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

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

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

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

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<th>Lock Number</th>
<th>Date of Incident</th>
<th>Today's Date</th>
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<tr>
<td>Boone</td>
<td>501976</td>
<td>KLF</td>
<td>A-3-63</td>
<td>11-7-14</td>
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**STEP II — Reason for Appeal**

Boone filed a Step II appeal. The inmate was seen (Staff Task) today, and the tier was made. All medications were given as prescribed, and a scheduled medical visit was conducted. The inmate was transferred to a different tier due to security concerns. The appeal is challenged because the inmate's health and safety are being compromised. A picture of the cell wall was taken.

**STEP III — Response**

Date Received by Step II Respondent: [Signature]

Respondent's Name (Print): [Signature]

Respondent's Signature: [Signature]

Date: 12-16-14

Date Returned to Grievant: 12/19/14

**STEP III — Reason for Appeal**

EXHIBIT NO. 5

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

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

**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 9/10/14  Grievance Identifier: KCF1140202775 09/14

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

<table>
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<tr>
<th>Name (print first, last)</th>
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<th>Lock Number</th>
<th>Date of Incident</th>
<th>Today's Date</th>
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<tr>
<td>KONNIE BOONE</td>
<td>50197C</td>
<td>KCF</td>
<td>A-3-63</td>
<td>09/09/14</td>
<td>09/09/14</td>
</tr>
</tbody>
</table>

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

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

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

On 09/09/14, Aramark was serving (sloppy Joe) for dinner according to the VDC Statewide Menu. Aramark ran out of (sloppy Joe) or mealtime food shortages. Aramark staff tried to hurry up and prepare some more food, but the (sloppy Joe) was soybean meat, and the meat was red/uncoked/raw. Aramark staff was also telling the prison cook to put floor in with the meat to thicken it up because they were running out again. Grievant does not feel as if he received a wholesome and nutritionally adequate meal, as set forth in P.O. 04.07.100 'Offender Meal,' because the meal/food was not properly cooked and served. Grievant 'has been and will continue to be irreparably injured by the conduct of being deprived of policy mandated (adequate) calories, and nutritional requirements to maintain his normal health.'

EXHIBIT No. 5

[Signature]
Grievant's Signature

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

There was more made. We have a batch recipe. So we can make extra if needed. All recipes were followed. The meat was cooked according to the statewide recipes and frozen before cooking.

[Signature]
S. McAllen
Respondent's Name (Print)

[Signature]
S. McAllen
Date 10/6/14

[Signature]
S. McAllen
Working Title

[Signature]
FSD
Date 10/6/14

[Signature]
S. McAllen
Reviewers Name (Print)

[Signature]
S. McAllen
Date 10/6/14

[Signature]
S. McAllen
Working Title

Date Returned to Grievant: 10/6/14

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

[Signature]
Grievant’s Signature

Date

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

DATE RECEIVED: 11/26/14, KCF 14 09 000995 09z

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

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

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

At Step II the Step I response is appropriate. PD 03.03.130 Humane Treatment and Living Conditions for Prisoners states “All prisoners shall be provided wholesome and nutritionally adequate meals as set forth in PD 04.07.100 ‘Offender Meals’. Meals shall be prepared and served in accordance with MCL 333.12901 et seq. of the Michigan Public Health Code”. As noted in the Step I response, staff have a batch recipe so they can make more if needed. According to the respondent, all recipes were followed, the meat was cooked according to the statewide menu and tempered after cooking. There appears no evidence to support that a violation of policy or procedure occurred.

Grievance denied.

12-16-14
Date Returned

Duncan MacLaren, Warden

DM/md

EXHIBIT NO. 5
[Appendix K (Exhibit No.6)]: See, Grievance Form KCF-1409-1074-09z

APPENDIX “K”
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 11-26-14. If it is not submitted by this date, it will be considered terminated.

