



EXHIBIT J-1

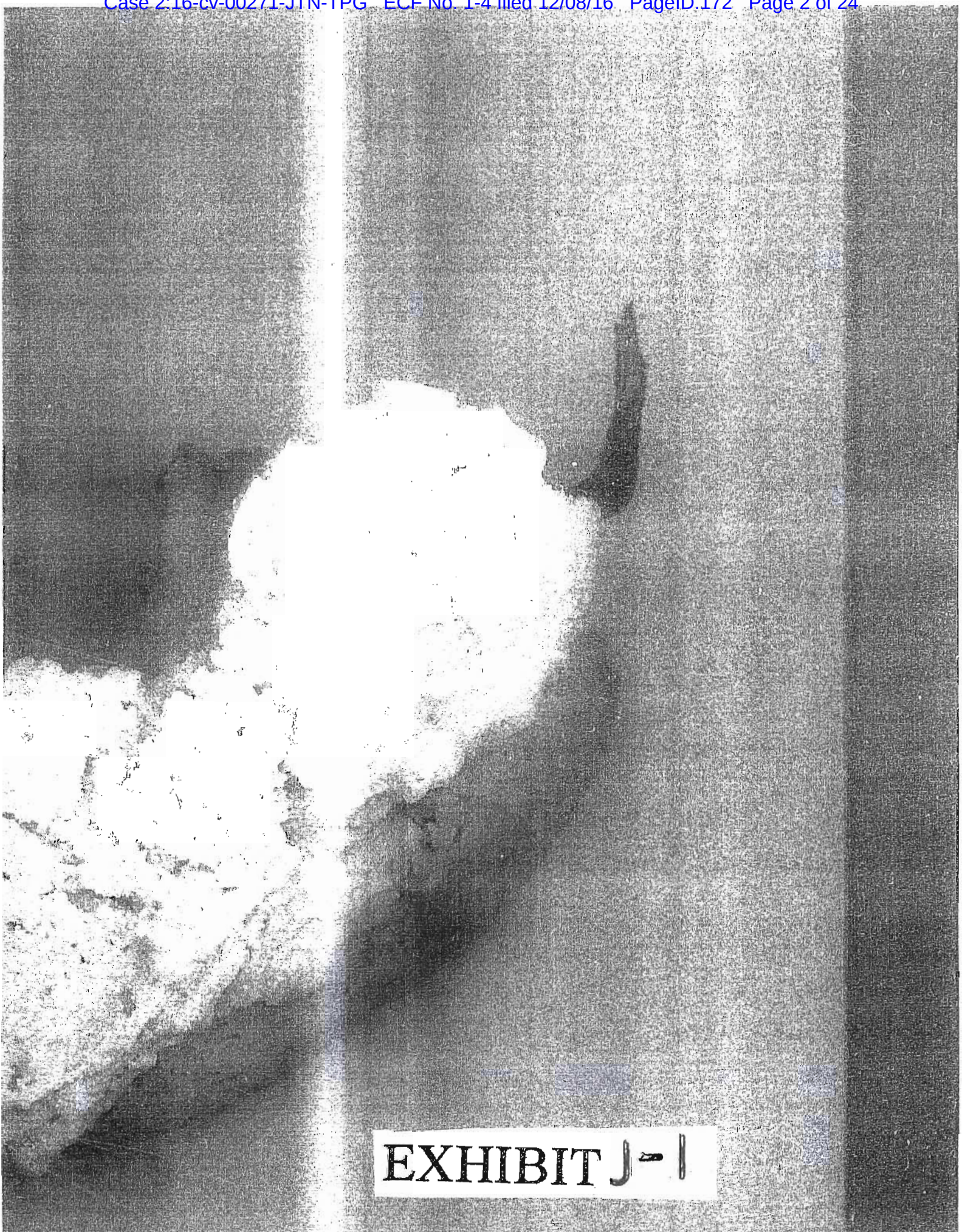


EXHIBIT J-1

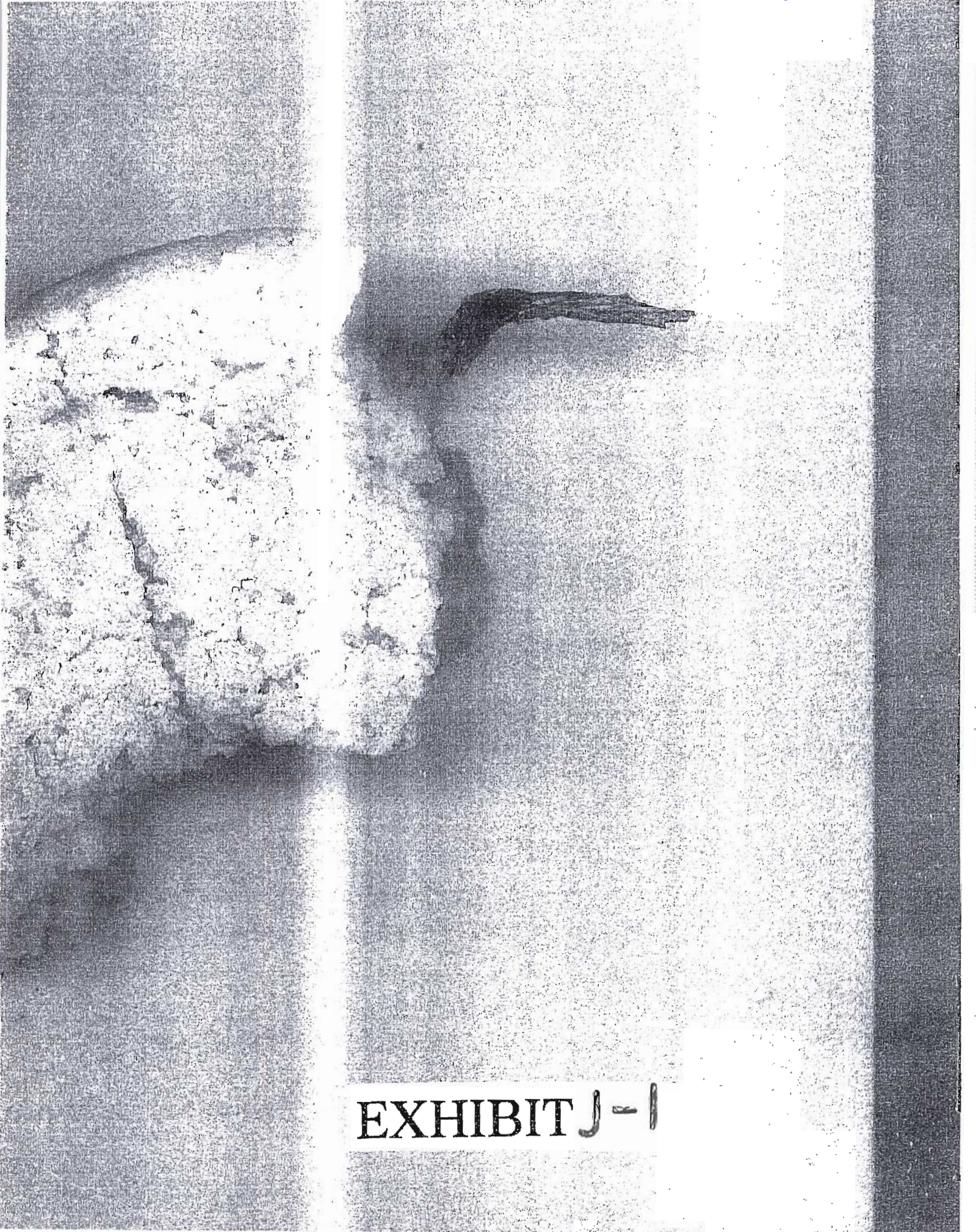


EXHIBIT J-1

EXHIBIT ۱-۱

[Appendix AA (Exhibit “No.11”, and FOOD CODE-4-201.11)]: See Grievance Form KCF -1506-0739-09c

# APPENDIX “AA”



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS  
LANSING

RICK SNYDER  
GOVERNOR

HEIDI E. WASHINGTON  
DIRECTOR

TO: Boone, Ronnie #501976

B3B

SUBJECT: Step III Grievance  
KCF-15-06-0739-09c

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:   
Richard D. Russell

AUG 19 2015  
Date mailed: \_\_\_\_\_

cc: Warden (KCF)  
~~Prisoner (KCF)~~

**EXHIBIT No. II**

MICHIGAN DEPARTMENT OF CORRECTIONS  
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 12/97  
CSJ-247B

Date Received by Grievance Coordinator  
at Step II **REC'D JUL 20 2015**

Grievance Identifier **KCF15067399C**

**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 - MDOC**  
**AUG 13 2015**  
Office of Legal Affairs

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: Wardens Office by 8-4-15. 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 (first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Ronnie Boone	501976	KCF	A-3-63	06/22/15	07/15/15

**STEP II - Reason for Appeal**

Step I Grievance has not been resolved. The back of some of the food trays still have a build up of calcium/lime, and soap scum/residue build up, which inhibits proper cleaning, and disinfecting, therefore is causing contamination, a health hazards. Some of the these same trays still have breaks, cuts open seams, cracks, chips, pits, on the tops of them, and the plastic is peeling/flaking which also inhibit cleaning, and is also a health hazard as stated in the (FOOD CODE REGULATION). **RELIEF REQUESTED:** All damaged trays, spoons, and forks be thrown away, and replaced with new ones, to resolve this grievance/issues.

**STEP II - Response**

Date Received by  
Step II Respondent:  
