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

APPENDIX “A”
### MICHIGAN DEPARTMENT OF CORRECTIONS

#### MIHIGAN DEPARTMENT OF CORRECTIONS - BUREAU OF HEALTH CARE SERVICES

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

<table>
<thead>
<tr>
<th>Symptom</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Headache, tension</td>
<td>Headaches, tension</td>
</tr>
<tr>
<td>Hypertension C viral w/o hepatic coma</td>
<td>Hypertension, liver issues</td>
</tr>
</tbody>
</table>

#### Treatment Plan:

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

**Staff Responsible:** D. LeBlanc, LMSW

**Prisoner rights were reviewed on 07/30/2015.**

**Provider:** Robert T. McQueeney MD

**Document generated by:** Debra A. LeBlanc, LMSW

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### MICHIGAN DEPARTMENT OF CORRECTIONS

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

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

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

**Release Prevention:**  
**Symptoms of illness:** No motivation and sleeps a lot

- **Early warning signs of possible stressors:** An increase in sarcasm, indifference, and withdrawal
- **Major stressors that could increase risk of relapse:** Medical problems, problems with buprenorphine, and problems with officers
- **Effective interventions:** Discussion with therapist and medication
- **Past substance abuse in the past:** Cocaine
- **Plan to avoid recurrence if remitted:** Will meet GPMH and will talk to unit staff
- **Medical issues addressed:** He has neurological problems after getting shot before coming to prison. Medical is following up.
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**Prisoner rights were reviewed on 07/30/2015.**

**Provider:** Robert T. McQueeney MD

**Document generated by:** Debra A. LeBlanc, LMSW

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### EXHIBIT

**NAME:** BOONE, RONNIE  
**Inmate ID:** 601976  
**D.O.B.:** 02/15/1969  

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**NAME:** BOONE, RONNIE  
**Inmate ID:** 601976  
**D.O.B.:** 02/15/1969
[Appendix B (Exhibit BB and CC)]: See copies of date sheets.

APPENDIX “B”
EXHIBIT B

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

PROPRION SUSTAINED RELEASE - ORAL (ANTIDEPRESSANT)
(you-PRO-pee-oh)

COMMON BRAND NAME(S): Wellbutrin SR

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

USES: This medication is used to treat depression. It can improve your mood and feelings of well-being. It works by helping to restore the balance of natural chemicals (neurotransmitters) in your brain.

Bupropion is also used to help people quit smoking by decreasing cravings and nicotine withdrawal effects.

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

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

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

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

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

You may have trouble sleeping when you start taking bupropion. Do not take your evening dose too close to bedtime. Let your doctor know if sleeplessness becomes a problem.

Your dosage is based on your medical condition and response to therapy. Your dose should be slowly increased to limit side effects such as sleeplessness and decrease the risk of seizures. Do not take more or less medication than prescribed. Taking more than the recommended dose will increase your risk of having a seizure. The usual maximum dose is 300-400 milligrams per day (maximum single dose 150-200 milligrams).

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

SIDE EFFECTS: See also the Warning section.

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

Remember that your doctor has prescribed this medication because the benefit to you is greater than the risk of side effects. Many people do not have serious side effects.

Tell your doctor immediately if any of these unlikely but serious side effects occur: fainting, chest pain, fast heartbeat, severe headache, uncontrolled movements (tremor), unusual weight loss or gain, tingling in the ears, mental/mood changes (e.g., agitation, anxiety, hallucinations, nervousness, confusion, restlessness).
EXHIBIT CC

Patient: Ronnie Rooke
Thursday, January 15, 2009

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

LUOXETINE — ORAL
Trade-Or-eh-teen)

COMMON BRAND NAME(S): Prozac, Sarafem

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

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

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

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

Take this medication by mouth with or without food, usually once daily or as directed by your doctor. This medication may make you sleepy or wakeful. Therefore, depending on how this medication affects you, your doctor may direct you to take the entire dose once daily in the morning or evening. If you are taking this medication more than a day, your doctor may direct you to take it in the morning and at noon.

If you are taking luoxetine for premenstrual problems, your doctor may direct you to take it every day of the month or just for the 2 weeks before your period through the first full day of your period. To help you remember, mark your calendar. If you are using the liquid form of this medication, measure the dose carefully using a special measuring device/spoon. Do not use a household spoon because you may not get the correct dose. The dosage is based on your medical condition and response to treatment. To reduce your risk of side effects, your doctor may start you at a low dose and gradually increase your dose. Follow your doctor's instructions carefully. Do not take more or less medication or take it more frequently than prescribed. Your condition will not improve any faster, and your risk of side effects will increase. Use this medication regularly in order to get the most benefit from it. To help you remember, use it at the same time(s) each day.

It is important to continue taking this medication as prescribed even if you feel well. Do not stop taking this medication without first consulting your doctor. Some conditions may become worse when the drug is abruptly stopped. Your dose may need to be gradually decreased. You should see some improvement in 1 to 2 weeks. It may take several weeks before you feel the full benefit. Tell your doctor if your condition does not improve or if it worsens.
[Appendix C (Exhibit DD)]: See Offender Daily Schedule.

