

[Appendix J (Exhibit No.5)]: See Grievance KCF-1409-0995-09z;.

APPENDIX “J”

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
 CSJ-247B

Date Received by Grievance Coordinator
 at Step II: 11/26/14

Grievance Identifier: KCF14090995 | 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
<u>Boone</u>	<u>501976</u>	<u>KCF</u>	<u>A-3-63</u>		<u>11-7-14</u>

STEP II – Reason for Appeal

Respondent is not food cooked. "I" was told that (KCF) cooked, but the food was either, cold/cooked/raw, and unfit to eat as to posing a health risk to me. Respondent not qualified to fully adequate work. Respondent acted with "deliberate indifference" to grievant's health and safety or well-being, and served it anyway. Respondent took the food away and said she was going to take a picture of the cold/cooked/raw meat that was being served.

STEP II – Response

Date Received by
 Step II Respondent:

D. MacCormen
 Respondent's Name (Print)

[Signature]
 Respondent's Signature

12-16-14
 Date

Date Returned to
 Grievant:
12/19/14

STEP III – Reason for Appeal

EXHIBIT NO. 5

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
CSJ-247A

Date Received at Step I 9/10/14 Grievance Identifier: KCF/140900995097

<p>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.</p>					
Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
RONNIE BOONE	501976	KCF	A-3-63	09/09/14	09/09/14

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

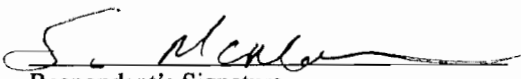
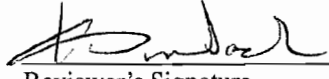
The food tray was taking over to Sergeant Essilin, she looked at the (sloppy Joe), and then took the food tray and said she was going to take a picture of the red/uncooked/raw meat.

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 09/09/14, Aramark was serving (sloppy Joe) for dinner according to the MDOC Statewide Menu-Man. Aramark ran out of (sloppy Joe) or mealtime food shortages. Aramark staff tried to hurry up and prepare some more food, but the (sloppy Joe) was soybean meat, and the meat was red/uncooked/raw. Aramark staff was also telling the prison cook to put flour in with the meat to thicken it up because they were running out again. 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,'" because the meal/food was not properly cooked and served. Grievant "has been and will continue to be irreparably injured by the conduct of being deprived of policy mandated (adequate) calories, and nutritional requirements to maintain his normal health."

EXHIBIT No. 5 
Grievant's Signature

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

There was ~~made~~ more made. We have a batch recipe so we can make extra if needed. All recipes were followed. The meat was cooked according to the statewide recipes and tempered after cooking. * Refused to sign

	<u>10/6/14</u>		<u>10/10/14</u>
Respondent's Signature	Date	Reviewer's Signature	Date
<u>S. McMillen</u>	<u>FSD</u>	<u>S. Dumbauld</u>	<u>Bussing</u>
Respondent's Name (Print)	Working Title	Reviewer's Name (Print)	Working Title

Date Returned to Grievant: 10/2/14 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: 11/26/14, KCF 14 09 000995 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 9/9/14, Aramark was serving sloppy joe for dinner according to the MDOC Statewide Menu. Grievant states Aramark ran out of the sloppy joe and tried to hurry up and prepare more food but the sloppy joe was soybean meat and the meat was red/uncooked/raw. Grievant states Aramark staff was telling the prisoner cook to put flour in the meat to thicken it up because they were running out again. Grievant states he doesn't feel as if he received a wholesome and nutritionally adequate meal as set forth in PD 04.07.100 because the meal was not properly cooked and served. Grievant states he has been and will continue to be irreparably injured by the conduct of being deprived of policy mandated calories and nutritional requirements to maintain his normal health. At Step II the issue becomes the Step I response.

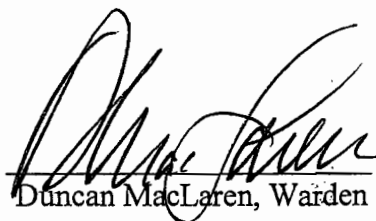
At Step I the respondent states that there was more made. Respondent states that they have a batch recipe so they can make more if needed. Respondent states that all recipes were followed. Respondent states the meat was cooked according to the statewide recipes and temped after cooking.

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 have a batch recipe so they can make more if needed. According to the respondent, all recipes were followed, the meat was cooked according to the statewide menu and temped after cooking. There appears no evidence to support that a violation of policy or procedure occurred.

Grievance denied.

12-16-14

Date Returned


Duncan MacLaren, Warden

DM/md

EXHIBIT NO. 5

[Appendix K (Exhibit No.6)]: See, Grievance Form KCF-1409-1074-09z

APPENDIX “K”

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
 CSJ-247B

Date Received by Grievance Coordinator
 at Step II: 11/26/14

Grievance Identifier: KCF11409101074 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
<u>Boone</u>	<u>501976</u>	<u>KCF</u>	<u>A-3-63</u>		<u>11-7-14</u>

STEP II — Reason for Appeal

Dispute has not been resolved. Once again Armark ran out of (500) Spacewide Spauld's (big feed (chicken-leg & chigh), and ~~scort~~ moving (chicken pood). Armark also ran out of (chicken) (chicken) (chicken), and the amount of other prisoners in stability changed because Armark employees refused to cook or prepare enough food for the general population, inmates lacking a certain unit. Armark has a policy or practice to not deprive prisoners of his constitutional rights, equal protection, and the right to a grievance regarding the conditions inprisonable and prison conditions.

STEP II — Response

Date Received by
 Step II Respondent:

D. MacLennan [Signature] 12-16-14
 Respondent's Name (Print) Respondent's Signature Date

Date Returned to
 Grievant:
12/19/14

STEP III — Reason for Appeal

EXHIBIT NO. 6

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: 11/26/14, KCF 14 09 01074 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 Aramark has been the food service for over nine months and they are still not preparing the appropriate amount of meals for the prison population or running out of food during meals. Grievant states the meals are not equal to the caloric and nutrition as set forth in the Statewide Standard Menu. Grievant states on 9/28/14, he went to dinner and Aramark again ran out and served unauthorized menu substitutions (chicken patty). Grievant states that when Aramark keeps running out of food, 1) that changes MDOC plans of nutrient and caloric set for the meal, 2) are failing to meet grievant's nutritional and caloric requirements, 3) are causing less yard time by having to keep preparing more food because they are not preparing the appropriate number of meals and 4) when Aramark rushes to prepare more food, the food is not properly cooked. At Step II the issue remains the same.

At Step I the respondent states that if and when they run short of an item, they follow the MDOC Substitution Guide as to what they can use. Respondent states they are working hard to train their new staff so this problem will not continue.

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, when Aramark runs out of food, they follow the MDOC Substitution Guide as to what they can use. According to the respondent, Aramark is working hard to train their new staff so this problem will not continue. There appears no evidence to support that a violation of policy or procedure occurred.

Grievance denied.

12-16-14
Date Returned


Duncan MacLaren, Warden

DM/md

EXHIBIT NO. 6

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
CSJ-247A

Date Received at Step I 9/30/14 Grievance Identifier: KCF/A090107A 09Z

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	09/28/14	09/29/14

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

On 09/28/14, grievant asked Aramark employee about why they keep running out of chicken on the lay chicken the second Aramark employee would not make any comment on why they keep running out of chicken.

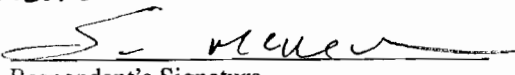
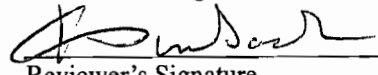
State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used. Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP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

Aramark Correctional Services assumed responsibility for food services within the (MDOC), and has been the Food Service over 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). The meals are not equal to the caloric and nutrition as set out in the Statewide Standard Menu or the meals are not adequate in quantity, nutritional value or in any other respect. On 09/28/14, grievant went to eat dinner, and Aramark staff again (for the third time) ran out (MOC) Statewide Standard Menu, (baked chicken-leg ? thigh), and served unauthorized meat substitutions (chicken patty). MOC plans its meals to meet nutrient and caloric needs for the prison population. Even Aramark keep running out of food: 1) that changes MOC plans of nutrient and caloric set for the meals because the substitute food will not be the same food as the statewide menu; 2) is failing to adequately meet prisoners' nutritional and calories requirements to maintain normal health; 3) are causing less and time than Aramark's having to keep preparing more food because they are not preparing the appropriate number of meals; and 4) when Aramark rush to prepare more food, the food are not being properly cooked, undercooked, raw, and unfit to eat as to present a health risk or not a wholesome and nutritionally adequate meal.