**REC'D JUL 20 2015**

D. Meehan [Signature]  
Respondent's Name (Print) Respondent's Signature

Date Returned to  
Grievant:  
8-5-15  
8/6/15

**STEP III - Reason for Appeal** **SEE ATTACHED PAPER**

~~As stated in Step II Response: a efforts have been made to rectify the problem~~  
As stated in Step II Response: a efforts have been made to rectify the problem with contaminated food trays, and utensils, but the problem has not been solved. Aramark Food Services may not be no longer in contract with MDOC, the new contractor Trinity Food Services are using the same damage equipment. These same trays, and utensils hve breaks, cuts, open seams, cracks, chips, and pits, on them, and the plastic is peeling/flaking which inhibits cleaning a health hazard. Also the same employee's that worked for Aramark are working for Trinity, and they knows of and disregards an excessive risk to inmate/grievant health or safety by continuing to use the unclean contaminated trays/utensils or damage equipment.

**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.**

If you find the Step III Director's response unsatisfactory, you have the option of referring the grievance to the Office of Legislative Corrections Ombudsman, Lansing, Michigan, 48913.

**EXHIBIT No. 11**

To: Warden, Duncan MacLaren

Date: 09/05/15

From: Ronnie Boone 501976

B-3-93

In Step II Grievance Response (KCF-1506-0739-09c), from the Warden Offices it stated: should these issues (dirty food trays) continue please contact any of the line supervisors of Trinity Services Group or this offices.

1. On or about 09/05/15, Trinity Services Group ("TSG") was serving cheese pizza & french fries for lunch. While waiting to be served my food I (Boone) seen and asked Trinity Service Group Supervisor ("TSGS") Ms. Lewis about the food trays and utensils condition (cleanability). She stated all the damage trays and utensils has been replaced with new ones.