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

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<thead>
<tr>
<th>Name (Print first, last)</th>
<th>Number</th>
<th>Institution</th>
<th>Lock Number</th>
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<tbody>
<tr>
<td>Boone</td>
<td>501976</td>
<td>KCF</td>
<td>A-3-63</td>
<td>11-7-14</td>
<td></td>
</tr>
</tbody>
</table>

STEP II — Reason for Appeal

Exhibit No. 6

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

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

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:  11/26/14, KCF 14 09 01074 09z

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

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

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

At Step II the Step I response is appropriate. PD 03.03.130 Humane Treatment and Living Conditions for Prisoners states “All prisoners shall be provided wholesome and nutritionally adequate meals as set forth in PD 04.07.100 ‘Offender Meals’ . Meals shall be prepared and served in accordance with MCL 333.12901 et seq. of the Michigan Public Health Code”. As noted in the Step I response, when Aramark runs out of food, they follow the MDOC Substitution Guide as to what they can use. According to the respondent, Aramark is working hard to train their new staff so this problem will not continue. There appears no evidence to support that a violation of policy or procedure occurred.

Grievance denied.

12-16-14
Date Returned

Duncan MacLaren, Warden

DM/md

EXHIBIT No. 6
Case 2:16-cv-00271-JTN-TPG   ECF No. 1-2 filed 12/08/16   PageID.101   Page 8 of 43

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

Date Received at Step I: 9/28/17
Grievance Identifier: KCF/1A6990/1974/897

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

Name (print first, last)           Number        Institution    Lock Number    Date of Incident    Today's Date
 Ronnie Boone                     501974        KCF           A-3-63        09/28/14        09/29/14

What attempt did you make to resolve this issue prior to writing this grievance? On what date?
If none, explain why.
In 09/28/14, grievant met with Director employee about why they keep running out of chicken as the day chicken are secured. Director employee could not say anything on why they keep running out of chicken.

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

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

Armed Correctional Services assumed responsibility for food services within the (100). and has been the Food Service since 9 (3) months, and they are still not preparing the appropriate number of meals for the prison population in regards to food during meals or food shortages, and doing this in a regular basis. The meals are not equal to the caloric and nutritional needs as set out in the Nutritional Standard Menu as the meals are not adequate in quantity, nutritional value or in any other respect. In 09/28/14, grievant went to eat dinner, and armed correction's staff again (for the 3rd time) ran out (100) Nutritional Standard Meal, (baked chicken-les 7 pills), and several authorized meal substitutions (chicken patty). 1000 plans its meals to meet nutrient and caloric needs for the prison population. Now armed correction keep running out of food: 1) that changes 1000 plans of nutrient and caloric food for the meals because the substitute food will not be the same food in the standard meal; 2) it failing to adequately meet nutrient and caloric requirements to maintain a normal body; 3) it causing food just because they are not preparing the appropriate number of meals; and 4) they break out new expansion since food, the food are not being properly cooked, undercooked, etc, and unable to eat is to present a health crisis with a number of nutritional disadvantages.

EXHIBIT No. 6

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

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

S. Muckler
Respondent's Name (Print)

10/19/19
Date

FAS
Respondent's Working Title

10/12/19
Date

Reviewer's Name (Print)

Reviewer's Working Title

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

Grievant's Signature

Date

Case 2:16-cv-00271-JTN-TPG   ECF No. 1-2 filed 12/08/16   PageID.101   Page 8 of 43
[Appendix L (Exhibit No. 7)] See, Grievance Form KCF-1411-01304-09z

APPENDIX “L”
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: [Signature] [Date]. If it is not submitted by this date, it will be considered terminated.

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

Name (Print, first, last)  Deone
Number  50197K
Institution  KCF
Lock Number  A-3-36
Date of Incident
Today's Date

STEP II — Reason for Appeal

If all requirements are met in accordance with the MDCH 347.100 "misbehavior rule," an appeal to Step II response may be heard in the Director's office, if the decision is made post appeal. All requirements are met if the following are submitted: a) a written request to appeal the decision; b) an explanation of how the decision is unfair or unjust; c) evidence of any pertinent fact; d) any other evidence as a witness, statement, or position. The Director’s decision is final and is not subject to further appeal. The purpose of the step-should provide legal reasons for appeal.