EXHIBIT No. 6 
Grievant's Signature

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

IF and when we run short of an item we follow the MOC substitution guide as to what we can use. we are working hard to train our new staff so this problem will not continue
* Refused to sign

	<u>10/6/14</u>		<u>10/20/14</u>
Respondent's Signature	Date	Reviewer's Signature	Date
<u>S. McMiller</u>	<u>FSD</u>	<u>S. McMiller</u>	<u>Boone</u>
Respondent's Name (Print)	Working Title	Reviewer's Name (Print)	Working Title

Date Returned to Grievant: 10/22/14 If resolved at Step I, Grievant sign here. Resolution must be described above. Grievant's Signature _____ Date _____

[Appendix L (Exhibit No.7)]: See, Grievance Form KCF-1411-01304-09z

APPENDIX “L”

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 FEB 08 2015**

Grievance Identifier: **KCFIA11101304 092**

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: Warden's Office by 2/2/15. If it is not submitted by this date, it will be considered terminated. KCF

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>Beons</u>	<u>501976</u>	<u>KCF</u>	<u>A-3-36</u>		

STEP II — Reason for Appeal

If all food items are prepared in accordance to the P.O. 04.07.100 "Offender Meals," as stated in Step I response, "IT" was the chicken not properly cooked, unseasoned, not well juiced or sauced. KCF has failed to provide general high food and was nutritional value not in any other respect not a wholesome and nutritionally adequate meal, the nutritional requirements to maintain my normal health. The preparation of that chicken was grossly inadequate in maintaining general health.

STEP II — Response

See attached

Date Received by
 Step II Respondent:
REC'D FEB 08 2015

Ruthy Olson
 Respondent's Name (Print)

Ruthy Olson
 Respondent's Signature

2/25/15
 Date

Date Returned to
 Grievant:
2/25/15

STEP III — Reason for Appeal

EXHIBIT No. 7

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
CSJ-247A

Date Received at Step I 11/26/14 Grievance Identifier: KCF/A/1/10/304 09 Z

Be honest and objective in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to P.D. 03.02.130 and OP 03.02.130 available in the person Law Library.

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
RUNNIE BOONE	501976	KCF	A-3-63	11/23/14	11/25/14

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

If none, explain why.

On 11/23/14, grievant went to eat the dinner meal, and Aramark again ran out of food, even though it (MCO) should have had food (based on the 1st shift). The Aramark worker who was present did not check the kitchen for food, and when he did, he found that the food was not ready to be served. He then told the grievant that the food was not ready to be served, and that he would have to wait for the food to be ready. The food did not meet the nutritional needs, and (MCO) should have checked the kitchen for food before serving it. The food was not ready to be served, and the grievant was not satisfied with the food. The food was not ready to be served, and the grievant was not satisfied with the 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 11/23/14, grievant went to eat the dinner meal, and Aramark again ran out of food, even though it (MCO) should have had food (based on the 1st shift). The Aramark worker who was present did not check the kitchen for food, and when he did, he found that the food was not ready to be served. He then told the grievant that the food was not ready to be served, and that he would have to wait for the food to be ready. The food did not meet the nutritional needs, and (MCO) should have checked the kitchen for food before serving it. The food was not ready to be served, and the grievant was not satisfied with the food. The food was not ready to be served, and the grievant was not satisfied with the food.

EXHIBIT NO. 7


Grievant's Signature

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

All Food items are prepared in accordance to P.D. 04-07.100 Offender Meals. All items are tamped when they are done cooking and are tamped and recorded. Refused to sign

Respondent's Signature S. McMillan Date 12/11/14 Reviewer's Signature [Signature] Date 12/23/14
Respondent's Name (Print) S. McMillan Working Title FSD Reviewer's Name (Print) [Name] Working Title [Title]

Date Returned to Grievant: 12/23/14 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: 02/03/15 KCF 1411 1304 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 11-23-14 while going through the serving line the kitchen ran out of chicken. When Aramark tried to rush to prepare more chicken, the chicken was not properly cooked. Aramark acted with "deliberate indifference" when serving undercooked, raw food. Step II the issue remains the same.

At Step I respondent indicates that all food items are prepared in accordance to PD-04.07.100, Offender Meals. All items are temped when they are done cooking and temped and recorded. Grievance denied.

At Step II it is noted that the Step I response is supported. KCF Food Service serves all meals in compliance with PD-04.07.102 Q. and OP-KCF-04.07.102.

Grievance denied.

2/25/15
Date Returned

Kathleen Olson A/Warden
Duncan MacLaren, Warden

DM:mm

EXHIBIT NO. 7

[Appendix M (Exhibit “FF”)] See, Disbursement Authorization Form

APPENDIX “M”

MICHIGAN DEPARTMENT OF CORRECTIONS
DISBURSEMENT AUTHORIZATION/CATALOG ORDER FORM

CAR-100
 4835-1100
 10/08

Prisoners write clearly-illegible/incomplete forms will not be processed.

Date: 08/18/15

Prisoner Number: 501976 Prisoner's Last Name: BOONE Institution: KCF Lock Number: B-3-93

Pay To: MAIL ROOM/BUSINESS OFFICE
 Address: DIRECTOR'S OFFICE, P.O. BOX 30003, LANSING, MI 48909 Cost/Amount: \$ 5.95

Reason/Description: (If to relative, identify relationship) OVER SIZE MAIL, STEP III GRIEVANCES - KCF-1412-1376-092 - KCF-1412-1401-092, KCF-1412-1396-092, KCF-1412-1310-092

COMPLETE THIS PORTION FOR CATALOG ORDERS ONLY

Page No.	Description of Item	Unit	Catalog Number	Color	Size	Qty	Unit Price	Total Price
							\$	\$

NSF
 AUG 21 2015
 CFA KINROSS BUS. OFF.

KINROSS CORRECTIONAL FACILITY
 16770 WATER TOWER DR.
 KINCHHOPE, MI 49788

Sub-Total _____ \$ _____
 Delivery Costs _____ \$ _____
 Tax (if applicable) _____ \$ _____
 Total Amount Enclosed _____ \$ _____

[Signature] 08/19/15
 Prisoner's Signature Date

 Deputy Warden or Authorized Agent Date

[Signature] 8-19-15
 R.U.M. or Authorized Agent Date

 Warden or Authorized Agent Date

Code	Actual Expense	Batch Number



[Appendix N (Exhibit “GG”): See, “Prisoner Mail, “P.D. 05.03.118(k)

APPENDIX “N”

MICHIGAN DEPARTMENT OF CORRECTIONS		EFFECTIVE DATE 09/14/2009	NUMBER 05.03.118
POLICY DIRECTIVE			
SUBJECT PRISONER MAIL	SUPERSEDES 05.03.118 (01/01/06)		
AUTHORITY MCL 791.203; 800.43; Administrative Rules 791.6603, 791.6605			
ACA STANDARDS 4-4266; 4-4275; 4-4487 through 4-4496; 1-ABC-SD-01 through 10; 2-CO-SD-01; 3-ACRS-SC-01 through 10			
PAGE 1 OF 12			

DOCUMENT TYPE POLICY DIRECTIVE	EFFECTIVE DATE 09/14/2009	NUMBER 05.03.118	PAGE 2 OF 12
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POLICY STATEMENT:

Mail to and from prisoners in a Correctional Facilities Administration (CFA) or Field Operations Administration (FOA) facility, and electronic messages received through the Department's approved vendor, shall be processed as set forth in this policy.