APPENDIX “C”
**KINROSS CORRECTIONAL FACILITY**

**Housing Unit:** B3

**Offender Daily Schedule**

**Effective Date:** 10/06/2015 (Tuesday)

**Offender:** 501976 - Boone, Ronnie

<table>
<thead>
<tr>
<th>Callout / Assignment - Description</th>
<th>Reporting Station</th>
<th>Room</th>
<th>Department</th>
<th>Depart</th>
<th>Arrive</th>
<th>Depart</th>
</tr>
</thead>
<tbody>
<tr>
<td>684 - Janitorial - ZB-3 DAYROOM-1.31</td>
<td>B3</td>
<td>B3 OFFICER DESK</td>
<td>Classification</td>
<td>11:30</td>
<td>12:00</td>
<td></td>
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</table>

Psychiatrist - KCF O/P - Psychiatrist 1 - Dr. McQueeney  
MANDATORY - STATE BLUES REQUIRED TO BE WORN AND TUCKED IN FOR THIS APPOINTMENT. DO NOT ARRIVE MORE THAN FIVE (5) MINUTES BEFORE CALL OUT TIME. THIS APPOINTMENT IS LOCATED IN A-1 WEST.

<table>
<thead>
<tr>
<th>Callout / Assignment - Description</th>
<th>Reporting Station</th>
<th>Room</th>
<th>Department</th>
<th>Depart</th>
<th>Arrive</th>
<th>Depart</th>
</tr>
</thead>
<tbody>
<tr>
<td>684 - Janitorial - ZB-3 DAYROOM-1.31</td>
<td>B3</td>
<td>B3 OFFICER DESK</td>
<td>Classification</td>
<td>15:00</td>
<td>17:00</td>
<td></td>
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</table>

Medication - Evening Med Lines  
MANDATORY  
***DO NOT ARRIVE MORE THAN FIVE (5) MINUTES PRIOR TO MED LINE TIME***

<table>
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<th>Callout / Assignment - Description</th>
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<th>Department</th>
<th>Depart</th>
<th>Arrive</th>
<th>Depart</th>
</tr>
</thead>
<tbody>
<tr>
<td>684 - Janitorial - ZB-3 DAYROOM-1.31</td>
<td>B3</td>
<td>B3 OFFICER DESK</td>
<td>Classification</td>
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<td>23:00</td>
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<table>
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<th>Reporting Station</th>
<th>Room</th>
<th>Department</th>
<th>Depart</th>
<th>Arrive</th>
<th>Depart</th>
</tr>
</thead>
<tbody>
<tr>
<td>684 - Janitorial - ZB-3 DAYROOM-1.31</td>
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<td>B3 OFFICER DESK</td>
<td>Classification</td>
<td>23:30</td>
<td>00:00</td>
<td></td>
</tr>
</tbody>
</table>

**VALID ONLY ON THE EFFECTIVE DATE PRINTED ABOVE**

**EXHIBIT 00**
APPENDIX “D”
POLICY STATEMENT:
Prisoners and parolees shall be provided with an effective method of seeking redress for alleged violations of policy and procedure or unsatisfactory conditions of confinement.

RELATED POLICIES:
01.01.140 Internal Affairs
03.03.140 Prohibited Sexual Conduct Involving Prisoners

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

GENERAL INFORMATION:
B. Complaints filed by prisoners regarding grievable issues shall be filed in accordance with the policy. This includes but is not limited to complaints of conduct in violation of the policy.

C. The grievance process shall be equally available to all prisoners housed in the Field Operations Administration (FOA) and Correctional Facilities Administration (CFA) facilities, including prisoners incarcerated under the Holmes Youth/Trainee Act, and all parolees, unless placed on modified access pursuant to this policy. Probationers are not covered by this policy but may resolve specific grievances.

D. The grievance process shall be in accordance with the policy. These grievances are not summarily disposed of without a hearing.

E. Grievances may be submitted regarding alleged violations of policy or procedure or unsatisfactory conditions of confinement. This does not affect the grievant, including alleged violations of this policy and related procedures. Grievances shall be filed in accordance with the schedule.

F. The grievance coordinator may not join in a grievance regarding an issue of mutual interest to the grievant. This includes an organizational interest. Such grievances shall be filed with the grievance coordinator. Grievances that raise the following non-grievable issues shall be rejected:

G. A grievant may not file a grievance regarding a prisoner's misconduct or parole revocation. This includes an organizational interest. Such grievances shall be filed with the grievance coordinator. Grievances that raise the following non-grievable issues shall be rejected:

H. The grievance coordinator shall be responsible for ensuring that the grievance is investigated and that the appropriate action is taken. This includes an organizational interest. Such grievances shall be filed with the grievance coordinator. Grievances that raise the following non-grievable issues shall be rejected:

I. A grievant may not file a grievance regarding a prisoner's misconduct or parole revocation. This includes an organizational interest. Such grievances shall be filed with the grievance coordinator. Grievances that raise the following non-grievable issues shall be rejected:

J. Grievances shall not be filed in the Court of Claims, the Supreme Court, the Court of Appeals, or the Michigan Court of Appeals. These grievances shall be filed with the grievance coordinator. Grievances that raise the following non-grievable issues shall be rejected:

K. A grievant shall not be penalized in any way for filing a grievance. This includes an organizational interest. Such grievances shall be filed with the grievance coordinator. Grievances that raise the following non-grievable issues shall be rejected:

L. A grievant may not file a grievance regarding a prisoner's misconduct or parole revocation. This includes an organizational interest. Such grievances shall be filed with the grievance coordinator. Grievances that raise the following non-grievable issues shall be rejected:

EXHIBIT EE
Case 2:16-cv-00271-JTN-TPG ECF No. 1-1 filed 12/08/16 PageID.55 Page 10 of 48

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

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

GRIEVANCE COORDINATORS

KCF LAW Library

KCF LAW Library

N. In each CFA institution, the Warden shall designate at least one staff member to serve as the Step I Grievance Coordinator and at least one staff member to serve as the Step II Grievance Coordinator. The FCA Deputy Director shall designate staff members to serve as Step III Grievance Coordinators and each FCA field office may, at the discretion of the Warden, designate an individual from theみました、何か問題点がありますか？
completely at the interview to enable the Step I respondent to identify and gather any additional information needed to respond to the grievance. The review also provides the opportunity to resolve the grievance to the mutual satisfaction of the grievant and the Department.

2. Each Step I grievance response shall be reviewed by the respondent's supervisor prior to the grievance being returned to the Step I Grievance Coordinator to ensure that it appropriately addresses the issue raised in the grievance and accurately reflects Department policy and procedure. Where there is limited staffing in an FOA facility or field office, the requirement for supervisory review of a Step I response shall not apply if the response is prepared by an FOA supervisor/manager. The respondent shall verify in the response the specific policies, rules, or procedures that are directly related to the issue or conduct being grieved.

AA. The Step I Grievance Coordinator shall ensure that a thorough investigation is completed for each Step I grievance accepted, that the response was reviewed by the appropriate supervisor, and that a copy of the response is provided to the grievant by the due date, including any extension granted.

Step II

BB. A grievant may file a Step II grievance if he/she is dissatisfied with the response received at Step I or if he/she did not receive a timely response. To file a Step II grievance, the grievant must send a Prisoner/Parolee Grievance Appeal (CSU-247B) from the Step I Grievance Coordinator and send the completed form to the Step II Grievance Coordinator designated for the facility, field office, or other office being grievued within ten business days after receiving the Step I response or, if no response was received, within ten business days after the date the response was due, including any extensions. If the office being grievued does not have a designated Grievance Coordinator, the grievant is to send the grievance to the Step II Grievance Coordinator for the facility in which the inmate or appropriate field office is located.

CC. The Grievance Coordinator shall log each Step II grievance received, including those which may be rejected. Where available, the Grievance Coordinator shall use a computerized grievance tracking system to do so. The Grievance Coordinator shall determine if the grievance should be rejected pursuant to this policy and, if so, return the grievance to the grievant with an explanation as to why it was rejected. If accepted, the Grievance Coordinator shall assign an appropriate respondent and indicate the date by which the response is due. The due date shall be within 15 business days after receipt of the grievance, unless an extension is granted as set forth in Paragraph G.

DD. The respondents for Step II grievances shall be as follows:

1. The Warden for CFA institutions, except that she may delegate this responsibility to the appropriate Deputy Warden if more than one institution is supervised. If the Warden supervises a camp, who may delegate this responsibility for camp grievances to the facility head.

2. The Regional Health Administrator or designee, for grievances regarding health care issues.

3. The Administrator of Michigan State Industries (MSI) or designee for grievances involving MSI.

4. The CFA Region III Business Manager for grievances involving administrative support functions for CFA facilities in Jackson.

5. The appropriate Area Manager for FOA area offices and facilities.

6. The FOA Deputy Director or designee for all other FOA grievances.

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

Step III

FF. A grievant may file a Step III grievance if he/she is dissatisfied with the Step II response or does not receive a timely response. To file a Step III grievance, the grievant must send a completed Step III grievance, using the Prisoner/Parolee Grievance Appeal form (CSU-247B), to the Grievance and Appeals Section within ten business days after receiving the Step II response or, if no response was received, within ten business days after the date the response was due, including any extensions.

GG. The Grievance and Appeals Section shall be the respondent for Step III grievances on behalf of the Director. Each grievance received which may be rejected, shall be logged in a computerized grievance tracking system. The tracking system shall include information on the subject matter of each grievance received and, for rejected grievances, the basis for the rejection. The Grievance and Appeals Section shall forward grievances relating to health care issues to the Administrator of the Bureau of Health Care Services (BHCS). The BHCS Administrator shall ensure the grievance is investigated and a response provided to the Grievance and Appeals Section in a timely manner. The Manager of the Grievance and Appeals Section shall ensure that any additional investigation is completed as necessary for each Step III grievance accepted, including referral to the Internal Affairs Division and, for disability issues, to the Equal Employment Opportunity Office within the Bureau of Human Resources, as appropriate, and that a copy of the Step III response is provided to the grievant.