STEP II — Response

See attached

Respondent's Name (Print)  Kathy Olson
Respondent's Signature  Kathy Olson
Date  2/25/15
Date Returned to Grievant  2/25/15

STEP III — Reason for Appeal

EXHIBIT NO. 7

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

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

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: 11/20/14
Grievance Identifier: VCF14A11121304 ED 2

Name (print first, last)
Number
Institution
Lock Number
Date of Incident
Today's Date
Runnie Boone
52974
KCF
A-3-163
11/23/14
11/25/14

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

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

On 11/23/14, Grievant was served the dinner meal, and Aramark again ran out of the required amount of (500) sandwiches.
Aramark was instructed to not serve the 500th sandwich. The Grievant was informed that this was an error made by the
company and that the Grievant would receive the 500th sandwich. The Grievant was also informed that the
company would be held responsible for the error. On 11/25/14, the Grievant was served the 500th sandwich. The
Grievant was informed that this was an error made by the company and that the Grievant would receive the
500th sandwich.

EXHIBIT No. 7

Grievant's Signature

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

All food items are prepared in accordance to P.D. 04.07.600 offender meals. All items are humped when they are done
cooking and are humped and recorded. Refer to sign.

Respondent's Signature
12/11/14

Date

Reviewer's Signature
12/23/14

Date

Respondent's Name (Print)

Working Title

Reviewer's Name (Print)

Working Title

Date Returned to Grievant: 12/14/14

Resolution must be described above.

Grievant's Signature

Date

Distribution:
White - Green - Canary - Pink - Proceed to Step One - Goldenrod - Grievant
PRISONER'S NAME: Boone #501976, A-3-63

DATE RECEIVED: 02/03/15 KCF 1411 1304 09z

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

At Step I the grievant states that on 11-23-14 while going through the serving line the kitchen ran out of chicken. When Aramark tried to rush to prepare more chicken, the chicken was not properly cooked. Aramark acted with "deliberate indifference" when serving undercooked, raw food. Step II the issue remains the same.

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

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

Grievance denied.

\[3/25/15\]

Date Returned

\[Signature\]

Duncan MacLaren, Warden

DM:mm

EXHIBIT NO. 7
[Appendix M (Exhibit “FF”)] See, Disbursement Authorization Form

APPENDIX “M”
**Case 2:16-cv-00271-JTN-TPG  ECF No. 1-2 filed 12/08/16  PageID.107  Page 14 of 43**

**MICHIGAN DEPARTMENT OF CORRECTIONS**
**DISBURSEMENT AUTHORIZATION/CATALOG ORDER FORM**

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

**Prisoner Number:** 501976  
**Prisoner’s Last Name:** Boone  
**Institution:** KCF  
**Lock Number:** B-3-93  
**Date:** 08/18/15

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

**Reason/Description:** OVER SIZE MAIL, STEP III

**KCF-1412-1310-092**

**COMPLETE THIS PORTION FOR CATALOG ORDERS ONLY**

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**NSF**  
**AUG 21 2015**  
**CFA KINROSS BUS OFF.**

**KINROSS CORRECTIONAL FACILITY**  
**14870 WATER TOWER PKWY**  
**KINCHELSE, MI 49788**

**Prisoner's Signature:** Boone 08/19/15  
**Date:** 08/19/15  
**R.U.M. or Authorized Agent:**  
**Date:** 08/19/15

**Sub-Total** $________  
**Delivery Costs** $________  
**Tax (if applicable)** $________  
**Total Amount Enclosed** $________

**Deputy Warden or Authorized Agent**  
**Date**

**Warden or Authorized Agent**  
**Date**

**Code**  
**Actual Expense**  
**Batch Number**

**Distribution:** White-Business Office; Canary-Vendor; Pink-Property; Goldenrod-Prisoner
[Appendix N (Exhibit “GG”)]: See, “Prisoner Mail, “P.D. 05.03.118(k)

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

RELATED POLICIES:
04.02.105 Prisoner Funds
04.02.120 Indigent Prisoners
04.07.112 Prisoner Personal Property

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

GENERAL INFORMATION
B. Where in conflict with this policy, PD 05.01.142 “Special Alternative Incarceration Program” Controls for prisoners in the Special Alternative Incarceration Program (SAI).
C. For purposes of this policy, “prisoner” includes parolees in a Residential Reentry Program facility.
D. Prisoners shall be permitted to send and receive uncensored mail to or from any person or organization unless the mail violates this policy or Administrative Rule 791.6003. Mail shall not be prohibited solely because its content is religious, philosophical, political, social, sexual, unpopular, or repugnant. However, mail shall be prohibited if it is a threat to the security, good order, or discipline of the facility, may facilitate or encourage criminal activity, or may interfere with the rehabilitation of the prisoner. This includes the following:
   1. Mail violating federal or state law,
   2. Mail violating postal regulations,
   3. Mail containing physical contraband, which is defined as any property that a prisoner is not specifically authorized to possess or that is from an unauthorized source. This includes postage stamps, except that a prisoner may receive a single stamped self-addressed envelope from an attorney, a court, or a legitimate religious organization.
   4. Mail containing a criminal plan or conspiracy.