(a) Some of said food trays plastic are still peeling/flaking which also inhibit properly cleaning, and is a health hazard according with FOOD CODE 4-201.11, Durability and Strength, and FOOD CODE 4-202.11, Cleanability.

2. Also on 09/05/15, when I (Boone) received my food tray, the tray was not properly cleaned. The tray had food from the previous meal still on it. I took the tray of food over to Officer Berry and showed him the dirty food tray, and was told to get another tray of food.

(a) Some of said food trays are not being properly cleaned.

**EXHIBIT NO. II**



Step III Reason for Appeal

KCF-15-06-0730-9c

0739

As stated in Step II Response: a efforts have been made to rectify the problem with contaminated food trays, and utensils, but the problem has not been solved. Aramark Food Services may not be no longer in contract with MDOC, the new contractor Trinity Food Services are using the same damage equipment. These same trays, and utensils have breaks, cuts, open seams, cracks, chips, and pits, on them, and the plastic is peeling/flaking which inhibits cleaning a health hazard. Also the same employee's that worked for Aramark are working for Trinity, and they knows of and disregards an excessive risk to inmate/grievant health or safety by continuing to use the unclean contaminated trays/utensils or damage equipment.

**EXHIBIT NO. II**

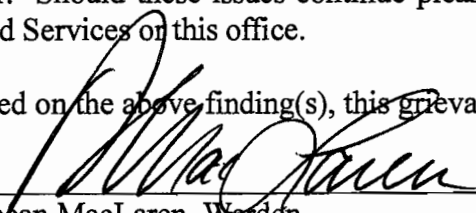
STEP II GRIEVANCE RESPONSE FOR PRISONER: Boone 501976 B-393 (~~URF~~) (KCF)

Grievance KCF 1506 0739 09C, has been reviewed

Grievant states that Aramark Food Services poses a substantial risk of serious harm to health and wellbeing by not properly cleaning and maintaining the food trays. Grievant argues that calcium/lime and soap scum have built up on the food trays due to this items not being cleaned properly. Grievant further contests that other service items such as of spoons and forks also pose a risk. The Step I respondent S. McMullen Assistant Food Services Director indicates that Aramark Food Services is having the dish room team detail the trays. In addition, the one with cuts or scratches will be removed from service.

In the Step II appeal, Grievant claims that some of the trays still show signs of calcium/lime as well as soap scum. Grievant reiterates his claim. This Step II respondent finds that efforts have been made to rectify this problem. Aramark Food Services is no longer in contract with the Department of Corrections and a new contractor has taken over. Should these issues continue please contact any of the line supervisors of Trinity Food Services of this office.

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

  
Duncan MacLaren, Warden

8-5-15  
Date

DM/dpm

**EXHIBIT NO. 11**

MICHIGAN DEPARTMENT OF CORRECTIONS  
**PRISONER/PAROLEE GRIEVANCE FORM**

4835-4247 10/94  
 CSJ-247A

Date Received at Step I 6-23-15 Grievance Identifier: KCF1506 739 9C

If you are filing your grievance issue. If you have any questions concerning the grievance process, please call the Grievance Coordinator at (517) 335-1130 or visit the Grievance Coordinator's Office at 1000 E. Michigan Ave. 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
<b>Ronnie Boone</b>	<b>501976</b>	<b>KCF</b>	<b>A-3-63</b>	<b>06/22/15</b>	<b>06/22/15</b>

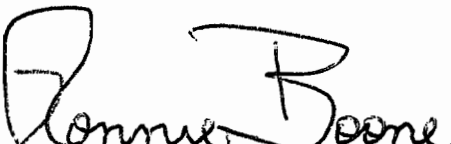
What attempt did you make to resolve this issue prior to writing this grievance? On what date? \_\_\_\_\_  
 If none, explain why.

**Talked with Aramark employee about the food trays.**

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.

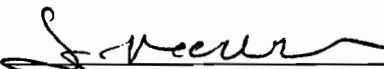

**See additional page.**

# EXHIBIT No. II

  
 \_\_\_\_\_  
 Grievant's Signature

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

*we will having our dishroom team detail the trays. also the ones with cuts or scratches will be removed from service*  
*\* Refused to sign*

	<u>6/30/15</u>		<u>7-8-15</u>
Respondent's Signature	Date	Reviewer's Signature	Date
<u>J. McMillen</u>	<u>APED</u>	<u>J. Ombard</u>	<u>Bro my</u>
Respondent's Name (Print)	Working Title	Reviewer's Name (Print)	Working Title

Date Returned to Grievant: <u>7-13-15</u>	If resolved at Step I, Grievant sign here. Resolution must be described above.	Grievant's Signature _____	Date _____
---	--	----------------------------	------------

Aramark Food Services are in several Food Code violations that is putting grievant health at risk. The danger of an outbreak of contagious diseases is great as a result of the unsanitary conditions in the kitchen. Aramark are serving food under conditions which poses a substantial risk of serious harm or an immediate danger to the health and well being of whoever consumes it. The trays that prisoners food is being served to use on is a violation of our "Eight Amendment," the right to live in conditions that are not a threat to our physical health. I do not have to prove that serious food borne illness has already occurred, the risk is enough. The trays that our food is being severed on create a serious health hazard because they are not being properly cleaned, and maintain like they should or have to be. The back of some of the food trays have a build up of calcium/line, and soap scum/residue build up, which inhibits proper cleaning, and disinfecting, there for is causing contamination, a health hazard/s. The back of these said food trays come in contact with the part food is severed on when these trays are stacked, which in turn will spread contamination/bacteria, a health hazards. Trays are also being stacked still wet from washing and are left in this state over night when the trays are stacked for the night. Trays must be dry when stacked, if not bacteria can and will form on the trays, which is formed on the eating surface. These same trays have breaks, cuts, open seams, cracks, chips, pits, on the tops of them, and the plastic is peeling/flaking which also inhibit cleaning, and is also a health hazard. Trays that are damaged and have not retain their characteristic qualities is the very definition of HEALTH HAZARD should be replaced.