RELATED POLICIES:

- 04.02.105 Prisoner Funds
- 04.02.120 Indigent Prisoners
- 04.07.112 Prisoner Personal Property

POLICY:

DEFINITION

- A. **Mail** - Any written, typed, or printed communication of information, including magazines, catalogs, books, and photographs. Stamps, stickers, and similar items do not communicate information and thus are not considered mail for purposes of this policy even if delivered through the mail. Electronic messages received through the Department's approved vendor also are not considered mail for purposes of this policy.

GENERAL INFORMATION

- B. Where in conflict with this policy, PD 05.01.142 "Special Alternative Incarceration Program" controls for prisoners in the Special Alternative Incarceration Program (SAI).
- C. For purposes of this policy, "prisoner" includes parolees in a Residential Reentry Program facility.
- D. Prisoners shall be permitted to send and receive uncensored mail to or from any person or organization unless the mail violates this policy or Administrative Rule 791.6603. Mail shall not be prohibited solely because its content is religious, philosophical, political, social, sexual, unpopular, or repugnant. However, mail shall be prohibited if it is a threat to the security, good order, or discipline of the facility, may facilitate or encourage criminal activity, or may interfere with the rehabilitation of the prisoner. This includes the following:
 - 1. Mail violating federal or state law.
 - 2. Mail violating postal regulations.
 - 3. Mail containing physical contraband, which is defined as any property that a prisoner is not specifically authorized to possess or that is from an unauthorized source. This includes postage stamps, except that a prisoner may receive a single stamped self-addressed envelope from an attorney, a court, or a legitimate religious organization.
 - 4. Mail containing a criminal plan or conspiracy.

- 5. Mail containing threats.
- 6. Mail addressed to anyone who has objected to receiving mail from the prisoner sending the mail. This only applies after the prisoner has been notified of the objection. A prisoner who continues to send mail to a person who has objected to receiving mail from that prisoner after receiving notice of the objection also may be subject to discipline in accordance with PD 03.03.105 "Prisoner Discipline".
- 7. Mail for the purpose of operating a business enterprise while within the facility.
- E. Prior to rejecting mail for violation of this policy, the prisoner is entitled to a fact-finding hearing conducted pursuant to Administrative Rule 791.3310 unless otherwise specifically stated in this policy.
- F. Law enforcement officials shall be contacted immediately through the appropriate chain of command if mail addressed to or sent by a prisoner contains evidence of illegal activity. Upon request of a law enforcement official and approval of the facility head, notices required to be issued and hearings required to be conducted pursuant to this policy may be delayed for a reasonable length of time to allow for a criminal investigation.

WRITING MATERIALS AND POSTAGE

- G. Each CFA facility shall have available a reasonable quantity of free writing materials (i.e., pencils or pens; paper) for use by prisoners. Paper provided free to a prisoner does not need to be lined or of typing quality. Funds to purchase standard-size envelopes (e.g., 3 5/8" x 6 1/2"; 4 1/8" x 9 1/2") also shall be loaned to prisoners eligible to receive a postage loan under this section if the prisoner does not have, or does not have the funds to purchase, an envelope.
- H. Additional writing materials, including typing paper for legal work, carbon paper, and metered envelopes, shall be available for prisoner purchase in CFA facilities as set forth in PD 04.02.130 "Prisoner Store". Funds to purchase a reasonable quantity of carbon paper and to purchase over-sized envelopes of a sufficient size to mail legal materials (e.g., 10" x 15"; 15" x 20") to a court, an attorney, or a party to a lawsuit due to pending litigation, including the initial filing and service of a lawsuit, shall be loaned to a prisoner who lacks sufficient funds to purchase such items in the prisoner store upon demonstrated proof by the prisoner that the items are for litigation. In CFA, the funds shall be loaned by the Prisoner Benefit Fund (PBF). The cost of envelopes and carbon paper provided shall be considered an institutional debt and collected as set forth in PD 04.02.105 "Prisoner Funds". Funds collected to repay a loan from a PBF shall be returned to that PBF.
- I. A prisoner on indigent status pursuant to PD 04.02.120 "Indigent Prisoners" shall be loaned funds for postage as set forth in that policy.
- J. Funds for additional first class postage shall be loaned to prisoners who lack sufficient funds to send mail to a court, an attorney, or a party to a lawsuit due to pending litigation. This includes the initial filing and service of a lawsuit. The cost of certified mail shall be loaned only if the prisoner is required by court order to use certified mail (e.g., an order denying the prisoner's motion for substituted service by first class mail.) Postage shall be loaned to prisoners on indigent status pursuant to this paragraph only after the prisoner has used all postage available pursuant to Paragraph I.
- K. Funds for additional first class postage also shall be loaned to prisoners who lack sufficient funds to mail a grievance to another facility or to mail a Step III grievance or a Request for Rehearing to Central Office. Funds shall be loaned for these purposes only if there is not a Department of Management and Budget (DMB) interdepartment mail run available and the mail must be posted before the prisoner will receive postage pursuant to Paragraph I.
- L. A prisoner requesting a postage loan pursuant to Paragraph J or K may be required to present the mail unsealed to staff to verify that it qualifies for the loan. In such cases, staff shall read only those sections of the mail that are necessary to make this determination; the mail shall not be read in its entirety. In CFA, the cost of any postage or envelopes loaned to the prisoner shall be borne by the PBF. Any funds

EXHIBIT GG

GG

[Appendix O (Exhibit “No.8”): See, Grievance Form KCF-1412-1310-09z

APPENDIX “O”



STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

RICK SNYDER
GOVERNOR

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE APPEAL DECISION

TO: Boone, Ronnie - #501976

B3B

CURRENT FACILITY: KCF

GRIEVANCE ID#: KCF-14-12-1310-09z-28e

STEP II RESPONSE
DATE: 1/30/15

DATE STEP III APPEAL
RECEIVED: 8/28/15

BUSINESS DAYS
BETWEEN: 147

The above grievance was not filed to this Office within 10 business days of receiving the Step II response or within 10 business days of when it should have been received as required by PD 03.02.130, "Prisoner/Parolee Grievances".

Therefore, this Step III appeal is rejected as being untimely submitted to Step III.

The grievance category code has been modified to reflect the untimely submission. All future reference to this grievance should use the modified code.

This decision may not be appealed further within the Department. In addition, because this grievance is properly rejected, you have failed to exhaust the administrative remedies provided to you by this Department.

This issue is considered closed.



Date Mailed: SEP 21 2015

Richard D. Russell
Grievance Section Manager
Office of Legal Affairs

Copy to:

Warden: KCF

EXHIBIT No. 8

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
 CSJ-247B

Date Received by Grievance Coordinator
 at Step II: 1/27/15

Grievance Identifier: KCF 1412 1310 097

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 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
 AUG 28 2015
 KCF
 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 1/27/15. 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

SEE ATTACHED STEP II REASON FOR APPEAL

STEP II — Response

See attached

Date Received by
 Step II Respondent:

1/27/15

Kathy Olson
 Respondent's Name (Print)

Kathy Olson A/buden 1/30/15
 Respondent's Signature Date

Date Returned to
 Grievant:

1/30/15

STEP III — Reason for Appeal

SEE ATTACHED STEP III REASON FOR APPEAL

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

KCF 1412-1310-09z

Date 08/18/15

These Grievance's are being filed late do to the fact prisoner's Freeman 402493, and Boone 501976, was unable to obtain the information or affidavits of facts in a timely matter, needed for evidence until 07/06/15. Even if these grievance are rejected a tracking system shall include information on the subject matter of each grievance received, and for rejected grievance, the basis for the rejection, (P.D. 03.02.130(FF)).

Aramark Correction Services (ACS), is no longer working for the Michigan Department of Correction (MDOC), and the food services now is Trinity Service Group (TSG). The same employee's that work for (ACS), are working for (TSG). Even if (ACS) is no longer with (MDOC), they are still responsible for there action. Mr. Shawn McMullen Aramark Food Service Director (AFSD) is now working for (TSG).