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

WRITING MATERIALS AND POSTAGE
G. Each CFA facility shall have available a reasonable quantity of free writing materials (e.g., pencil or pens/paper) for use by prisoners. Paper provided free to a prisoner does not need to be lined or of typing quality. Funds to purchase standard-size envelopes (e.g., 3 ½ x 6 1/2”, 4 1/8 x 9 1/2”) also shall be loaned to prisoners eligible to receive a postage loan under this section if the prisoner does not have, or does not have the funds to purchase, an envelope.
H. Additional writing materials, including typing paper for legal work, carbon paper, and metered envelopes, shall be available for prisoners in CFA facilities as set forth in PD 04.02.130 “Prisoner Store”. Funds to purchase a reasonable quantity of carbon paper and to purchase over-sized envelopes of a size sufficient to mail legal materials (e.g., 10” x 13”, 14” x 20”) to a court, an attorney, or a party to a lawsuit due to pending litigation, including the initial filing and service of a lawsuit shall be loaned to a prisoner who lacks sufficient funds to purchase such items in the prisoner store upon demonstrated proof by the prisoner that the items are for litigation. In CFA, the cost of envelopes and carbon paper provided shall be considered an institutional debt and collected as set forth in PD 04.02.105 “Prisoner Funds”. Funds collected to repay a loan from a PFB shall be reduced to that PFB.
I. A prisoner on indigent status pursuant to PD 04.02.120 “Indigent Prisoners” shall be loaned funds for postage as set forth in that policy.
J. Funds for additional first class postage shall be loaned to prisoners who lack sufficient funds to send mail to a court, an attorney, or a party to a lawsuit due to pending litigation. This includes the initial filing and service of a lawsuit. The cost of certified mail shall be loaned only if the prisoner is required by court order to use certified mail (e.g., an order denying the prisoner’s motion for substituted service by first class mail). Postage shall be loaned to prisoners on indigent status pursuant to this paragraph only if the prisoner has used all postage available pursuant to Paragraph I.
K. Funds for additional first class postage also shall be loaned to prisoners who lack sufficient funds to mail a grievance to another facility or to mail a step III grievance or a Request for Rehearing to Central Office. Funds shall be loaned for these purposes only if there is not a Department of Management and Budget (DM&B) interdepartment mail run available and the mail must be held before the prisoner will receive postage pursuant to Paragraph I.
L. A prisoner requesting a postage loan pursuant to Paragraph J or K may be required to present the mail unsealed to staff to verify that it qualifies for the loan. In such cases, staff shall read only those sections of the mail that are necessary to make this determination; the mail shall not be read in its entirety. In CFA, the cost of any postage or envelopes loaned to the prisoner shall be borne by the PFB. Any funds
[Appendix O (Exhibit "No.8")]: See, Grievance Form KCF-1412-1310-09z

APPENDIX “O”
STEP III GRIEVANCE APPEAL DECISION

TO: Boone, Ronnie - #501976

CURRENT FACILITY: KOR

GRIEVANCE ID#: KCF-14-12-1310-00z-28e

STEP II RESPONSE
DATE: 1/30/15

DATE STEP III APPEAL RECEIVED: 8/28/15

BUSINESS DAYS BETWEEN: 147

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

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

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

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

This issue is considered closed.

Richard D. Russell
Grievance Section Manager
Office of Legal Affairs

Copy to:
Warden: KCF

EXHIBIT No. 8
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 a response in 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: WARREN OFFICE by 1/27/15. If it is not submitted by this date, it will be considered terminated.

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

**STEP II — Reason for Appeal**

SEE ATTACHED STEP II REASON FOR APPEAL

**STEP II — Response**

See attached

Kathy Olson
Respondent's Name (Print)

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

**STEP III — Reason for Appeal**

SEE ATTACHED STEP III REASON FOR APPEAL

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

**STEP III — Director's Response** is attached as a separate sheet.
Step III, Reason for Appeal
KCF 1412-1310-092
Date 08/18/15

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

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

EXHIBIT NO. 8
STEP III - Reason for Appeal  
KCF- 1412-1310-09z  

1. FACTS  

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

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

(a) Aramark employee (Ms. Plount) have a duty to report unsanitary conditions in food service area to their supervisors.  