**Furthermore**, some of the spoons, and forks are bent, have chips out of them, have cuts in them, bite marks and flaking is also a health hazard because they do not have a smooth surface which means they also can not be cleaned right/properly. FOOD CODE 4-201.11, Durability and Strength: Equipment and Utensils shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions. FOOD CODE 4-202.11, Cleanability: Food-Contact Surfaces shall be: (A) smooth; (B) free of breaks, open seams, cracks, chips, pits, and similar imperfections. **RELIEF REQUESTED:** all damaged trays, spoons, and forks be thrown away, and replaced with new ones, to resolve this grievance/issues.

**EXHIBIT No. 11**

[Appendix AB - (Exhibit “MM”)]

# APPENDIX “AB”

WARDEN'S FORUM MEETING

January 2014

KCF Wardens Forum

Jan. 2014

Page 2

Present:

Duncan MacLaren, Warden	
David Mastaw, Adm Asst	
Smith	228758 A-3-11
Wright	199500 B-2-41
Jones	417528 B-2-48
Holliday	174701 C-3-77
Swirls	161387 C-3-43
Ivory	192749 D-1-14
Thomas	226914 D-2-89
Austin	218161 E-1-22
Grant	153078 E-1-02

Lundy	193051 F-2-29
Morgan	791229 F-2-37
Stiles	629146 G-1-35
Kelly	189103 G-2-46
Millard	464675 K-N-259
Cato	295754 K-S-218
Bulger	670600 K-S-204

- QUESTION:** An agenda was submitted to food service approximately 3-4 weeks ago. The Food Service Supervisor has not yet responded. Several issues are problems that are becoming safety issues, among them are: continually running out of food even at the beginning of the meal rotation; food is being served cold; an unidentified film in drinks; an ERT truck parked at the back dock being used as a freezer; K-Unit runs out of food regularly, breakfast cakes are being baked on cookie pans and the result is very thin cakes, 6 oz scoops being used instead of the recipes called for 10 iz scoop to serve to serve food. Who do Food Service Committee members contact with agendas and who is responsible to answer our questions and address concerns?

Who answers grievances against Food Service at Sept I then at Step II? Are policy time restraints going to be followed at Step I by Food Service?

**ANSWER:** Aramark KCF Food Service Director is Shawn McMullen. He is responsible for addressing Forum member's agenda items and answering grievances. When problems concerning Aramark are reported to my office the issues are forwarded to the MDOC Contract Monitors.

- QUESTION:** Counselors and mailroom staff are making it difficult for men here at this facility to follow MCR 2.105(A)(2) which states: "(A) Individuals. Process may be served on a resident of nonresident individual by (2) sending a summons and a copy of the complaint by registered or certified mail, return receipt requested, and delivery restricted to the addressee. Service is made when the defendant acknowledges receipt of the mail. A copy of the return receipt signed by the defendant must be attached to proof showing service under sub rule (A) (2). "Men here at KCF should be afforded easy access and efficient process to mail legal documents in a timely manner that are registered, certified and/or return receipt requested mail. Currently men are discouraged, being told that it would be several days to process these specialty mailings. Counselors and the Librarian should already have these slips available for men to attach to envelopes.

**ANSWER:** The problem arises when a prisoner asks questions about what form to use for certified return receipt, certified no return receipt... There are also different costs for available services. Prisoners should kite the mailroom and request what services they want so a specific price can be given to them. Individual concerns should be addressed accordingly.

- QUESTION:** Due to many problems associated with the privatization of store operations and food service operations, the Warden's Forum would ask the Warden to make an official complaint to contract evaluators and coordinators that to have Aramark serve both interests would be a detrimental monopoly on inmate food supplies. Aramark would have the quality control of food service being served in the show hall as well as control of prices being charged for food being sold in prisoner stores. Men are routinely purchasing items from the store to supplement show hall food deficiencies. We believe there are legal, nutritional, health, safety, and monopoly issues that can be overcome by simply assuring men here at KCF that Aramark will treat us "fairly". Men held in Michigan County Jails that have Aramark stores pay outrageous prices for store goods. We do not want Aramark or any Keefe subsidiary to have control of the store and food service. That would not be all in our best interests.

**ANSWER:** This question / concern will be forwarded to Central Office.

- QUESTION:** E-2 and E-3 continue to have electrical problems that cause microwaves to be damaged. That creates a shortage of microwaves on those two floors. Continually replacing those microwaves create a financial burden to the PBF budget will the Warden address this long complained of issue by having the electricians immediately trouble shoot, identify the problem and repair this problem? This issue was addressed to the ombudsman and a senior ombudsman analyst replied that the issue should be addressed to the Warden.

**ANSWER:** Maintenance has determined a potential remedy to this issue and is in the process of implementing the fix.

- QUESTION:** Men here at KCF would like to be able to spend \$100.00 on Securepak orders. The regular store orders have a \$100.00 limit, so it would be reasonable to have the securepak orders at the same limit. The cost of items are particularly high for an order that can only be made quarterly. Perhaps a favorable argument can be made with Lansing.

**ANSWER:** CFA has no intentions of authorizing or increasing the amount spent on Securepak.

- QUESTION:** The prisoner population would like to ask the Warden, is there any truth to the rumor that is going around concerning "Hip/Hop/Rap music" in your facility. Various organizations such as the NAACP and the National Lifers Association was supposedly told that, per your Warden, instructions to the Special Acts Director Oberle, whenever a musical show or concert proposal is submitted, Hip-Hop/Rap music is prohibited or not allowed at your facility. Regardless if the lyrics to song were submitted to show that no profanity or negativity will be tolerated.