MODIFIED ACCESS

HH. A prisoner or parolee who files an excessive number of grievances which are vague, duplicative, raise non-grievable issues, or contain prohibited language as set forth in Paragraph G, is found guilty of misconduct for filing an unfounded grievance as set forth in Paragraph L may have access to the grievance process limited by the Warden or FOA Area Manager for an initial period of not more than 90 calendar days. If the prisoner or parolee continues to file such grievances while on modified access, the Warden or FOA Area Manager may extend the prisoner's or parolee's modified access status for not more than an additional 30 calendar days for each violation. In CFA, a recommendation to place a prisoner on modified access shall be submitted only by the Grievance Coordinator and shall include a list of the grievances forming the basis for the recommendation and the reason for the recommendation.

II. The Warden or FOA Area Manager, as appropriate, shall ensure that a prisoner or parolee placed on modified access, or who has had that status extended, is immediately notified in writing of this determination, including a list of the grievances upon which the determination was based. The Warden or FOA Area Manager shall immediately notify the Regional Prison Administrator or Regional Administrator, as appropriate, and the Grievance and Appeals Section in writing whenever she places a prisoner or parolee on modified access or extends that status.

JJ. The Manager of the Grievance and Appeals Section also may place a prisoner or parolee on modified access, or extend that status, for the reasons set forth in Paragraph HH. The Manager of the Grievance and Appeals Section shall ensure that each prisoner of parolee placed on modified access or who has had status extended is immediately notified in writing of that determination, including a list of the grievances upon which the determination was based. The Manager of the Grievance and Appeals Section also shall ensure that the appropriate Warden or FOA Area Manager is notified in writing of the determination.

KK. While on modified access, the prisoner or parolee shall be able to obtain grievance forms only through the Step I Grievance Coordinator. A grievance form shall be provided if the Step I Grievance Coordinator determines that the issue the prisoner or parolee wishes to grieve is grievable and otherwise meets the criteria outlined in this policy. The Grievance Coordinator may require a record of requests received for grievance forms and whether the request was approved or denied and, if denied, the reason for the denial. If a prisoner or parolee on modified access attempts to file a grievance using a form not provided by the Grievance Coordinator, the Grievance Coordinator may recess the grievance in accordance with Paragraph G. The Warden, FOA Area Manager, or Manager of the Grievance and Appeals Section may extend the prisoner's or parolee's modified access status for not more than an additional 30 days for each violation. Notification of such extensions shall be consistent with the requirements set forth in Paragraphs II and JJ.

EXHIBIT EE
LL. A prisoner or parolee shall remain on modified access for the approved period even if transferred to another facility or field location. The Grievance Coordinator for the receiving facility or field location shall ensure that the Grievance Coordinator for the sending facility or field location is notified of this information.

OPERATING PROCEDURE

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

AUDIT ELEMENTS

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

Approved: PLC 08/13/07

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

APPENDIX “E”
TO: Boone, Ronnie #501976

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

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

kca

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

cc: Warden (KCF)
Prisoner (KCF)

EXHIBIT NO. 1
Date Received by Grievance Coordinator at Step II: REC'D 5-10-2014

Grievance Identifier: KUF1406065Z0A7

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 must be submitted by 9 a.m. 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.

<table>
<thead>
<tr>
<th>Name (Print first, last)</th>
<th>Number</th>
<th>Institution</th>
<th>Lock Number</th>
<th>Date of Incident</th>
<th>Today's Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boede</td>
<td>501916</td>
<td>KCF</td>
<td>A3-43</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

STEP II — Reason for Appeal

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

STEP II — Response

See attached response

STEP III — Reason for Appeal

See attached papers,

EXHIBIT NO. 1

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

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

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant
MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

Date Received at Step I 6/23/14  Grievance Identifier: K0F1486406G8Z189Z

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) Ronnie Boone Number 581974 Institution KCF Lock Number A-3-63 Date of Incident 06/19/14 Today’s Date 06/21/14

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

On 6/19/14, grievant informed Aramark Food Steward about the raw/half done (french fries), and about receiving only six (french fries). Grievant was told by Aramark employee the (fries) are cooked, and that’s all the (fries) are going to be served. Grievant took the food tray over to Sergeant Johnson, shown him the uncooked/raw (french fries), and the amount that was giving. Sergeant said he will make a note of it.

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

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

On 6/19/14, I, Grievant (Boone) housed in A-Unit went to the kitchen/chow-hall to eat lunch. Aramark ran out of food (french fries), and there were two other Units left to feed/eat lunch, G, and C. Aramark tried to hurry up and prepare some more food (french fries), but the (fries) was not a wholesome adequate meal. The (fries) was not cooked/raw, and Aramark served them anyway. Grievant informed the Aramark Food Steward about the raw/half done (french fries), and about receiving only six (french fries). Grievant was told by Aramark employee (in which he did not have a name tag on) stated the (fries) are cooked, and that’s all the (fries) are going to be served. Grievant took the food tray over to Sergeant Johnson, shown him the uncooked/raw (french fries), and the amount that was giving. Sergeant said he will make a note of it. Aramark Food Service are not preparing the correct number of wholesome adequate meals as stated in the Policy, "all prisoners shall be provide with wholesome and nutritionally adequate meals as set forth in P.D. 04.07.100 'Offender Meals,' meals shall be prepared and served in accordance with MCL 333.12901 et seq. of the Michigan Public Health Code." Aramark failed to provide grievant with food that was adequate to eat, adequate in quantity, nutritional value or in any other respect.