(b) (Ms. Plount) "made a false oral statement regarding the removing of a (plastic glove) out of the (bread pudding)" which indicated "that the incident never occurred."  

(c) (Ms. Plount) statement should be stricken from the record because it is or was actually false and misleading. There are other witness/inmates who seen the incident, (see, Affidavits of Facts From Other Inmates; (EXHIBITS "A, B, C, & D")), and  

(d) (Ms. Plount) statement is not reliable do to the fact she was "fired" after being caught trying to "smuggle tobacco into the prison" or "inappropriate activity with one of the kitchen worker," prisoner (White 6792235), who was locked-up in segregation on (02/09-10/2015) for investigation, and he told what happen with him and (Ms. Plount).  

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

EXHIBIT No. 8
(a) The issues regarding improper treatment that is reported are not being looked into, and the policies are not being followed, nor are the corrective action being taken when violation occur from Aramark Employee's as stated in the ECF-Warden’s Forum Meeting, (see, (EXHIBIT "E"))

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

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

Policy's are not being followed:

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

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

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

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

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

EXHIBIT NO. 8
(APSD) about the situation, (see, (EXHIBIT "Y")).

(ii) Mr. McMullen (APSD) even denied inmate/prisoner (Freeman 402493) the opportunity to explain the grievance, as stated in P.D. 03.02.130(Y), when he put "NO SHOW" on his grievance, (see, Grievance Form, (EXHIBIT "J")). J-1/CHANGE TO No.12.

(iii) MDOC Officer McEachnate even signed a Affidavit for prisoner (Freeman 402493) stating Mr. McMullen (APSD) never called him three (3) times to send (Freeman) over to the kitchen to be interviewed on the grievance, violating P.D. 03.02.130(Y), (see, Affidavit Of Facts, (EXHIBIT "H")).

(c) The grievance response even contradict them self, (see, below (i) and (ii)).

(i) In Step I Grievance Form Response Aramark staff Mr. McMullen (APSD) stated I grievant was not interviewed for reason he put "NO SHOW," (see, Step I Grievance Form).

(ii) In Step I Grievance Response Aramark staff Mr. McMullen (APSD) stated I grievant was interviewed on the grievance, (see, Step I Grievance Response), and

(iii) Aramark Official's acted with "callous indifference" to a substantial risk: that would cause prisoners serious harm from receiving contaminated food.

Corrective action are not being taken:

(d) NO ACTION WAS TAKEN WITH (WARDEN), MACCLAREN, AND (APSD), MCMULLEN ON THE MATTER ABOUT ARAMARK STAFF, AND IN THE END RESULT IT CAUSED A "HOSTILE INCIDENT," TWO WOMEN WERE HURT AND HOSPITALIZED.

(i) In June of 2014, issues was brought up in the (KCP) Food Service Committee Meeting Agenda in 4. (A), about Aramark staff member is addressing inmates with yelling and verbal abuse. Creating tension between inmates, aramark staff and custody, (see, Copy of Food Service Committee, pages 1-2; (EXHIBIT "I").

(ii) In February of 2015, another complaint was brought up in the (KCP) Warden's Forum Meeting in Question: 1., about Aramark staff, they are creating an environment that is inhumane, hostile, and disruptive to the good order of this institution. They continuously talk disrespectfully to prisoners, (see, Copy of Warden's Forum Meeting, pages 1-3; (EXHIBIT "E").

(a) On 05/13/15, ARAMARK EMPLOYEE (MS. PEA) WAS CONTINUOUSLY TALKING DISRESPECTFULLY TO PRISONER (ROBERTSON 185250), CREATING TENSION, AND BEAT-UP/ATTACKED/ASSAULTED HER IN THE KITCHEN, WARDEN OFFICER (MS. RIGHT) TRIED TO STOP PRISONER (ROBERTSON) BUT SHE WAS ALSO BEAT-UP/ATTACKED/ASSAULTED, THE TWO WOMAN WAS TAKING TO THE HOSPITAL FOR TREATMENT, AND PRISONER (ROBERTSON) WAS TAKING TO SEGREGATION, AND

EXHIBIT No. 8
SEND TO ANOTHER CORRECTIONAL FACILITY ON THAT SAME DAY.