**ANSWER:** Proposals are considered on a case by case basis. Programs/events sponsored by prisoner organizations, such as the NLA and NAACP are required to meet the criteria of their bi-laws.

PROPERTY OF  
LIBRARY

PROPERTY OF  
LIBRARY

EXHIBIT MM

FOOD SERVICE

7. **QUESTION:** Would Warden MacLaren give us an update on the procedure that will take place due to K-Unit taking over the visiting room photographer's job? How often will the photographer be in the visiting room and how long will he stay? Will there be any other significant changes? Will another job be created at KCF to replace the one being lost by this change?

**ANSWER:** The K Unit photographer is currently scheduled to be in the visiting room at 1300 and 1800 on weekends and 1800 during the evening sessions. He will remain until such time as everyone has had the opportunity to take pictures. There is nothing different in the actual process except we have a K Unit person doing the job.

**OLD BUSINESS:**

8. **QUESTION:** When KCF went to in-house laundry, Warden MacLaren said that he would order new washing/drying machines. Machines that would be more efficient. He also said he would consider going from 2 days to 3 days of in-house laundry after a time to evaluate. What is the status on the new washers and dryers to replace the aged and inefficient machines currently in use? Will the Warden now move to a 3 day laundry schedule?

**ANSWER:** The next set of washer / dryers to be purchased and installed is for the Quartermaster area. I will not authorize changing the current laundry schedule. I have not heard of any issues with our current laundry schedules. Twice a week is sufficient for our laundry needs.

9. **QUESTION:** The Ombudsman was asked about cracked and torn mattresses and pillows being replaced. She referred us to the Warden, Could you please order replacement mattresses and pillows, not just covers? Some of these materials being covered are so old and thin that there isn't much left of them.

**ANSWER:** The Quartermaster will recover mattresses at the request of the ARUS/PC. We are currently finalizing our first quarter expenditures with staff to see where they are with their budgets. Once complete we will evaluate the need to purchase new covers or new mattresses.

10. **QUESTION:** Has the Warden or Principal applied for grants regarding educational programs that lifers and long indeterminate sentenced could take part in? This specific group of men is effectively locked out of any educational programs. This causes a great deal of idle time. We continue to ask for educational opportunities and we continue to be told no.

**ANSWER:** We have not applied for grants regarding programming for lifers or prisoners with long indeterminate sentences. Current grant programs have been established to address the recidivism rate. PD 05.02.112, paragraph B, dictates that standardized programming will be established by the Education manager and the Education Steering Committee. Paragraphs K, L, T, and U also outline enrollment priorities. KCF continues to maintain a long waiting list for all programs thus making enrollment for lifers and prisoners serving long indeterminate sentencing minimal. Pursuant to PD 05.02.119 prisoners are able to peruse enrollment into correspondence programs.

Aramark has had a difficult time preparing enough food for each meal. More often than not there are shortages by the time the 3rd or 4th units are called to chow. This is simply unacceptable. What is there in the contract that compels Aramark to run chow lines smoothly and without delays? It has been reported by some prisoner kitchen workers that Aramark is deliberately preparing less than is called for in the recipe to feed the compound. They know before they start that there will be a shortage. It is understandable that they want as little waste as possible but running out of food at so many meals causes a hostile environment and leads to other problems away from the chow hall. Could we get assurances that the Dep't will pressure Aramark into preparing proper portions and stop running out of food so often.

The quality of some of the food is terrible. We are fed a steady diet of potatoes. There have been increasing complaints about rotten potatoes being found in servings. That is unacceptable and the Dep't should be vigilant in stamping out this problem. Men complain on a daily basis about some aspect of food quality but since potatoes are the main diet they have to be edible. Would you tell us what your plan of action is to upgrade the food quality and eliminate rotten foods being served?

In the past the MDOC Food Service employees would teach brief classes on sanitation and food prep. Training of inmates is sadly lacking because there does not seem to be a cohesive plan to instruct men on their particular responsibilities when they are hired into the kitchen. Could you require Aramark staff to teach sanitation and food prep periodically? This could be done right after meals when workers are done cleaning. The entire chow hall and kitchen could be used as a classroom.

What has the Dep't done to address the overall low quality of food that is being served?

Why are there constant menu changes? Most of the time they are downgrades. These changes are too frequent to be acceptable. What will the Dep't do to pressure Aramark into staying with the menu?

Does the Aramark Corporation Contract entail 'specific performances' Clauses by Aramark Corporation to provide specific scheduled food items outlined within the State menu?

Is Aramark Corporation in receipt of Tax Payer allocated funds, under Contract through Michigan State MDOC General Funding, via per Prisoner Identification Number Card upon being scanned? If so, Why are prisoners being required to ask to receive those 'pre-paid' Scheduled State Menu Food items upon going through the Food Service line?

It is evident that MDOC Monitors and MDOC Corrections Officers, including ex-Corrections Officer holding as Food Service Managers and Monitors, hold an individual/personal/professional benefit/gain/enrichment (Union) interest in reporting Aramark Corporation non-compliance with State Menu Food items, including 'sabotaging' Aramark Corporation ability to comply with the stated 'Stipulations and Terms' of the Contract? In conjunction, what is equally disturbing is the fact that Aramark Corporation intentional failure to report the DEPARTMENT OF CORRECTIONS non-compliance (by institutional Warden(S)) to prevent the 'less than required Daily Caloric Intake violation over a period

Duncan MacLaren

Date

EXHIBIT MM

of several months'. Can Aramark Corporation explain their willful neglect to report the abuse of Wards of the State of Michigan where there is credible evidence to this specific act, i.e., prisoners receiving less than required daily Caloric Intake having occurred?