EXHIBIT No. 8

STEP III - Reason for Appeal
KCF- 1412-1310-09z

I. FACTS

1. As stated in Step II respondent finds the Step I response appropriate. There is no evidence presented by Grievant to substantiate his claim. Grievant makes an allegation of inappropriate conduct and meal preparation but produces no sources to verify this claim. No violation of Serve Safe procedures of PD 04.07.100 Offender Meals is established. Based on the above finding(s), the grievance appeals is denied, (see, Step II Respondent).

2. As stated in Step I Grievance Response Aramark food worker (Ms. Plount) stated that at no time did she observe any food service worker removing (plastic glove) from food, (see, Summary in Step I), creating an environment that is inhumane, hostile, and disruptive to the good order of this institution.

- (a) Aramark employee (Ms. Plount) have a duty to report unsanitary conditions in food service area to their supervisors.
- (b) (Ms. Plount) "made a false oral statement regarding the removing of a (plastic glove) out of the (bread pudding)" which indicated "that the incident never occurred."
- (c) (Ms. Plount) statement should be stricken from the record because it is or was actually false and misleading. There are other witness/inmates who seen the incident, (see, Affidavits of Facts From Other Inmates; (EXHIBITS "A, B, C, & D")), and
- (d) (Ms. Plount) statement is not reliable do to the fact she was "fired" after being caught trying to "smuggle tobacco into the prison" or "inappropriate activity with one of the kitchen worker," prisoner (White 679235), who was locked-up in segregation on (02/09-10/2015) for investigation, and he told what happen with him and (Ms. Plount).

3. As stated in KCF-Warden's Forum Meeting on February 2015, QUESTION 1., prisoners stated: Aramark staffs are creating an environment that is inhumane, hostile and disruptive to the good order of this institution. They continuously talk disrespectfully to prisoners as well as practice variation of corporal punishment, (i.e. putting men in positions to catch misconducts), this has to stop. We humbly ask this Warden to regain control of Aramark staff that believes that they are above the Policies, Procedures, Rules, and Regulations of the MDOC or think that they can create their own rules against prisoners on the spot. ANSWER From Warden, Duncan MacLaren: Aramark Staff are trained to be fair and consistent with the treatment of inmates. Policies are to be followed and corrective action is taken when violations occur. Aramark has to establish and enforce a safe and secure workplace along with a productive facility. All issues regarding improper treatment that is reported to management is looked into, (see, Copy of the Warden's Forum; (EXHIBIT "E," p. 1 of 3)).

EXHIBIT No. 8

- (a) The issues regarding improper treatment that is reported are not being looked into, and the policies are not being followed, nor are the corrective action being taken when violation occur from Aramark Employee's as stated in the KCF-Warden's Forum Meeting, (see, (EXHIBIT " E ")).

4. Here's an prime example that the policy's are not being followed nor are the corrective action being taken:

Under Policy Directive 03.02.130(Y), the respondent shall interview the grievant, and the grievant shall have the opportunity to explain the grievance more completely at the interview to enable the Step I respondent to identify and gather any additional information needed to respond to the grievance, (see, P.D. 03.02.130(Y); (EXHIBIT " EE ")). "EE"

Policy's are not being followed:

- (a) I grievant was never interviewed on the grievance, denying me the opportunity or right to explain the grievance, and for given reason by respondent Shawn McMullen (AFSD), he falsified the record, and put "NO SHOW" on the grievance form. The Policies was not followed, nor was the corrective action taken when the violation occurred. By putting "NO SHOW" on the grievance Mr. McMullen (AFSD) was held liable when he knew of and disregarded and excessive risk to my/grievant health.

- BUILDING
(i) I grievant talked with all (MDOC) day shift Officer's that worked in A-3 (buliding), and they all stated Aramark Food Service never called them to send me/grievant (Boone), nor prisoner (Freeman) over to food service, and no inmate pass was never written, nor was it lodged in the Officer's log book. The Correctional Officer's even signed a Affidavit that this never occurred, (see, AFFIDAVITS OF FACTS; EXHIBITS " G & H "), and

- (ii) The issues was never addressed by the Warden in Step II Appeal about I grievant was never called over to Food Services to be interviewed, and it was stated in Step II - Reason for Appeal. So how could I grievant present any evidence to substantiate my claim, as stated in Step II Response? THIS WAS A VIOLATION OF THE POLICY.

- (b) I grievant even filed another grievance form on the matter about Mr. McMullen (AFSD) stated on three (3) of the grievance he called, but I grievant never "showed up," and the grievance was rejected on grounds I grievant should appeal those response, rather filing a new grievance, (see, Grievance Form, (EXHIBIT " N ")).

- (i) On 01/13/15, I grievant talked with Ms. Lewis (AFSS) about Mr. McMullen (AFSD) putting "NO SHOW" on three (3) of the grievance, when I grievant was never called over to the kitchen. Ms. Lewis (AFSS) stated I grievant always have should up to be interviewed on all of the previous grievance, and she stated she was going to talk with Mr. McMullen

EXHIBIT No. 8

(AFSD) about the situation, (see, (EXHIBIT "N")).

- (ii) Mr. McMullen (AFSD) even denied inmate/prisoner (Freeman 402493) the opportunity to explain the grievance, as stated in P.D. 03.02.130(Y), when he put "NO SHOW" on his grievance, (see, Grievance Form, (EXHIBIT "J-I")). J-1 / CHANGE TO No. 12
- (iii) MDOC Officer McTechnie even signed a Affidavit for prisoner (Freeman 402493) stating Mr. McMullen (AFSD) never called him three (3) times to send (Freeman) over to the kitchen to be interviewed on the grievance, violating P.D. 03.02.130(Y), (see, Affidavit Of Facts, (EXHIBIT "H")).
- (c) The grievance response even contradict them self, (see, below (i) and (ii)).
- (i) In Step I Grievance Form Response Aramark staff Mr. McMullen (AFSD) stated I grievant was not interviewed for reason he put "NO SHOW," (see, Step I Grievance Form).
- (ii) In Step I Grievance Response Aramark staff Mr. McMullen (AFSD) stated I grievant was interviewed on the grievance, (see, Step I Grievance Response), and
- (iii) Aramark Official's acted with "deliberate indifference" to a substantial risk that would cause prisoners serious harm from receiving contaminated food.

Corrective action are not being taken:

- (d) **NO ACTION WAS TAKEN WITH (WARDEN), MACLAREN, AND (AFSD), MCMULLEN ON THE MATTER ABOUT ARAMARK STAFF, AND IN THE END RESULT IT CAUSED A "HOSTILE INCIDENT," TWO WOMEN WERE HURT AND HOSPITALIZED.**
- (i) In June of 2014, issues was brought up in the (KCF) Food Service Committee Meeting Agenda in 4. (A), about Aramark staff member is addressing inmates with yelling and verbal abuse. Creating tension between inmates, aramark staff and custody, (see, Copy of Food Service Committee, pages 1-2; (EXHIBIT "I")), and
- (ii) In February of 2015, another complain was brought up in the (KCF) Warden's Forum Meeting in Question: 1., about Aramark staff, they are creating an environment that is inhumane, hostile, and disruptive to the good order of this institution. They continuously talk disrespectfully to prisoners, (see, Copy of Warden's Forum Meeting, pages 1-3; (EXHIBIT "E")).
- (e) On 06/13/15, ARAMARK EMPLOYEE (MS. PEA) WAS CONTINUOUSLY TALKING DISRESPECTFULLY TO PRISONER (ROBERTSON 185259), CREATING TENSION, AND HE BEAT-UP/ATTACKED/ASSAULTED HER IN THE KITCHEN. MDOC OFFICER (MS. NIGHT) TRIED TO STOP PRISONER (ROBERTSON) BUT SHE WAS ALSO BEAT-UP/ATTACKED/ASSAULTED. THE TWO WOMAN WAS TAKING TO THE HOSPITAL FOR TREATMENT, AND PRISONER (ROBERTSON) WAS TAKING TO SEGREGATION, AND

EXHIBIT No. 8

SEND TO ANOTHER CORRECTIONAL FACILITY ON THAT SAME DAY.