EXHIBIT No. 1

Grievant’s Signature

RESPONSE (Grievant Interviewed? Yes □ No If No, give explanation. If resolved, explain resolution)
The French Fries grievant is referencing are The Red Robin French Fries that are larger than regular French Fries. The meal required lean (Skin) served because that particular brand of fries are very bulky and might look less or may become a bigger cut of potatoes, but they still receive them day.

S. Lewis
Respondent’s Signature

6/26/14
Date

FS/HS
Working Title

K. Clark
Reviewer’s Signature

7/10/14
Date

K. Clark
Reviewer’s Name (Print)

7/10/14
Date

Working Title
Step III - Reason for Appeal

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

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

(a) As stated in Step I Response, since the meal required one cup it might have looked like less on the tray due to the bigger cut potatoes, grievant received eight ounces.

(1) There is no way Aramark could tell if they are putting eight ounces (8oz) of potatoes on each food tray, even if the fries/potatoes are larger cut, because they are not all cut the same size, and the line server do not use any kind of utensil or 8oz cup, they use there hands to put the fries on all the food tray; and

(2) Aramark told the line server to put only six (6) french fries on all the remaining food trays because they were running out of fries again.

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

(a) As stated in Step II Response, the Food Service is following the menu provided by the MDOC Central Office Food Service program manager;

(1) "WHY" is the food being served half cooked? In P.D. 04.07.102 I, under FOOD EVALUATION; it states the preservice quality checks shall be made at least 30 minutes before the meal is served. Quality checks in
institutions shall be made. Menu items that are unacceptable for service shall not be served unless corrected, but Aramark keep serving uncooked food; and

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

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

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

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

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

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

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

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

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

EXHIBIT No. 1 2 of 3
not cooking the food thoroughly before serving it to the prisoner population), one could maybe excuse the mistake. There are all sorts of unsavory reports, and grievance that has been filed on this matter.

and

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

EXHIBIT No. 1
PRISONER'S NAME: Boone #501976, A-3-63

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

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

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

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

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

Grievance is partially resolved.

8/3/14

Date Returned

Duncan MacLaren, Warden

DM:mm

EXHIBIT NO. 1
[Appendix F (Exhibit "No.2"): See Grievance Form KCF-1406-0694-28a

APPENDIX "F"
TO: Boone, Ronnie #501976

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

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

Approval Signature: Richard D. Russell

cc: Warden (KCF)
Prisoner (KCF)

EXHIBIT No. 2
Date Received by Grievance Coordinator at Step II: REC'D AUG 04 2014

**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 equivalent 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: **Women’s Office** by 8/31/14. 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.

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**STEP II — Reason for Appeal**

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

**STEP II — Response**

See attached response

<table>
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<tr>
<th>Date Received by Step II Respondent: REC'D AUG 04 2014</th>
<th>Date Returned to Grievant: 8/13/14</th>
</tr>
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**STEP III — Reason for Appeal**

See attached papers,

**EXHIBIT No. 2**

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

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

**DISTRIBUTION:** White – Process to Step III; Green, Canary, Pink – Process to Step II; Goldenrod – Grievant
STEP III.--Reason for Appeal
Grievance KCF-1406-0694-28a

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

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

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

Norma Killough, RD, is a registered dietitian employed by MDOD, and states that all MDOD menus are designed to comply with the nutritional and caloric recommendations set forth in the Dietary Reference Intakes: The Essential Guide to Nutrient Requirements, which are "a common set of reference values for a healthy population based on the relationships between nutrient intakes and health or the prevention of disease." Ms. Killough also states that MDOD follows the current Dietary Guidelines for Americans, issued by the United States Department of Health and Human Services and Agriculture, for menu planning, and MDOD plans its menus to meet nutrient and caloric needs.
Based on the foregoing, Aramark has failed to provide grievant with food that is adequate to eat, in quantity, nutritional value or in any other respect, or a wholesome and nutritionally adequate meals, when they keep running out of food/meals, or changes in some of the menu items, or shortages in what the scheduled meal item was supposed to be:

(1) They are not meeting the nutritional and caloric requirements set forth in the dietary reference intake with frequent substitutions of menu item; and

(2) They are not providing meals that are adequate to eat when rushing to prepare more meals, because the meals are not prepared right, cooked/raw, and dose not meet the reference values for a healthy population based on the relationship between nutrient intake and health or the prevention of disease.

EXHIBIT No. 2
PRISONER'S NAME: Boone #501976, A-3-63

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

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

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

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

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

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

Grievance denied.

8/12/14
Date Returned

Duncan MacLaren, Warden

DM/mm

EXHIBIT No. 2
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.

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<td>KCF</td>
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What attempt did you make to resolve this issue prior to writing this grievance? On what date? __________

If none, explain why.

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

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

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

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

**EXHIBIT NO. 7**

[Signature of Grievant]

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

[Signature of Respondent]

[Signature of Reviewer]

[Signature of Assistant]

Date Returned to Grievant: 7/2/14

If resolved at Step I, Grievant sign here.

Resolution must be described above.

Grievant's Signature  Date
Grievance response:
KCF-14-06-00694-28a
Boone #501976, A-3-63

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

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

Grievance rejected.
**EXHIBIT NO. 2**

**Grievant's Signature**

### RESPONSE (Grievant Interviewed?)

- [ ] Yes
- [ ] No

If No, give explanation. If resolved, explain resolution.