In addition, Aramark Corporation is engaged in a Commercial Contract, which incorporates the 'color of State and Federal Law' to humanely provide Wards of the State with nutritious meals. Is Aramark Corporation required to report any abuses rendered against Wards of the State, at the hands of or deriving therefrom (not being provided nutritious meals) by the (a) Wardens?

Who in the Dep't has the authority to enforce the contract that the Dep't has entered into for the delivery of meals to prisoners?

Who is responsible for paying prison kitchen workers? Is the Dep't still paying prisoner workers or is Aramark responsible for payment of payroll?

Is there within the contract allowable changes to the State Menu after a stipulated period of time? That is, will the menu go to an Aramark menu after a certain period of time instead of a State Menu?

Does Aramark still have to provide the same daily calories that were required by the State Menu?

Do all Dep't policies and procedures apply to Aramark?

Aramark Corp. has been using ladles that have a deep cup and in which food sticks to the bottom. Kitchen workers have to hit or pound the ladles to get the food out of the bottom. This action slows the serving line and often shorts men of the proper serving size. We ask that you encourage or otherwise move Aramark Corp. to change to open serving ladles.

We would like the recipes to all meals serving size requirements made available to the Warden's Forum. We are continually blocked and double talked when complaining about how meals are to be prepared and what serving sizes are supposed to be. We would also like the sanitation standards that Aramark Corp. must follow.

It has been reported by kitchen workers that egg wash is being used as a substitute for cheese in meals that have noodles and cheese. Egg wash is certainly not a substitute for cheese. Please have Aramark Corp. correct this deception and use cheese instead of egg wash.

Cartons of milk are being taken from the cooler and placed on the serving line. When meals are done the remaining cartons of milk are returned to the cooler. This is not an acceptable practice. Cooled milk can not be RAISED to room temperature then recooled. That causes spoilage. This practice needs to be stopped immediately. We ask that you make Aramark Corp. aware that this practice is occurring and take corrective action to ensure the practice is stopped.

Supervisors at XCF are not responding to the Food Service Committee agendas. They are supposed to meet with the committee every month but are not making themselves accessible to the committee or answering questions submitted to them. Would you make the supervisors aware that they are supposed to meet with the Food Service Committee every month.

**EXHIBIT MM**



[Appendix AC - (Exhibit “NN”)]

# APPENDIX “AC”

PROPERTY OF  
KCF LIBRARY

AG 2 2 '15

**KINROSS CORRECTIONAL FACILITY  
WARDEN'S FORUM MEETING  
June 2015**

<b>Present:</b>	Duncan MacLaren, Warden		
	David Mastaw, Administrative Assistant		
	Moore 197193 A-3-35	Holiday	174701 F-2-27
	Morrisette 401547 A-3-27	Meksula	161911 F-2-20
	Dayson 213123 B-1-24	Johnson	367756 G-2-37
	Makidon 113227 B-1-73	Scott	192404 G-2-51
	Johnson 174162 C-1-55		
	Reed 164672 C-1-56	Wallace	352482 K-S-145
	Ford 614192 D-1-10	Warthen	682507 K-S-143
	Sebastian 731727 D-2-90	Borom	269356 K-N-236
	Hammond 193821 E-3-49	Courtney	444293 K-N-133
	Moore 353571 E-1-45		

1. **QUESTION:** We understand KCF is considered a disciplinary facility, and as such, the rule of two years here and two years ticket free for transfer downstate. Why are individuals not transferred here for disciplinary reasons held to this standard?

**ANSWER:** Prisoners are reminded that they have no right to placement. Regardless of why prisoners arrive at KCF they are all held to the same requirements as it relates to the downstate "good behavior" transfer list.

2. **QUESTION:** Prisoners are complaining the Grievance Coordinator Anderson is exceeding his authority pursuant to PD 03.02.130 Prisoner/Parolee Grievance Procedure. The Grievance Coordinator is writing Notice of Intents from various departments (security, property, mail, etc.) and when prisoners attempt to exhaust their only administrative remedy against the NOI, Mr. Anderson is rejecting the grievances, thereby denying prisoners their valid access to 03.02.130. There is no reason for grievance coordinator to write an NOI on any prisoners; especially where the proper departments have not suggested or implied a violation has occurred.

**ANSWER:** Mr. Anderson has other duties within the facility. In certain situations he may be obligated to write a NOI if the incident requires it. MR. Anderson will be reminded he may not respond to grievance in which he wrote the NOI.

PROPERTY OF  
KCF LIBRARY

**EXHIBIT NN**

42

PROPERTY OF:  
KCF LIBRARY

AG 22 '15

KCF Wardens Forum  
June 2015  
Page 2

3. **QUESTION:** Prior to the Aramark takeover, Warden MacLaren issued a memo assuring the population of that Aramark would fulfill their food service contract with integrity, and promised the population that neither the quality nor quantity of food served would suffer. Obviously Aramark has not lived up to promises made on its own behalf. We have been advised to report specific instances to the food service sergeant, but that is what we have been doing from the beginning and nothing changes. Nobody is overseeing Aramark and they are free to serve anything they please. The Forum submitted a Food Service agenda with specific questions for Aramark in early April, and to date have had no response. Are they exempt from acknowledging inquiries made by your Forum as well as all other rules and obligations?

**ANSWER:** Aramark supervisors are not exempt from responding to Forum issues. A meeting with the Wardens Forum (Food Service Reps) and an Aramark supervisor will be scheduled as soon as possible.