- (i) THIS WAS A HOSTILE ENVIRONMENT OR SITUATION. All the prisoner's at (KCF) were put on lock-down or confined to there cells. All prisoners meals that day was send to the cells.

II. CLAIMS

5. I grievant allege that (Warden), MacLaren, and (AFSD), McMullen defrauded (MDOC) by submission of false facts or fraudulent information, and had some independent and direct knowledge of false or misleading statements conveyed as claims to the Grievance Forms, Warden's Forum Meeting, and Food Service Committee Meeting. These food conditions existed pursuant to a system wide policy and that they ignored or failed to reasonable address the conditions even though I grievant had submitted grievance describing the issues.

6. I grievant allege that (AFSD), Mr. McMullen perpetrated fraud/perjury on the grievance form by putting "NO SHOW," not just once, but on several difference grievance forms, trying to cover up what happened, (see, Grievance Forms; KCF14-12-1396-09z, (EXHIBIT "J-1"); KCF-14-12-1401-09z, (EXHIBIT (10) "K"); KCF-14-12-1367-09z, (EXHIBIT "L(9)"); KCF-14-12-1310-09z, (EXHIBIT (8) "M," p. 9 of 10); and KCF-15-01-0066-28j, (EXHIBIT "N," pgs. 1-2)), violating MDOC-P.D. 03.02.130(Y). (12)

7. I grievant allege that Aramark employee's (Ms. Plount) and her director (Mr. McMullen) knew or should have been aware of facts from which they could infer that a substantial risk existed that (plastic) or other (foreign object) are finding its way into the (bread pudding) or other (food product), much less that such an object would create such a serious threat to a prisoner's health & wellbeing, (see, Copies Of Cookie With Plastic Found Inside; (EXHIBITS "J,")), and also (see, Affidavits Of Facts from other inmates that seen the incident, a plastic glove in/pulled out of the bread pudding, (EXHIBITS "A, B, C, & D"))).

8. I grievant allege that I faced a sufficiently serious risk to my health an safety, and Warden, and Aramark Official's acted with "deliberate indifference," when they knew of and disregards excessive risk to my/grievant health and safety."

9. I grievant allege that the prison food is consistently nutritionally inadequate or that the food regularly or even often contains (plastic) or other (foreign objects) in it, contaminating the food. Aramark has failed to rectify deficiencies, and failed to ensure appropriate food handling practices and that it knowingly provides food to inmates that is so unsanitary that it presents an immediate risk to my/grievant health.

10. I grievant allege that my Eighth Amendment right has been, and keep

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being violated (the prisoner's right to live in conditions that are not a threat to their physical health), when Aramark Food Vendor at (KCF) keep preparing and serving food in unsanitary conditions that presented a serious health risk of physical harm.

- (i) This is not just a single incident of a sanitation condition or finding a foreign object in the food, its a "continuing condition or subject to 'extreme deprivations' not handling food properly and served food so unsanitary as to present a health risk, and that the MDOC/Aramark Official's were 'deliberately indifferent' to my/grievance right," and
- (ii) Many complaints, and grievances has been filed with MDOC, and nothing has been every done in the extreme circumstances at (KCF), (see, as of the following):

06/19/14, KCF 14 06 0652 09z; UNDERCOOKED/UNSANITARY CONDITION - HEALTH RISK # 1
06/21/14, KCF 14 06 0694 28a; UNDERCOOKED/UNSANITARY CONDITION - HEALTH RISK # 2
08/03/14, KCF 14 08 0862 09z; UNSANITARY/CONTAMINATION - HEALTH HAZARD # 3
08/31/14, KCF 14 09 0967 09z; UNDERCOOKED/UNSANITARY CONDITION - HEALTH RISK # 4
09/09/14, KCF 14 09 0995 09z; UNDERCOOKED/UNSANITARY CONDITION - HEALTH RISK # 5
09/28/14, KCF 14 09 1074 09z; UNDERCOOKED/UNSANITARY CONDITION - HEALTH RISK # 6
11/23/14, KCF 14 11 1304 09z; UNDERCOOKED/UNSANITARY CONDITION - HEALTH RISK # 7
11/25/14, KCF 14 12 1310 09z; CONTAMINATION - HEALTH RISK/HAZARD # 8
12/14/14, KCF 14 12 1376 09z; CONTAMINATION - HEALTH RISK/HAZARD # 9
12/22/14, KCF 14 12 1401 09z; CONTAMINATION - HEALTH RISK/HAZARD # 10
12/22/14, KCF 14 12 1396 09z; CONTAMINATION - HEALTH RISK/HAZARD # 12
01/12/15, KCF 15 05 0517 09c; CONTAMINATION - HEALTH RISK/HAZARD
01/20/15, KCF 15 01 0056 28j; CONTAMINATION - HEALTH RISK/HAZARD
04/27/15, KCF 15 05 0517 09c; CONTAMINATION - HEALTH RISK/FOODBORNE
05/22/15, KCF 15 06 0739 09c; CONTAMINATION - HEALTH RISK/HAZARD # 11

11. Now that the State of Michigan has called in another competing food vendor Trinity Services Group to help it complete a cost analysis, this dose/ will not make it right for all the violation or wrong doing Aramark Food Services/Vendor did or for inappropriate food handling practices that was done here at KCF.

- (i) The Courts has held that unsafe condition that "pose an unreasonable risk of serious damage to (a prisoner) future health" may violate the Eight Amendment even if the damage has not yet occurred and may not affect every prisoner exposed to the conditions.

EXHIBIT No. 8

STEP II - Reason for Appeal
XCF-14-12-1310-9z

In Step I Grievance Response it stated I grievant was not interviewed because of given reason "NO SHOW," and in the Summary: Ms. Plount states that at no time did she observe any food service worker removing plastic gloves from food. All meals are prepared in accordance with proper Serve Safe procedures and policy directive 04.07.100 "offender meals". Even if he had observed this breach of protocol, Grievant still had the option of choosing an alternate fresh fruit choice in order to receive his proper nutritional for that meal:

(1) I have other prisoner's names (Goddard 210437; Worwood 228155; and Smith 228758) that seen Ms. Plount observe the food service worker removing the plastic glove from the bread pudding.

(2) If all meals were prepared in accordance with proper Serve Safe procedures "why" did grievant see the food service worker removing plastic cooked inside the bread pudding?

(3) I grievant had received my food tray, and when I seen the food serving worker removing the plastic glove from the food, it was to late, I had my food tray. I grievant could not take the food tray back, and say I want the fresh fruit because its plastic inside the bread pudding, (if a sign was posted and state that plastic is inside the bread pudding, I grievant would then have had the option of choosing an alternate fresh fruit instead of the bread pudding, to meet the proper nutritional allowance for that meal). The bread pudding was not ate because it was unsafe or contaminated or that the food servers were, as a general rule, unclean.

(4) I grievant was not interviewed on the grievance, and for given reason by respondent Shawn McMullen (AFSD) "NO SHOW." I grievant talked with all MDOC day shift Officer's, and they all stated Aramark Food Service never called them to send me/grievant over to food service, and no inmate pass was never written.

I grievant contends respondent Shawn McMullen (AFSD), violated my rights when he acted willfully and under color of law to commit (fraud, making a false report, and the Policy Directive by not giving me the opportunity to explain the grievance more completely at the interview, and show the evidence.

(1) Mr. McMullen (AFSD), and Ms. Plount (AFS) knew or should have been aware of facts from which they could infer that a substantial risk existed that "foreign object" are finding its way into the food product, much less that such an object would create such a serious threat to a prisoner's/grievant health or otherwise experienced a condition intolerable for prison confinement.

(2) Mr. McMullen (AFSD), and Ms. Plount (AFS) acted with "deliberate indifference" to grievant health and safety."

(a) Under 18 U.S.C.S. sec. 242, it is a criminal offense to act willfully and under color of law to deprive a person of rights protected by the constitution or laws of the United States, (false report, fraud, falsifying a record).

(b) Under P.D. 03.02.130(Y), the respondent shall interview the grievant, and the grievant shall have the opportunity to explain the grievance more completely at the interview to enable the Step I respondent to identify and gather any additional information needed to respond to the grievance.