**Respondent's Signature**

**Date**

**Reviewer's Signature**

**Date**

**Respondent's Name (Print)**

**Working Title**

**Reviewer's Name (Print)**

**Working Title**

---

**Date Returned to Grievant:**

If resolved at Step 1, Grievant sign here.

Resolution must be described above.

**Grievant's Signature**

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

DATE RECEIVED: 07/24/14 KCF 1496 0652 09z

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

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

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

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

Grievance is partially resolved.

8/12/14
Date Returned

[Signature]
Duncan MacIver, Warden

DM:mm

EXHIBIT NO. 2
[Appendix G (Exhibit “No.3”)]: See, Grievance Form, KCF-1408-0862-09z

APPENDIX “G”
STEP III GRIEVANCE DECISION

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

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

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

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

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

cc: Warden, Filing Facility: KCF
Prisoner: 501976

EXHIBIT NO. 3
Date Received by Grievance Coordinator at Step II: RECEIVED 5/6/2014

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 must be received by the Warden's Office by 9/30/14. 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.

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STEP II — Reason for Appeal

Grievance has not been resolved, nor has been properly addressed. In Step I Response Aramark staff stated they spoke to staff about health and safety issues on the line about washing hands & changing there gloves. There were no issues in step I grievance about the kitchen workers who was serving the food not washing their hands or changing their gloves. The issue is about how prisoner Hooper (467213) who was receiving his food went over the glass counter on the serving line with his open dirty hand, stuck it in the pan of chicken (twice), and took two (2) pieces of chicken, touching the other pieces, and that made all the other pieces on that pan/tray unsanitary, sufficiently gross, a health hazard. All remaining pieces of chicken on that pan/tray should have been taken off the serving line, and thrown away, but Aramark served the remaining pieces of chicken any way. Aramark are not addressing the issues that are stated in the grievance.

STEP II — Response

Respondent’s Name (Print)          Respondent’s Signature          Date

10-6-14

STEP III — Reason for Appeal

See attached papers.

EXHIBIT No. 3

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

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

DISTRIBUTION: White – Process to Step III; Green, Canary, Pink – Process to Step II; Goldenrod – Grievant
PRISONER’S NAME: Boone #501976, A-3-63

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

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

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

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

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

Grievance denied.

/10-6-14/
Date Returned

Duncan MacLaren, Warden

DM/md

EXHIBIT No. 3
STEP III -- Reason for Appeal
(ECF) 14-09-000862-002

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

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

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

NOTE:

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

The issue is about how I grieved observed prisoner Hooper (497929), receiving his food in the serving line, went over the glass counter with his open dirty/unclean hand that could may have been CME, and bleeding, stuck it in the pan/tray of chicken (twice), and took two (?) pieces of chicken, touching the other pieces, and contaminating them - (infect by contact or association), making all the other pieces unsanitary, sufficiently gross, and a health hazard.

As stated in Step I & II - Grievances:

Aramark employee seen prisoner Hooper stick his hand in the pan/tray of chicken, all the remaining pieces of chicken on that pan/tray should have been taking off the serving line, and thrown away. On 08/11/16, in grievant interview with Aramark staff, respondent S. Lewis, even he stated that the staff should have taking the remaining pieces of chicken on that pan/tray off the serving line. But Aramark staff displayed "deliberate indifference" or "reckless disregard" for the safety of grievant/prisoners by failing to "act reasonably" in response to the danger, and served the remaining pieces of chicken anyway, making it a food-borne illness risk factors, and this particular condition endanger grievant/prisoners health or safety.

EXHIBIT No. 3
As stated in Step II - Response:
There appears no evidence to support that a violation of policy or procedure occurred:

As stated in the Humane Treatment and Living Conditions For Prisoners, P.D. 03,08,190;
Sec. F. As used in this act:
(R) All prisoners shall be provided wholesome and nutritionally adequate meals as set forth in P.D. 04,07,100 "Offender Meals". Meals shall be prepared and served in accordance with MCL 333.12901 at ss 131 of the Michigan Public Health Code.

As stated in M.C.L. 33.12901, now see M.C.L.A. sec. 289,1107, Definition;
Sec. 1107. As used in this sec:
(c) "Evaluation" means a food safety audit, inspection, or food safety and sanitation assessment, whether announced or unannounced, that identifies violations or verifies compliance with this Act and determines the degree of actual and potential foodborne illness risk factors.