4. **QUESTION:** PD 03.03.105 NN states that if a reviewing officer determines that a Misconduct report is inappropriate or not properly written, s/he shall return the report to the staff member who wrote it for corrections. Reviewing officers at KCF are denying prisoners their due process rights by violating this policy. For example, if a time or date is wrong on a Class II report, the reviewing officers change it themselves during the review, instead of returning it to the reporting officer as per policy. Can this be corrected?

**ANSWER:** Reviewing officers can correct clerical errors on the top of misconduct or NOI. They can't change the body of information of the misconduct. This issue has been addressed with reviewing staff.

5. **QUESTION:** PD 03.03.105 TT states that, "the decision of the facility hearings officer SHALL be based on a preponderance of the evidence." In making a decision as to the guilt of a prisoner, the Hearings Officer SHALL consider only evidence which relates to the specific charge or its lesser included violation." KCF Hearings Officers are violating this section of the policy when at Class II hearings, they already have findings of guilt already done before the prisoner is even present, denying any opportunity to offer a defense. They are basing the finding of guilt solely on the fact that Misconduct report was written. This is a serious violation of policy and needs to be addressed.

**ANSWER:** This issue has been addressed with those assigned as Class II - Hearing Officers. Individual issues should be reported via the appeal process.

PROPERTY OF:  
KCF LIBRARY

EXHIBIT NN

PROPERTY OF:  
KCF LIBRARY

AG 22 '15

KCF Wardens Forum  
June 2015  
Page 3

6. **QUESTION:** Employee Handbook Rule #1 (Treatment of employees and offenders) states in relevant part, "employees are prohibited from treating offenders in an inhumane manner,, such is described as speech, action, gesture, or movement that causes physical or mental intimidation or humiliation." There is a problem with officers all over this facility talking to prisoners in an inhumane manner, which is a violation of policy and extremely disrespectful. PD 01.01.100 states that employees are to be role models of how to achieve excellence every day. Obviously this type of behavior on their part falls short of that goal. Would the Warden please address this issue?

**ANSWER:** Specific examples of this supposed behavior should be presented to the appropriate supervisor (unit counselor, yard sergeant, etc...) for review. Individual examples should be forwarded to the Wardens Office for review.

7. **QUESTION:** Housing Unit and Yard Rules need to be posted in the housing units; those that are posted are so tiny they cannot be read. Can this be addressed?

**ANSWER:** Housing Unit and Yard Rules are posted in the units in a fashion as to allow prisoners to read their contents. Prisoners may ask unit staff/Counselors for assistance if needed. Prisoners are reminded these items are available for review in the General Library.

8. **QUESTION:** Forum members and unit reps are being harassed by KCF officers and staff simply for being on this forum. PD 04.01.150 reads in pertinent part, "The role of housing unit representation is to assist housing unit staff in identifying and resolving problems which exist in the units." "Housing unit representatives serve in an advisory capacity to the administration." We want the same thing that staff wants; a smoothly running, peaceful environment where we all work and live without conflict. There is no reason for this to be confrontational, and we ask the Warden to please address this matter.

**ANSWER:** Housing Unit staff will be reminded of Policy requirements pertaining to the responsibilities both prisoners and staff must adhere to as it relates to Forum representatives. Specific examples need to be reported to the Wardens Office.

Duncan MacLaren, Warden 7-14-15

PROPERTY OF:  
KCF LIBRARY

[Appendix AD - (Exhibit "I")]

# APPENDIX "AD"

KINROSS CORRECTIONAL FACILITY



06/04/2014

FOOD SERVICE COMMITTEE MEETING AGENDA

1.) Staff member has been seen with shoes and socks off in the staff office, rubbing their feet. Then proceeded to the serving line without washing their hands.

A.) After talking to my staff it was determined that the individual rolled their ankle and was checking it out. Staffs are reminded daily about keeping on top of sanitation issues and to set the example for the inmates.

2.) The absence of an adequate hand washing station or the upkeep there of by maintained with soap and finger nail brush behind the serving line.

A.) there is a hand washing sink located in the kitchen that the line servers use. Soap is checked daily. I will be adding a nail brush for use this week.

3.) The absence of food sanitation and handling training as mandated under 'Establishment' of the food code.

A.) Staff is training in serve safe and ongoing food safety and sanitation. Inmates receive a food service manual that details sanitation issues and practices. They receive continuous on the job training.

4.) Staff member is addressing inmates with yelling and verbal abuse. Creating tension between inmates, aramark staff and custody.

A.) Staff has been reminded to be professional in dealing with all inmates and staff.

KINROSS CORRECTIONAL FACILITY

5.) Aramark is intentionally under-preparing rations.... They are trying to cover up this by not giving the inmates their "state tray of food". This is causing delays and situations on the serving line.

A.) Aramark is following the MDOC recipes and serving according to the state menu. Requesting certain items has been a practice that the MDOC had put in place and will continue to be followed. All inmates are reminded to review the sample trays and menu before going through the line and requesting the items.

6.) Aramark is constantly running out of items. Making inappropriate substitutions. They are deliberately adding materials to stretch items.

A.) Aramark follows the state recipes set forth by the contract. We follow the MDOC substitution guide and if product does run short we make more of the same or of the approved substitute. We will continue to make adjustment to limit the number of substitutions as our staff become more experienced at that jobs.