THIS WAS A HOSTILE ENVIRONMENT OR SITUATION. ALL THE PRISONER'S AT
(KCF) WERE PUT ON LOCK-DOWN OR CONFINED TO THEIR CELLS. ALL PRISONER'S
WALKS THAT DAY WAS SENT TO THE CALLS.

II. CLAIMS

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

6. I grievant allege that (AFSD), Mr. McMullen perpetrated fraud/pervyury
on the grievance form by putting "NO SHOW," not just once, but on several
difference grievance forms, trying to cover up what happened, (see, Grievance
Forms; KCF-14-12-1396-092, (EXHIBIT J-1 "B"); KCF-14-12-1391-092, (EXHIBIT
10) "D"); KCF-14-12-1337-092, (EXHIBIT "E")); KCF-14-12-1337-092, (EXHIBIT
8) "M"; p. 9 of 10); and KCF-15-01-0056-79j, (EXHIBIT "N"; pgs. 1-2)),
violating MDGC-P.0. 02.02.130(Y).

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

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

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

10. I grievant allege that my Eighth Amendment right has been, and keep
being violated (the prisoner's right to live in conditions that are not a threat to their physical health), when Aramark Food Vendor at (KCP) keep preparing and serving food in unsanitary conditions that presented a serious health risk of physical harm.

(i) This is not just a single incident of a unsanitary condition or finding a foreign object in the food, its a "continuing condition or subject to 'extreme deprivations' not handling food properly and served food so unsanitary as to present a health risk, and that the MDCC/Aramark Official's were 'deliberately indifferent' to my/grievance right,"

(ii) Many complaints, and grievances has been filed with MDCC, and nothing has been every done in the extreme circumstances at (KCP), (see, as of the following):

06/19/14, KCP 14 06 0552 09z; UNDERCOOKED/INSANITARY CONDITION - HEALTH RISK ± 1
06/21/14, KCP 14 06 0574 28z; UNDERCOOKED/INSANITARY CONDITION - HEALTH RISK ± 2
08/03/14, KCP 14 08 0862 09z; INSANITARY/CONTAMINATION - HEALTH HAZARD ± 3
08/31/14, KCP 14 09 0967 09z; UNDERCOOKED/INSANITARY CONDITION - HEALTH RISK ± 4
09/09/14, KCP 14 09 0995 09z; UNDERCOOKED/INSANITARY CONDITION - HEALTH RISK ± 5
09/28/14, KCP 14 09 1074 09z; UNDERCOOKED/INSANITARY CONDITION - HEALTH RISK ± 6
11/23/14, KCP 14 11 1304 09z; UNDERCOOKED/INSANITARY CONDITION - HEALTH RISK ± 7
11/25/14, KCP 14 12 1310 09z; CONTAMINATION - HEALTH RISK/HAZARD ± 8
12/14/14, KCP 14 12 1376 09z; CONTAMINATION - HEALTH RISK/HAZARD ± 9
12/22/14, KCP 14 12 1401 09z; CONTAMINATION - HEALTH RISK/HAZARD ± 10
12/22/14, KCP 14 12 1396 09z; CONTAMINATION - HEALTH RISK/HAZARD ± 11
01/12/15, KCP 15 05 0517 09c; CONTAMINATION - HEALTH RISK/HAZARD
01/20/15, KCP 15 01 0955 28j; CONTAMINATION - HEALTH RISK/HAZARD
04/27/15, KCP 15 05 0517 09c; CONTAMINATION - HEALTH RISK/FOODBORNE
05/22/15, KCP 15 05 0739 09c; CONTAMINATION - HEALTH RISK/HAZARD ± 11

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

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

EXHIBIT No. 8
STEP II - Reason for Appeal

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

(1) I have other prisoner's names (Goddard 230647; York 229155; and Smith 228758) that see Ms. Ploung observe the food service worker removing the plastic glove from the bread pudding.

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

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

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

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

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

(2) Mr. McMullan (APSD), and Ms. Ploung (APS) acted with "deliberate indifference" to grievant health and safety.