EXHIBIT NO. 8

STEP II GRIEVANCE RESPONSE FOR PRISONER: Boone 501976 A-363 (KCF)

Grievance KCF 1412 1310 09Z, has been reviewed.

Grievant alleges that he observed a food service worker remove a plastic glove from the dessert meal of bread pudding on 11/25/14. Grievant indicates that this act was observed by an Armark employee who did nothing to preserve the quality of food served. The Step I respondent, S McMullen indicates that the issue was investigated and staff present at the time of the alleged incident deny this occurrence. S, McMullen also notes that all meals are prepared with proper serve safe procedures and Grievant had other meal choices.

This Step II respondent finds the Step I response appropriate. There is no evidence presented by Grievant to substantiate his claim. Grievant makes an allegation of inappropriate conduct and meal preparation but produces no sources to verify this claim. No violation of Serve Safe procedures or PD 04.07.100 Offender Meals is established.

Based on the above finding(s), this grievance appeal is denied.

Kathleen Olson A/Warden
Duncan MacLaren, Warden

1/30/15
Date

DM/dpm

EXHIBIT No. 8

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
CSI-247A

Date Received at Step I 12/1/14 Grievance Identifier: KCF/A1201310 097

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
RONNIE BOONE	501976	KCF	A-3-63	11/25/14	11/27/14

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

Acamaric employee Ms. Plouffe said not respond was asked about the bread puffing.

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 11/25/14, grievant went to see lunch and Acamaric was serving the Seagoville Standard Menu Meal (alternate bread: bread puffing). Grievant noticed another was serving the bread puffing, and grievant observed him putting a plastic glove on the bread puffing. Acamaric employee Ms. Plouffe seen the kitchen worker pull the glove out of the bread puffing, (played to off, and said "Oh do you need another plastic glove for your hands"), when the line worker still had gloves on. Acamaric employee Ms. Plouffe acted with "deliberate indifference" to grievant's health and safety, and served the remaining bread-puffed bread puffing. When the plastic glove was found mixed-up inside the bread puffing this contaminated it, making the pudding unsanitary, sufficiently gross, unclean, and inedible. The lack of leadership by Acamaric staff was a major cause of deficiencies observed because the remaining bread puffing should have been taken off the serving line, but it was served anyway. The preparation of prison food was grossly inadequate to maintain grievant's health. The food did not meet the nutritional needs because it was given to me as to present a health risk by being a foul-tasting and nutritionally inadequate meal or otherwise experienced a condition intolerable for prison confinement.

Ronnie Boone
Grievant's Signature

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

No Show

EXHIBIT NO. 8

[Signature] 12/1/14 [Signature] 11/9/15
Respondent's Signature Date Reviewer's Signature Date
S. McMiller FSD [Signature] [Signature]
Respondent's Name (Print) Working Title Reviewer's Name (Print) Working Title

Date Returned to Grievant: 11/26/15 If resolved at Step I, Grievant sign here. Resolution must be described above. Grievant's Signature _____ Date _____

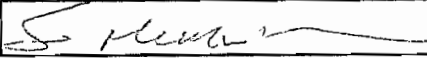
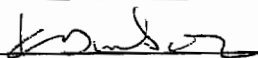
Step I Grievance Response			
Grievance Number:		KCF-14-12-1310-9Z	
Prisoner Name:		BOONE	
Prisoner Number:		501976	
Prisoner	<input checked="" type="checkbox"/>	was	<input type="checkbox"/> was NOT interviewed. GIVE REASON:
SUMMARY OF COMPLAINT:			
Alleged Food contamination			
INVESTIGATION INFORMATION			
Interviewed Ms. Plount			
APPLICABLE POLICY, PROCEDURE, ETC.			
Food safety and proper service procedures			
SUMMARY			
Ms. Plount states that at no time did she observe any food service worker removing plastic gloves from food. All meals are prepared in accordance with proper Serve Safe procedures and policy directive 04.07.100 "offender meals". Even if he had observed this breach of protocol, Grievant still had the option of choosing an alternate fresh fruit choice in order to receive his proper nutritional allowance for that meal.			
RESPONDENT NAME:	Shawn McMullen		TITLE: FSD
RESPONDENT SIGNATURE:			DATE: 12/20/14
REVIEWER NAME:	K Dumbard		TITLE: Bus my
REVIEWER SIGNATURE:			DATE: 1/9/15

EXHIBIT No. 8

[Appendix P (Exhibits “A, B, C, and D”)]: See, Affidavit of Facts

APPENDIX “P”

AFFIDAVITS OF FACT

STATE OF MICHIGAN
COUNTY OF CHIPPEWA

I RONNIE BOONE 501976, hereby states as follows:

1. I am a prisoner within the State of Michigan. I am housed at Kinross Correctional Facility (KCF) where the incident occurred.

2. That on November 25, 2014, Aramark Food Services (AFS) was serving Michigan Department of Correction (MDOC), Statewide Standard Menu Meal (ultimate dessert: bread pudding).

3. On that day I (Boone) observed a prison kitchen worker who was working on the serving line, serving the bread pudding, found and pulled out a "plastic glove" mixed within the bread pudding.

4. On that day Ms. Plouat, Aramark's Food Service Steward (AFSS) seen the kitchen worker removed/pulled the "glove" out of the bread pudding or unsanitary food handling practices that presented an serious health risk, and then acted "in a sneaky way" trying to play it off or cover up acts of unsanitary or move or operate in a brisk or irregular manner, and said to the line worker, ("O" do you need another plastic glove for your hand) when the worker still had gloves on his hands.

5. On that day Ms. Plouat (AFSS) acted with "deliberate indifference" to the health an safety" of the prisoner's, that is, with recklessness and serve the contaminated bread pudding/food anyway to the prisoner's. The food was prepared and served in an unsanitary or an unsafe manner, as to present an immediate risk or an serious health risk.

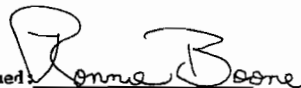
6. That on this day I (Boone) seen this incident along with several other prisoner's who was in the serving line awaiting to be served there food.

7. That I (Boone) made this Affidavit in good faith.

8. That if sworn as a witness I (Boone) can Competently testify to the facts stated herein.

9. That the statement which follows, and is annexed hereto, is a true and accurate account of the facts in this matter.

10. I Ronnie Boone have read the foregoing Affidavit and hereby verify that the matter alleged are true. I declare under penalty of perjury verify that the forgoing Affidavit is true and correct to the best of my knowledge and memory.

Signed: 

Dated: 07/20/15

Michigan Department of Correction
Kinross Correctional Facility
16770 S. Water Tower Drive
Kincheloe, Michigan 48788

EXHIBIT A

AFFIDAVITS OF FACT

STATE OF MICHIGAN
COUNTY OF CHIPPEWA

I CHARLIE GODDARD 210437, hereby states as follows:

1. I am a prisoner within the State of Michigan. I am housed at Kinross Correctional Facility (KCF) where the incident occurred.
2. That on November 25, 2014, Aramark Food Services (AFS) was serving Michigan Department of Correction (MDOC), Statewide Standard Menu Meal (ultimate dessert: bread pudding).
3. On that day I (Goddard) observed a prison kitchen worker who was working on the serving line, serving the bread pudding, found and pulled out a "plastic glove" mixed within the bread pudding.
4. On that day Ms. Plouat, Aramark's Food Service Steward (AFSS) seen the kitchen worker removed/pulled the "glove" out of the bread pudding or unsanitary food handling practices that presented a serious health risk, and then acted "in a sneaky way" trying to play it off or cover up acts of unsanitary or move or operate in a brisk or irregular manner, and said to the line worker, ("O" do you need another plastic glove for your hand) when the worker still had gloves on his hands.
5. On that day Ms. Plouat (AFSS) acted with "deliberate indifference" to the health and safety of the prisoner's, that is, with recklessness and serve the contaminated bread pudding/food anyway to the prisoner's. The food was prepared and served in an unsanitary or an unsafe manner, as to present an immediate risk or a serious health risk.
6. That on this day I (Goddard) seen this incident along with several other prisoner's who was in the serving line awaiting to be served there food.
7. That I (Goddard) made this Affidavit in good faith.

