removable.

Kick plates shall be designed so that the areas behind them are accessible for inspection and cleaning by being:

- (A) Removable by one of the methods specified in Subparagraphs 4-202.11(E)(1)-(3) or capable of being rotated open; and
- (B) Removable or capable of being rotated open without unlocking EQUIPMENT doors.

4-202.18 Ventilation Hood Systems, Filters.

Filters or other grease extracting equipment shall be designed to be readily removable for cleaning and replacement if not designed to be cleaned in place.

4-203.11 TEMPERATURE MEASURING DEVICE, FOOD.

- (A) FOOD TEMPERATURE MEASURING DEVICES that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit shall be accurate to $\pm 1^\circ\text{C}$ (1.8°F).
- (B) FOOD TEMPERATURE MEASURING DEVICES that are scaled only in Fahrenheit shall be accurate to $\pm 2^\circ\text{F}$.

4-203.12 TEMPERATURE MEASURING DEVICE, Ambient Air and Water.

(A) Ambient air and water TEMPERATURE MEASURING DEVICES that are scaled in Celsius or dually scaled in Celsius and Fahrenheit shall be designed to be easily readable and accurate to $\pm 1.5^\circ\text{C}$ (2.7°F) at the use range.

(B) Ambient air and water TEMPERATURE MEASURING DEVICES that are scaled only in Fahrenheit shall be accurate to $\pm 3^\circ\text{F}$ at the use range.

Functionality

4-204.11 Ventilation Hood Systems, Drip Prevention.

Exhaust ventilation hood systems in FOOD preparation and WAREWASHING areas including components such as hoods, fans, guards, and ducting shall be designed to prevent grease or condensation from draining or dripping onto FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.

4-204.12 EQUIPMENT Openings, Closures and Deflectors.

(A) A cover or lid for EQUIPMENT shall overlap the opening and be sloped to drain.

(B) An opening located within the top of a unit of EQUIPMENT that is designed for use with a cover or lid shall be flanged upward at least 5 millimeters (two-tenths of an inch).

(C) Except as specified under § (D) of this section, fixed piping, TEMPERATURE MEASURING DEVICES, rotary shafts, and other parts extending into EQUIPMENT shall be provided with a watertight joint at the point where the item enters the EQUIPMENT.

(D) If a watertight joint is not provided:

- (1) The piping, TEMPERATURE MEASURING DEVICES, rotary shafts, and other parts extending through the openings shall be equipped with an apron designed to deflect condensation, drips, and dust from FOOD openings; and
- (2) The opening shall be flanged as specified under § (B) of this section.

Accuracy

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- (1) Allow the migration of deleterious substances; or
 - (2) Impart colors, odors, or tastes to FOOD; * and
- (B) Shall be:
- (1) Safe; and
 - (2) Clean. *

- (C) Free of sharp internal angles, corners, and crevices;
- (D) Finished to have SMOOTH welds and joints; and
- (E) Accessible for cleaning and inspection by one of the following methods:
 - (1) Without being disassembled,
 - (2) By disassembling without the use of tools, or
 - (3) By easy disassembling with the use of only simple tools such as mallets, screw drivers, or wrenches that are kept near the EQUIPMENT and are accessible for use.

4-2	DESIGN AND CONSTRUCTION
Subparts	
4-201	Durability and Strength
4-202	Cleanability
4-203	Accuracy
4-204	Functionality

Durability and Strength

4-201.11 EQUIPMENT and UTENSILS.

EQUIPMENT and UTENSILS shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.

4-201.12 FOOD TEMPERATURE MEASURING DEVICES.*

FOOD TEMPERATURE MEASURING DEVICES may not have sensors or stems constructed of glass, except that thermometers with glass sensors or stems that are encased in a shatterproof coating such as candy thermometers may be used.

Cleanability

4-202.11 FOOD-CONTACT SURFACES.*

Multisuse FOOD-CONTACT SURFACES shall be:

- (A) SMOOTH;
- (B) Free of breaks, open seams, cracks, chips, pits, and similar imperfections;

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4-202.12 CIP EQUIPMENT.

(A) CIP EQUIPMENT shall meet the characteristics specified under § 4-202.11 and shall be designed and constructed so that:

- (1) Cleaning and SANITIZING solutions circulate throughout a fixed system and contact all interior FOOD-CONTACT SURFACES, and
- (2) The system is self-draining or capable of being completely drained of cleaning and SANITIZING solutions; and

(B) CIP EQUIPMENT that is not designed to be disassembled for cleaning shall be designed with inspection access points to ensure that all interior FOOD-CONTACT SURFACES throughout the fixed system are being effectively cleaned.

4-202.13 "V" Threads, Use Limitation.

"V" type threads may not be used on FOOD-CONTACT SURFACES. This section does not apply to hot oil cooking or filtering EQUIPMENT.

4-202.14 Hot Oil Filtering EQUIPMENT.

Hot oil filtering EQUIPMENT shall meet the characteristics specified under § 4-202.11 or § 4-202.12 and shall be readily accessible for filter replacement and cleaning of the filter.

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4-202.15 Can Openers.

Cutting or piercing parts of can openers shall be readily removable for cleaning and for replacement.

4-202.16 NonFOOD-CONTACT SURFACES.

NonFOOD-CONTACT SURFACES shall be free of unnecessary ledges, projections, and crevices, and designed and constructed to allow easy cleaning and to facilitate maintenance.