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

(b) Under 9.5 05.02.130(2), the respondent shall interview the grievant, and the grievant shall have the opportunity to explain the grievance more completely at the interview to enable the Step I respondent to identify and gather any additional information needed to respond to the grievance.

EXHIBIT NO. 8
STEP II GRIEVANCE RESPONSE FOR PRISONER: Boone 501976 A-363 (KCF)

Grievance KCF 1412 1310 09Z, has been reviewed.

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

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

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

[Signature]
Duncan MacLaren, Warden

Date: 1/30/15

DM/dpm

EXHIBIT NO. 8
Date Received at Step I 12/1/14  
Grievance Identifier: KCF/4A1291310 CPZ

Name (print first, last)  
Ronnie Boone

Number  
501976

Institution  
KCF

Lock Number  
A-3-63

Date of Incident  
11/25/14

Today's Date  
11/27/14

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

If none, explain why.

Unsatisfactory working conditions of the laundry department, which the program employee help clean and maintain. The laundry area is constantly full of broken glass, debris, etc. Today, a generally clean area. The response of the program employee was: "clean the area as best as possible." This was not accepted.

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

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

On 11/25/14, grievances were to see Lynch and Alex was reading the program. Broom and dustpan is needed for the cleaning, but the program employee held it in his hand. He stated he did not need to see the program and would not see the program. How is the program being followed? He stated that it was assumed. The program of the program is a continuous and never-ending process. This was not acceptable.

The program of the program is a continuous and never-ending process. This was not acceptable.

Grievant's Signature

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

EXHIBIT No. 0

Respondent's Signature 11/15

Date 11/15

Reviewer's Signature

Date

Working Title

Respondent's Name (Print)

Date Returned to Grievant: 11/12/15

Grievant's Signature

Resolution must be described above.
Step I Grievance Response

<table>
<thead>
<tr>
<th>Grievance Number:</th>
<th>KCF-14-12-1310-9Z</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prisoner Name:</td>
<td>BOONE</td>
</tr>
<tr>
<td>Prisoner Number:</td>
<td>501976</td>
</tr>
</tbody>
</table>

Prisoner ☒ was ☐ was NOT interviewed. GIVE REASON:

SUMMARY OF COMPLAINT:

Alleged Food contamination

INVESTIGATION INFORMATION

Interviewed Ms. Plount

APPLICABLE POLICY, PROCEDURE, ETC.

Food safety and proper service procedures

SUMMARY

Ms. Plount states that at no time did she observe any food service worker removing plastic gloves from food. All meals are prepared in accordance with proper Serve Safe procedures and policy directive 04.97.100 "offender meals". Even if he had observed this breach of protocol, Grievant still had the option of choosing an alternate fresh fruit choice in order to receive his proper nutritional allowance for that meal.

<table>
<thead>
<tr>
<th>RESPONDENT NAME:</th>
<th>Shawn McMullen</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESPONDENT SIGNATURE:</td>
<td>[Signature]</td>
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<tr>
<td>REVIEWER NAME:</td>
<td>[Signature]</td>
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</tbody>
</table>

EXHIBIT No. 8
[Appendix P (Exhibits "A, B, C, and D")]: See, Affidavit of Facts

APPENDIX "P"
AFFIDAVITS OF FACT

STATE OF MICHIGAN
COUNTY OF CHIPPEWA

I, Ronnie Boone, having been duly sworn, state on oath that:

1. I am a prisoner at the Chippewa Correctional Facility (CCF) and was in the kitchen on November 25, 2016, the date of the incident.

2. That on November 25, 2016, Inmate Food Services (IFS) was serving the Statewide Standard Menu Meal: (Dinner) Cornbread, Meat Loaf, Green Beans, and Fruit. The kitchen worker removed/pulled the "glove" out of the bread pudding or unsanitary food handling practices that presented a serious health risk.

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

4. On that day Ms. Plount, Inmate Food Service Steward (IFS) saw the kitchen worker remove/pull the "glove" out of the bread pudding or unsanitary food handling practices that presented a serious health risk, and then asked "is it safe" trying to play it off or cover up acts of unsanitary or unsafe or operate in a brisk or irregular manner, and said to the worker, "You need another plastic glove for your hand" when the worker still had gloves on his hands.