8. That if sworn as a witness I (Goddard) can Competently testify to the facts stated herein.

9. That the statement which follows, and is annexed hereto, is a true and accurate account of the facts in this matter.

10. I CHARLIE GODDARD, have read the foregoing Affidavit and hereby verify that the matter alleged are true. I declare under penalty of perjury verify that the foregoing Affidavit is true and correct to the best of my knowledge and memory.

Signed: *Charlie Goddard* 210437

Dated: 7-20-15

Michigan Department of Correction
Kinross Correctional Facility
16770 S. Water Tower Drive
Kincheloe, Michigan 48788

EXHIBIT B

AFFIDAVITS OF FACT

STATE OF MICHIGAN
COUNTY OF CHIPPEWA

I ANTONIO FREEMAN 402493, hereby states as follows:

1. I am a prisoner within the State of Michigan. I am housed at Kinross Correctional Facility (KCF) where the incident occurred.

2. That on November 25, 2014, Aramark Food Services (AFS) was serving Michigan Department of Correction (MDOC), Statewide Standard Menu Meal (ultimate dessert: bread pudding).

3. On that day I (Freeman) observed a prison kitchen worker who was working on the serving line, serving the bread pudding, found and pulled out a "plastic glove" mixed within the bread pudding.

4. On that day Ms. Plouat, Aramark's Food Service Steward (AFSS) seen the kitchen worker removed/pulled the "glove" out of the bread pudding or unsanitary food handling practices that presented an serious health risk, and then acted "in a sneaky way" trying to play it off or cover up acts of unsanitary or move or operate in a brisk or irregular manner, and said to the line worker, ("O" do you need another plastic glove for your hand) when the worker still had gloves on his hands.

5. On that day Ms. Plouat (AFSS) acted with "'deliberate indifference' to the health an safety" of the prisoner's, that is, with recklessness and serve the contaminated bread pudding/food anyway to the prisoner's. The food was prepared and served in an unsanitary or an unsafe manner, as to present an immediate risk or an serious health risk.

6. That on this day I (Freeman) seen this incident along with several other prisoner's who was in the serving line awaiting to be served there food.

7. That I (Freeman) made this Affidavit in good faith.

8. That if sworn as a witness I (Freeman) can Competently testify to the facts stated herein.

9. That the statement which follows, and is annexed hereto, is a true and accurate account of the facts in this matter.

10. I ANTONIO FREEMAN, have read the foregoing Affidavit and hereby verify that the matter allaged are true. I declare under penalty of perjury verify that the forgoing Affidavit is true and correct to the best of my knowledge-and-memory.

Signed:  Sr.

Dated: 7/20/15

Michigan Department of Correction
Kinross Correctional Facility
16770 S. Water Tower Drive
Kincheloe, Michigan 49788

EXHIBIT C

AFFIDAVITS OF FACT

STATE OF MICHIGAN
COUNTY OF CHIPPEWA

I THOMAS MOORE 197193, hereby states as follows:

1. I am a prisoner within the State of Michigan. I am housed at Kinross Correctional Facility (KCF) where the incident occurred.

2. That on November 25, 2014, Aramark Food Services (AFS) was serving Michigan Department of Correction (MDOC), Statewide Standard Menu Meal (ultimate dessert: bread pudding).

3. On that day I (Moore) observed a prison kitchen worker who was working on the serving line, seeing the bread pudding, found and pulled out a "plastic glove" mixed within the bread pudding.

4. On that day Ms. Plouat, Aramark's Food Service Steward (AFSS) seen the kitchen worker removed/pulled the "glove" out of the bread pudding or unsanitary food handling practices that presented a serious health risk, and then acted "in a sneaky way" trying to play it off or cover up acts of unsanitary or move or operate in a brisk or irregular manner, and said to the line worker, ("O" do you need another plastic glove for your hand) when the worker still had gloves on his hands.

5. On that day Ms. Plouat (AFSS) acted with "'deliberate indifference' to the health and safety" of the prisoner's, that is, with recklessness and serve the contaminated bread pudding/food anyway to the prisoner's. The food was prepared and served in an unsanitary or an unsafe manner, as to present an immediate risk or a serious health risk.

6. That on this day I (Moore) seen this incident along with several other prisoner's who was in the serving line awaiting to be served there food.

7. That I (Moore) made this Affidavit in good faith.

8. That if sworn as a witness I (Moore) can Competently testify to the facts stated herein.

9. That the statement which follows, and is annexed hereto, is a true and accurate account of the facts in this matter.

10. I THOMAS MOORE, have read the foregoing Affidavit and hereby verify that the matter alleged are true. I declare under penalty of perjury verify that the forgoing Affidavit is true and correct to the best of my knowledge and memory.

Signed: 

Dated: 8-4-15

Michigan Department of Correction
Kinross Correctional Facility
16770 S. Water Tower Drive
Kincheloe, Michigan 48788

EXHIBIT D

[Appendix Q Exhibit “G and H”]: See, Affidavit of Facts

APPENDIX “Q”

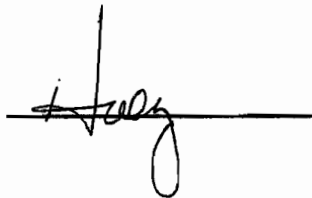
AFFIDAVITS OF FACT

STATE OF MICHIGAN
COUNTY OF CHIPPEWA

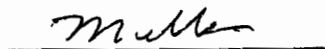
I RONNIE BOONE 501976, hereby says as follows:

1. I am a prisoner within the State of Michigan, and housed at Kinross Correctional Facility (KCF) were the incident occurred.
2. As noted in the officers log book on December 24, 2014, Office's Hoey and Miller were working the day shift in A-Building on the 3rd floor (A-3).
3. That on 12-26-14, I (Boone) asked Officer's Hoey and Miller if Aramark Food Service at any time called them on 12-24-14, to send me (Boone) over to food service to be interviewed on the grievance I filed? On 12/24/14, were the day "NO SHOW" was written on Step I Response. Officer's Hoey and Miller stated Aramark Food Services never called them, and no inmate pass was written.
4. That I (Boone) made this affidavit in good faith.
5. That if sworn as a witness I can Competently testify to the facts stated herein.
6. That the statement which follows, and is annexed hereto, is a true and accurate account of the facts in this matter.

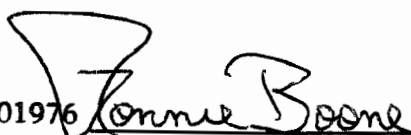
Officer Hoey



Officer Miller



Prisoner Ronnie Boone 501976



Dated: 07/06/15

EVIDIT 

AFFIDAVITS OF FACT

STATE OF MICHIGAN
COUNTY OF CHIPPEWA

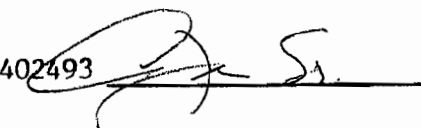
I ANTONIO FREEMAN 402493, hereby says as follows:

1. I am a prisoner within the State of Michigan, and housed at Kinross Correctional Facility (KCF) were the incident occurred.
2. As noted in the officer's log book on January 05, 2015, Office McKechnie were working the day shift in A-Building on the 2nd floor (A-2).
3. On 01-13-15, I (Freeman) asked Officer McKechnie if Aramark Food Service at any time or three (3) times called him on 01-05-15, to send me (Freeman) over to food service to be interviewed on the grievance I filed? On 01-05-15, were the day "NO SHOW" was written on Step I Response. Officer Mckechnie stated Aramark Food Services never called him, and no inmate pass was written.
4. That I (Freeman) made this affidavit in good faith.
5. That if sworn as a witness I can Competently testify to the facts stated herein.
6. That the statement which follows, and is annexed hereto, is a true and accurate account of the facts in this matter.