4-202.17 Kick Plates, Removable.

Kick plates shall be designed so that the areas behind them are accessible for inspection and cleaning by being:

- (A) Removable by one of the methods specified in 4-202.11(E)(1)-(3) or capable of being rotated open; and
- (B) Removable or capable of being rotated open without unlocking EQUIPMENT doors.

4-202.18 Ventilation Hood Systems, Filters.

Filters or other grease extracting equipment shall be designed to be readily removable for cleaning and replacement if not cleaned in place.

4-203.11 TEMPERATURE MEASURING DEVICE

(A) FOOD TEMPERATURE MEASURING DEVICES that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit shall be accurate to $\pm 1^\circ\text{C}$ (1.8°F).

(B) FOOD TEMPERATURE MEASURING DEVICES that are scaled only in Fahrenheit shall be accurate to $\pm 2^\circ\text{F}$.

Accuracy

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EXHIBIT LL

P. 5 of 5

[Appendix I (Exhibit: No.4)]: See, Grievance Form, KCF-1409-0967-09z

APPENDIX “I”

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
 CSJ-247B

Date Received by Grievance Coordinator
 at Step II: **REC'D DEC 03 2014**

Grievance Identifier: **KCF141090091671 92**

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: Wardens office by 11-26-14. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Boone	501976	KCF	A-3-63		11-7-14

STEP II — Reason for Appeal

2017 case has not been resolved. There's no proof or evidence that anyone is responsible for the and if someone is, who would that be? If food they are following the Prisoner's Schedule, and nutritionally equal, and up by 1000. The amount of food they are getting is the same as the "prison" food. Meals they are feeding grievant what every they can get "junk" at the time.

STEP II — Response

Date Received by
 Step II Respondent:
REC'D DEC 11 2014

D MacLaren [Signature] 12-11-14
 Respondent's Name (Print) Respondent's Signature Date

Date Returned to
 Grievant:
12/11/14

STEP III — Reason for Appeal

EXHIBIT No. 4

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
CSI-247A

Date Received at Step I 9/4/14 Grievance Identifier: KCF1A0900967 097

Be brief and concise in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison law library.					
Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
RONNIE BOONE	581976	KCF	A-3-63	08/31/14	09/03/14

What attempt did you make to resolve this issue prior to writing this grievance? On what date? _____
If none, explain why.

On 08/31/14, asked Aramark employee why are they keep run out food? Grievant was told the food was coming, and no commit was made on why they keep ranning out of food.

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used.

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.

On December 06, 2013, Aramark Correctional Services assumed responsibility for food service within the (MDOC). Aramark has been (MDOC) Food Service going on nine (9) months, and they are still not preparing the appropriate number of meals for the prison population or running out of food during meals or food shortages, and (doing this on a regular basis). Meals are not equal to the caloric and nutrition as set out in the statewide standard menu or meals are not adequate in quantity, nutritional value or in any other respect. On 08/31/14, grievant went to eat dinner, and Aramark workers again ran out of (MDOC) Statewide Standard Menu meal, (baked chicken-leg & thigh), and served unauthorized menu substitutions (chicken chucks) that are used for the (chicken salad). MDOC plans its menus to meet nutrient and caloric needs for the prison population. When Aramark keep running out of food: 1) that changes MDOC plans of nutrient and caloric set for the meals because the substitute food will not be same food on the statewide menu; 2) are failing to adequately meet grievant nutritional and calories requirements to maintain normal health; 3) are causing less yard time when Aramark having to keep preparing more food because of not preparing appropriate number of meals; and 4) when Aramark rush to prepare more food, the food are not being proper cooked, undercooked, raw, and unfit to eat as to present a health risk or not a wholesome and nutritionally adequate meal.

EXHIBIT No. 4

Ronnie Boone
Grievant's Signature

RESPONSE (Grievant Interviewed?) Yes No If No, give explanation. If resolved, explain resolution.)

IF A Menu Item runs out we follow ^{statewide} guidelines set by the MDOC for approved substitutions. These are nutritionally equal. All ^{statewide} recipes are being followed. * Refused to sign

J. McMillen 10/6/14
Respondent's Signature Date
J. McMillen FSD
Respondent's Name (Print) Working Title

[Signature] 10/21/14
Reviewer's Signature Date
[Signature] Busmy
Reviewer's Name (Print) Working Title

Date Returned to Grievant: <u>10/22/14</u>	If resolved at Step I, Grievant sign here. Resolution must be described above.	Grievant's Signature	Date
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PRISONER'S NAME: Boone #501976, A-3-63

DATE RECEIVED: 12/13/14 KCF 1409 0967 09z

STEP II RESPONSE: Your second step grievance regarding Food Service was received and reviewed by the Warden's Office. The first step response is appropriate and is supported by the Warden's Office.

At Step I the grievant states that on 8-13-14 while going through the serving line the kitchen ran out of food. This happens on a continual basis. At Step II the issue remains the same.


At Step I respondent indicates that if a menu item runs out Aramark follows the statewide guidelines set by the MDOC for approved substitutions. These substitutions are nutritionally equal. All statewide recipes are being followed. Grievance denied.

At Step II it is noted that the Step I response is supported. Food Service is following the menu provided by the MDOC Central Office Food Service program manager.

Grievance denied.

12-11-14

Date Returned


Duncan MacLaren, Warden

DM:mm

EXHIBIT No. 4