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

(1) **Contaminated chicken** is an immediate danger to the health and well-being of grievant/prisoners who consume the chicken, and a violation of policy, procedure, and constitution;

(2) When prisoner Hooper stuck his dirty/unclean hand in the pan/tray of chicken (twice) while being served his food, that contaminated the remaining pieces making it sufficiently gross, a health hazard, or a risk factor;

(3) When a health hazard in food preparation and service are sufficiently gross, grievant/prisoners need not prove that serious foodborne illness has already occurred, the risk is enough, Palmigiano, 447 F. Supp. at 962-63, in Step I - Grievances; and

(4) The meal/chicken were not served in accordance with MCL 333.12901 of the Michigan Public Health Code, because the food establishment was

**EXHIBIT NO. 3**
a foodborne illness risk factor, a violation of food safety and sanitation assessment.
Case 2:16-cv-00271-JTN-TPG   ECF No. 1-1 filed 12/08/16   PageID.83   Page 38 of 48

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

Date Received at Step I: 12/14/16  Grievance Identifier: KCF14000862

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

<table>
<thead>
<tr>
<th>Name (print first, last)</th>
<th>Number</th>
<th>Institution</th>
<th>Lock Number</th>
<th>Date of Incident</th>
<th>Today’s Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ronnie Boone</td>
<td>501974</td>
<td>KCF</td>
<td>A-3-63</td>
<td>08/03/14</td>
<td>08/05/14</td>
</tr>
</tbody>
</table>

What attempt did you make to resolve this issue prior to writing this grievance? On what date? 08/03/14

If none, explain why.

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

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

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

On 08/03/14, Sunday, Aramark Food Services was serving MDOC Statewide Menu baked chicken leg & thigh for dinner. Grievant was in the serving line receiving his dinner meal when prisoner Hopper (487213) went over the glass counter on the serving line with his open dirty hand, stuck it in the pan of chicken (twice), and took grabbed two (2) pieces of chicken. Aramark employee saw prisoner Hopper, and immediately stopped the serving line. Aramark employee ("got mad," the two had some words), went over to prisoner Hopper took the two (2) pieces of chicken (back), threw them behind the serving line on the floor, and took his identification (ID) in order to write him a misconduct ticket. Aramark employee made another prisoner clean up the chicken out of the floor, and then fired the prisoner who was serving the chicken on the serving line (in which did not have anything to do with Hopper stirring the chicken). DO TO THE FACT THAT PRISONER HOPPER GRABBED AND STUCK HIS OPEN DIRTY HAND IN THE PAN/TRAY OF CHICKEN, AND MAY HAVE TOUCHED THE OTHER PIECES, THAT MADE ALL THE OTHER PIECES IN THE PAN/TRAY UNSANITARY, SUFFICIENTLY GROSS A HEALTH HAZARD, (the hold pan/tray of chicken should have been taking off the serving line and thrown away), BUT ARAMARK SERVED THE REMAINING PIECES OF CHICKEN ANYWAY MAKING IT A HEALTH HAZARD. This health hazard is indeed a violation of grievant constitution right, (see, Palmitgiano v Gerathy, 443 F. Supp. 955, 962-63 (D.R.I. 1977)) ("most unsanitary food service cases involve a variety of unsanitary condition. However a single dangerous practice may be unconstitutional if it presents a serious risk be medically certified. If health hazards in food preparation and service are sufficiently gross, prisoners need not prove that serious food-borne illness has already occurred, the risk in enough")

Ronnie Boone
Grievant’s Signature

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

Spoke to the staff about health and washing hands at changing these moves.

Refused to sign

S. Lewis
Respondent’s Signature

3/14/14
Date

☐ Lewis
Working Title

☐ Lewis
Reviewer’s Name (Print)

3/14/14
Date

EXHIBIT NO. 3

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

APPENDIX "H"
Food Code

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

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

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

EXHIBIT LL P. 2 OF 5
FOOD CODE

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

CONTAMINATED FOOD

Subpart
3-701 Disposition

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

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

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

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

(D) FOOD that is contaminated by FOOD EMPLOYEES, CONSUMERS, or other PERSONS through contact with their hand, bodily discharge, such as nasal or oral discharges, or other means shall be discarded.
Chapter 4

Equipment, Utensils, and Linens

4-101.11 Characteristics.

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

(a) Safe;

(b) Durable, CORROSION-RESISTANT, and nonabsorbent.

4-101.18 Wood, Use Limitation.

(A) Except as specified in (B) and (C) of this section, wood and wood wares may not be used as FOOD-CONTACT SURFACES.

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

(1) Cutting boards, cutting blocks, baker’s tables, and UTENSILS such as rolling pins, wooden knives, bowls, bowls, and chopping boards.

(2) Wooden paddles used in confinement for stirring or straining hot liquids, kitchens, and smoke chambers.

(C) Whole, uncut, raw fruits and vegetables, and nuts may not be kept in the wood storage container in which they were received, until the fruits, vegetables, or nuts are used.

(D) If the safety of the FOOD requires removal of molds, pests, hoists, or shells being consumed, the whole, uncut, raw FOOD may be kept in:

(1) Unrefined wood containers;

(2) Treated wood containers if the containers are treated with a preservative that meets the requirements specified in 21 CFR 176.300 for preservative wood.

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

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

<table>
<thead>
<tr>
<th>UTENSIL Category</th>
<th>Description</th>
<th>Maximum Lead (mg/100g)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use BEVERAGE Mugs</td>
<td>Coffee Mugs</td>
<td>0.5</td>
</tr>
<tr>
<td>Large Hourglasses</td>
<td>1</td>
<td>0.1</td>
</tr>
<tr>
<td>Small Hourglasses</td>
<td>0.1 (19.8 g)</td>
<td>0.1</td>
</tr>
<tr>
<td>Porters Mugs</td>
<td>1</td>
<td>0.1</td>
</tr>
</tbody>
</table>

4-101.14 Copper, Use Limitation.