Officer McKechnie



Prisoner Antonio Freeman 402493



Dated: 7/6/2015

EXHIBIT H

++

[Appendix R (Exhibit “N”): See, Grievance Form KCF-1501-0066-28j

APPENDIX “R”

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 1094
CSI-247A

Date Received at Step I 1/16/15 Grievance Identifier: KCF/15A/1 0066 28J

Grievance response:
KCF-15-01-0066-28j
Boone #501976, A-3-63

The prisoner's issues concerns the response of three separate grievances. It is suggest he appeal those response rather than file a new grievance.

PD 03.02.130 states, "A grievance may file a step II grievance if he is dissatisfied with the response received at step I or if he did not receive a timely response."

Grievance rejected.

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
RONNIE BOONE	501976	KCF	A-3-63	01/12/15	01/15/15

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

01/13/15, I grievanc called with Aramark Food Service Scafara (Lewis) about Shawn McMullen (FSD) putting "no show" chrae (3) of hrs grievance, when ha/grievant was never call out to Food Service, and never interview on chae. Lewis scared I grievanc always have show up to be interviewed on all of my previous grievance, and she was going call with Mr. McMullen about the situation.

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.

01/12/15, I grievanc received chrae (3) of my grievance back from Aramark Food Services (KCF-14-12-1401-9z; 2-14-12-1376-9z; and KCF-14-12-1310-9z) that I was not interviewed on, and for given reason by respondent Shawn McMullen (FSD) "NO SHOW." I grievanc called with all MDOC day shift Officer's, and they stated Aramark Food Service was called chae to send me/grievant over to food service, and ~~no~~ intake pass was never written. I grievanc contends respondent Shawn McMullen (FSD), violated my rights when he acted willfully and under color of law to commit (fraud, king a false report), and the Policy Directorate by not giving me the opportunity to explain the grievance more adequately at the interview. Mr. McMullen (FSD) knew or should have been aware of facts from which they could infer a substantial risk existed that "foreign object" are finding its way into the food product, such less that such object would create such a serious threat to a prisoner's health or otherwise experienced a condition intolerable or prison confinement. Mr. McMullen (FSD) acted with "deliberate indifference" to grievanc health and safety," when trying him his rights when putting "NO SHOW" on all the grievance without calling MDOC Officials to send him over Food Services for an interview (no intake pass was ever written by MDOC Officers). Under 18 USC sec. 242, it is criminal offense to act willfully and under color of law to deprive a person of rights protected by the constitutional laws of the United States, (false report, fraud, falsifying a record). Under P.D. 03.02.130(Y), the respondent all interview the grievant, and the grievant shall have the opportunity to explain the grievance more completely the interview to enable the Step I respondent to identify and gather any additional information needed to respond the grievance.

Ronnie Boone
Grievant's Signature

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

SEE ATTACHED RESONSE

Respondent's Signature [Signature] Date 1/16/15
Respondent's Name (Print) LEBERNOR Working Title cl.
Reviewer's Signature [Signature] Date 1-16-15
Reviewer's Name (Print) D. MASTAN Working Title Adv Ass T

EXHIBIT N

Date Returned to Grievant: 1/20/15 If resolved at Step I, Grievant sign here. Resolution must be described above. Grievant's Signature _____ Date _____

[Appendix S (Exhibit “HH”): See, Copy of MDOC Special Announcement

APPENDIX “S”

State correctional facilities transitioning to Trinity Services Group for prisoner food service

The Michigan Department of Corrections will begin transitioning to a new food service provider for its prison facilities this month, under agreements reached between the state, Aramark Correctional Services and new provider— Trinity Services Group.

After evaluating the terms of Aramark's contract with the state, a mutual agreement was made to end the relationship with Aramark and pursue work with another vendor.

Aramark will continue to fulfill their food service duties during the transition to Trinity Services Group to ensure uninterrupted food service in the state's correctional facilities. The planned effective date for the completion of the transition is Sept. 9.

Current food service employees will have an opportunity to retain their jobs by reapplying, and must pass a background and reference check, and complete Trinity's job training program to continue working in facility kitchens.

Trinity has plans in place to ensure a smooth transition, and the MDOC will work in cooperation with them to maintain a high level of safety and security at the state's facilities. Department leadership is prepared to work with Trinity to make sure they are using the proper security checks and supervision of employees, as well as adhering to established guidelines for food handling and preparation.

"Prison food service is integral to the safe and secure operations of Michigan's prison system," said MDOC Director Heidi Washington. "I look forward to working with our new partners at Trinity and am confident in their commitment to provide quality services for the residents of this state."

Legislation first approved in 2012 required competitive bidding of food service operations to help reduce correctional costs. Since then, more than 10 percent savings has been realized each year, and those savings will continue with the new contract.

The three-year, \$158 million contract with Trinity, with future option years at the state's discretion, must first be approved by the State Administrative Board.

Trinity has a strong management and oversight plan and ranked well when food service was first bid out. They currently operate prison food service in 44 states, serving more than 300,000 inmates daily.

MDOC and DTMB leaders have talked with Trinity representatives and corrections officials in other states to learn more about their operations, and are satisfied that the terms of the contract will lead to a high quality of service while saving taxpayer dollars and maintaining security of the state's prisons.

EXHIBIT HH

[Appendix T]: See, Exhibits “II”

APPENDIX “T”

KINROSS CORRECTIONAL FACILITY

TRINITY SERVICES
GROUP, INC.



09/28/2015

FOOD SERVICE COMMITTEE MEETING AGENDA

1.) "Rotten / molded fruit (e.g., oranges and bananas). Can alternate fruit be chosen or better care be taken of fruit before being served?"

A.) I have spoken with the vendor about the quality of their fruit. Also we are now able to substitute the bananas if they are not ripe yet to a later day in the week. I will continue to monitor this issue.

2.) "Can we know why there was a portion decrease after head people of Trinity left (e.g., pizza was told to be cut in 12's)?"

A.) Due to the nature of the frozen pizza dough we were receiving at the time we opened it was decided by Trinity to cut them bigger because it was impossible to follow the recipe and cut them in 16's. The last run we received before our new pizza dough came in was short. We had to run both sizes so it was determined to cut them in 12's so it would be even. Moving forward we will be following the MDOC recipe and be cutting the pizzas in 16's.

3.) "When grievances are brought up to F/S Supervisors by population and kitchen workers; treats with tickets are given. Can you instruct your employees not to give the appearance of reprisals when someone writes a grievance?"

A.) yes, there is always room for improvements when it comes to progressive discipline and communication between staff and inmates.

EXHIBIT II

KINROSS CORRECTIONAL FACILITY

4.) "On the chef salad meals, the sub requests are not being compensated with the sub option. The meat is just being withheld. Can this be corrected and monitored?"

A.) Yes, I will instruct the line servers to slow down and insure correct portions are being served according to the MDOC menu.

5.) "Portions are being measured / served in volume and not weight (e.g., cheese, turkey) scoops are measured in volume and don't compensate for portions measured in weight unless a bigger scoop is used. Can this be corrected?"

A.) All items served as a weight (cheese & turkey for chef salad and hot turkey) are weighed prior to service using different scoops until we find the right one to comply with the Menu. This is done before every meal.

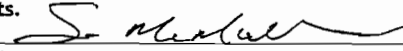
6.) "At Breakfast, because of the hot sticky texture of the hot cereal breakfast content; the servings is being greatly reduced because it's stuck to the inside of the scoop. Either the server has to be reminded to bang the scoop on the tray to provide full ratio or a bigger / nonstick scoop has to be used to compensate for the portion loss. Can this be corrected and monitored?"

A.) I will remind staff to watch for this issue.

7.) "Can the vegetable serving be strained of juice? Portions are being replaced with juice (e.g., 3 carrot slices and the rest juice). Also, napkins and the bread gets covered in vegetable juice."

A.) We are instructed to follow the MDOC recipes. They instruct us on how much water to cook the vegetables in to insure maximum amounts of nutrients are retained. I will instruct servers to be more consistent with their scoops and to slow down to insure the vegetable broth is not spilt all over other products.

S. McMullen FSD
Cc: FRe


9-28-15
Date

Dave Mastaw, Administrative asst. & Food service Committee