S. McMullen FSD

06-05-2014

Date

Cc Warden

Food service committee

File

EXHIBIT I

[Appendix AE - (Exhibit “E”)]

# APPENDIX “AE”

POST

A-3

**KINROSS CORRECTIONAL FACILITY  
WARDEN'S FORUM MEETING  
February 2015**

KCF Wardens Forum  
February 2015  
Page 2

Present: Duncan MacLaren, Warden  
David Mastaw, Administrative Assistant  
Moore 197193 A-3-35  
Hernandez 268721 A-2-33  
B-  
B-  
Pittman 154984 C-1-16  
Gibson 323676 C-1-66  
McDaniel 411217 D-1-06  
Sebastian 731727 D-2-90  
Harndon 143685 E-2-73  
E-

Holiday 174701 F-2-27  
Surtbrook 407796 F-2-07  
G-  
Scott 192404 G-2-52  
Russel 219157 K-N-248  
Courtney 444293 K-N-133  
Mock 219157 K-S-273  
Tanner 287841 K-S-215

1. **QUESTION:** Aramark staffs are creating an environment that is inhumane, hostile and disruptive to the good order of this institution. The unprofessionalism Ms. Lee, Ms. Callentine, and Ms. Lewis demonstrate is without regard or consequence. 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 the 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:** 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.

2. **QUESTION:** When prisoner are transferred their property is being mishandled while in the process of loading and unloading (i.e. Footlockers, Dufflebags, and Boxes) are being thrown onto and off of the vehicles. This activity has been witnessed by many prisoners (those being transferred and those at the receiving facilities). We wish for you to instruct the staff and the prisoners assisting with property to handle the aforementioned items with the care they are due.

**ANSWER:** KCF property handlers and the local transportation cadre supervisor have been told of your concerns and reminded to handle property in a professional manner.

3. **QUESTION:** Policy Directive 04.02.130A, Page 1 of 5 states in pertinent part "Items shall not be sold past the sell by date identified on the item". The prisoner population would like to know why all the food items in the store do not have a sell by date on them and why isn't the store supervisors taking care to assure that food items are being handled in a manner that conforms to the said practice & process. We would further like to know why the Store contract committee members and the KCF Store Director/Facility Manager allowing Keefe to circumvent the Policy Directive by selling the prisoner population items without a sell by date on them, and items that well past their sell by date, molded items.

**ANSWER:** Prisoner Store items are rotated to ensure that current stock is sold first before new stock. All items do not have a best by or expiration date as it is not required by the Food and Drug Administration. If a product is past the "sell by" date, it is pulled from the inventory and not sold. Any issue with food product that is brought to our attention is looked into to determine if a refund is warranted.

4. **QUESTION:** We understand the cost of living going up, with razors being taken out and replaced with disposable (battery powered) razors that will have to be replaced approximately every twelve months due to wear of the blades, and no viable method of replacing them. The medical copays, the typewriters being removed from the Law Library; which places a financial burden upon the prisoners, especially if one does not receive any outside support financially. Things are becoming progressively more difficult for prisoners to make ends meet in the various facilities. We ask for flexibility when it is available. Pens on the store list cost \$2.72 for a package of 10 pens. There is no other option, and it creates a burden to try to purchase writing utensils at a fair price. Men are being forced to choose between hygiene items to shave, bathe and care for themselves or acquiring writing material to write their legal motions and briefs. We are therefore asking that there be another method of acquiring writing utensils at a cheaper price for the population.

**ANSWER:** The Prisoner Store Committee can make this suggestion as a store list change which will be discussed at the March 10<sup>th</sup> meeting. We will be looking at all suggested store item changes from all of the facilities that the Kinross Store Hub services. This is the first time that this issue has been brought up. Pens in the two pack can be purchased from Securepak and you get a better value when purchasing the 10 pack. 10 pack pens cost \$2.53 and 2 packs will cost \$1.10.

5. **QUESTION:** Disposable razors were a mandatory item on our store list, and in light of them being removed and replaced with the disposable (battery operated) shavers, we believe that it would be more feasible for prisoners if the disposable (battery operated) razors were placed on our store list as a mandatory items, and placed on the indigent store list as well to be credited to indigent prisoners outstanding debts as well.

**EXHIBIT E**

KCF Wardens Forum  
February 2015  
Page 3

ANSWER: Currently the items on the store list are contracted with Keefe and sold exclusively with them. The electric shaver is considered an appliance and has always been purchased as prisoner personal property and sold through the approved vendor list. By doing it this way vendors other than Keefe have the opportunity to sell this item as well. To remove this process would mean that the inmate stores would have to stock the shavers in the store. This creates potential theft issues in the stores as well as issues with the manufacturer's warranty. Lastly, the method that store items are delivered bypass property rooms. Since the shaver needs to be etched and a prisoner can only possess one it will need to pass through the property room like other personal property.

6. QUESTION: The heat in K & F units continues to be a major problem. The men in those units believe that they are suffering from violations of Policy Directive 03.03.130 due to the deprivation of heat which is placing them in physical hardship. The weather in this region is very bad at this time of year and nothing is being done to correct and monitor the problem.

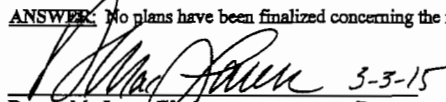
ANSWER: Maintenance and Unit staff has been continuously monitoring the temperatures of these two areas. Temporary solutions have been implemented to provide relief of the cold weather conditions.

7. QUESTION: Prisoners are being subjected to misconducts charging violations that the Sgt. anticipate to happen. Prisoners are being written misconducts for possession of stolen property/theft because of where they are arranged in the chow line due to food service traffic and/or the crowd that accumulates in the front of the chow hall during the running of meals.

ANSWER: There have been no inappropriate misconducts written on the part of staff. Prisoners are reminded that upon entering the chow hall they are to immediately direct themselves to one of the two officer podiums to present their ID for scanning before they are allowed to the chow line to receive a meal.

8. QUESTION: Prisoner wish to know if the transfers to the new facility can be based upon the compatibility factor, or are they going to be allowed to choose their cube mates with staff approval to try and control problems in that area.

ANSWER: No plans have been finalized concerning the move.

  
Duncan MacLaren, Warden

3-3-15  
Date

EXHIBIT E