Copper and copper alloys such as brass may not be used with FOOD that has a pH below 6 such as vinegar, fruit juices, or wine or for a filling or a filling inside billets, molds, or cavities or in contact with FOOD.
4.203.12 TEMPERATURE MEASURING DEVICE. Ambient Air and Water.

- Ambient air and water TEMPERATURE MEASURING DEVICES that are scaled only in Celcius or only scaled in Fahrenheit shall be designed to be readily readable and accurate to ±1°F (0.5°C) at the use range.


- Exhaust ventilation hood systems in FOOD Preparation and WAREWASHING areas including components such as hoods, fans, grills, and ducting shall be designed to prevent pests or contamination from dripping or splashing onto FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.

4.205.13 EQUIPMENT Openings. Closer to and Outside.

- A cover or lid for EQUIPMENT shall overlap the opening and be closed by them.
- A opening located within the top of a unit of EQUIPMENT that is designed for use with a cover or lid shall be flanged upward at least 5 millimeters (the length of an inch).
- Serrated as specified in §(3) of this section.
- A opening, TEMPERATURE MEASURING DEVICES, rotary shafts, and other parts extending through the openings shall be equipped with an access designed to deflect condensation, drips, and dust from FOOD openings.
- The opening shall be flanged as specified under §(3) of this section.

73

EXHIBIT P. 5 OF 5
[Appendix I (Exhibit No. 4)]: See, Grievance Form, KCF-1409-0967-09z

APPENDIX “I”
MICHIGAN DEPARTMENT OF CORRECTIONS

PRISONER/PAROLEE GRIEVANCE APPEAL FORM

Date Received by Grievance Coordinator at Step II: 12/08/16

Grievance Identifier: KCF14091091671 917

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 1-26-14. 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.

<table>
<thead>
<tr>
<th>Name (Print First, Last)</th>
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<th>Institution</th>
<th>Lock Number</th>
<th>Date of Incident</th>
<th>Today's Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boone</td>
<td>50974</td>
<td>KCF</td>
<td>A-3-63</td>
<td>11-7-14</td>
<td></td>
</tr>
</tbody>
</table>

STEP II — Reason for Appeal

(An appeal will not be considered if there is no proof of grievance action. The appeal must consist of a sufficient number of facts. If you have any questions, contact the appropriate person in the Department of Corrections. An Appeal Process is available at the Level II Appeal Level. You must have a written statement explaining why you believe you were not treated fairly at each level.

STEP II — Response

Date Received by Step II Respondent: 12/08/16

Respondent's Name (Print): D. MacCullum
Respondent's Signature: [Signature]
Date: 12/11/16

STEP III — Reason for Appeal

EXHIBIT NO. 4

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

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

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant
Date Received at Step I: 9/4/14  
Grievance Identifier: KCF141090P9671G982

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

Name (print first, last): Ronnie Boone  
Number: 581976  
Institution: KCF  
Lock Number: A-3-63  
Date of Incident: 08/31/14  
Today's Date: 09/03/14

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

If none, explain why.

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

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

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

On December 02, 2013, Aramark Correctional Services assumed responsibility for food service within the (MDOC). Aramark has been (MDOC) Food Service going on nine (9) months, and they are still not preparing the appropriate number of meals for the prison population or running out of food during meals or food shortages, and (doing this on a regular basis). Meals are not equal to the calorific and nutritional value as set out in the statewide standard menu or meals are not adequate in quantity, nutritional value or in any other respect. On 08/31/14, grievant went to eat dinner, and Aramark workers again ran out of (MDOC) Statewide Standard Menu meal, (baked chicken-leg & thigh), and served unauthorized menu substitutions (chicken chucks) that are used for the (chicken salad). MDOC plans its meals to meet nutrient and caloric needs for the prison population. When Aramark keep running out of food: 1) that changes MDOC plans of nutrient and calorick set for the meals because the substitute food will not be save food on the statewide menu; 2) are failing to adequately meet grievant nutritional and calorics requirements to maintain normal health; 3) are causing less yard time when Aramark having to keep preparing more food because of not preparing appropriate number of meals; and 4) when Aramark rush to prepare more food, the food are not being proper cooked, undercooked, raw, and unfit to eat as to present a health risk or not a wholesome and nutritionally adequate meal.

EXHIBIT NO. 4

Grievant's Signature

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

IF A MENU ITEM RUNS OUT WE FOLLOW GUIDELINES SET BY THE MDOC FOR APPROVED SUBSTITUTIONS. THESE ARE NUTRITIONALLY EQUAL. ALL RECIPES ARE BEING FOLLOWED. IT REFUSED TO SIGN.

S. McHulen  
Date: 10/09/14

Réviewer's Signature

S. McHulen  
FID  
Date: 10/21/14

Respondent's Name (Print)

Date Returned to Grievant: 10/22/14

If resolved at Step I, Grievant sign here. Resolution must be described above. Grievant's Signature

DISTRIBUTION: White, Green, Canary, Pink — Process to Step One; Goldenrod — Grievant
PRISONER'S NAME: Boone #501976, A-3-63

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

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

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

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

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

Grievance denied.

10-11-14
Date Returned

[Signature]
Duncan MacLaren, Warden

DM:mm

EXHIBIT NO. 4