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

6. That on this day I (Boone) was in the kitchen and observed the worker and was concerned about the food safety.

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

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

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

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

Signed: Ronnie Boone
Dated: 01/20/15

Michigan Department of Correction
Chippewa Correctional Facility
16770 S. Wagner Tower Drive
Kimcheloe, Michigan 48788

EXHIBIT A
AFFIDAVITS OF FACT

STATE OF MICHIGAN
COUNTY OF CHIPPEWA

I CHARLIE GODDARD 210437, hereby states as follows:

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

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

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

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

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

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

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

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

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

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

Signed: [Signature]
Dated: 7-20-15

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

EXHIBIT B
AFFIDAVITS OF FACT

STATE OF MICHIGAN
COUNTY OF CHIPPENWA

I, ANTONIO FREEMAN, hereby affirm as follows:

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

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

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

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

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

6. That on this day I (Freeman) was in the serving line waiting to be served the food.

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

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

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

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

[Signature]

[Date: 7/20/15]

Michigan Department of Corrections
Kinross Correctional Facility
16770 S. Wagner Tower Drive
Kincheloe, Michigan 48758

EXHIBIT C
STATE OF MICHIGAN
COUNTY OF CHIPPEWA

I THOMAS MOORE 197193, hereby states as follows:

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

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

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

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

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

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

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

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

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

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

Signed: 
Dated: 8-4-15

Michigan Department of Correction
Kinross Correctional Facility
10770 S. Water Tower Drive
Escanaba, Michigan 49798

EXHIBIT
[Appendix Q Exhibit "G and H"]: See, Affidavit of Facts

APPENDIX "Q"
AFFIDAVITS OF FACT

STATE OF MICHIGAN
COUNTY OF CHIPPEWA

I RONNIE BOONE 501976, hereby says as follows:

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

2. As noted in the officers log book on December 24, 2014, Office's Hoey and Miller were working the day shift in A-Building on the 3rd floor (A-3).

3. That on 12-26-14, I (Boone) asked Officer's Hoey and Miller if Aramark Food Service at any time called them on 12-24-14, to send me (Boone) over to food service to be interviewed on the grievance I filed? On 12/24/14, were the day "NO SHOW" was written on Step I Response. Officer's Hoey and Miller stated Aramark Food Services never called them, and no inmate pass was written.

4. That I (Boone) made this affidavit in good faith.

5. That if sworn as a witness I can Competently testify to the facts stated herein.

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

Officer Hoey

Officer Miller

Prisoner Ronnie Boone 501976

Dated: 07/06/15

EXHIBIT C
AFFIDAVITS OF FACT

STATE OF MICHIGAN  
COUNTY OF CHIPPEWA

I ANTONIO FREEMAN 402493, hereby says as follows:
1. I am a prisoner within the State of Michigan, and housed at Kinross Correctional Facility (KCF) were the incident occurred.

2. As noted in the officer's log book on January 05, 2015, Office McKechnie were working the day shift in I-Building on the 2nd floor (A-2).

3. On 01-13-15, I (Freeman) asked Officer McKechnie if Aramark Food Service at any time or three (3) times called him on 01-05-15, to send me (Freeman) over to food service to be interviewed on the grievance I filed? On 01-05-15, were the day "NO SHOW" was written on Step I Response. Officer McKechnie stated Aramark Food Services never called him, and no inmate pass was written.

4. That I (Freeman) made this affidavit in good faith.

5. That if sworn as a witness I can Competently testify to the facts stated herein.

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

Officer McKechnie

Prisoner Antonio Freeman 402493

Dated: 7/6/2015

EXHIBIT H
[Appendix R (Exhibit "N")]: See, Grievance Form KCF-1501-0066-28]

APPENDIX "R"
**GRIEVANCE FORM**

<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>MCF-1510 A-3-0061 12-27-16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

01/13/16, I grievance called with Aransas Point Service Station (LCC) about Shane McGillen (290) calling "no food" clause (3) of his grievance, that he grievance was never called out to Point Service, and never served on that.

LEO wrote I grievance always have show up to be accused on all of my previous grievances, and the mess going on in the unit which McGillen shows the situation.

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

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.120.

01/13/16, I grievance received clause (3) of my grievance back from Aransas Point Service Station (TPP-14-12-15-10-26; MCF-14-12-15-10-26) which I was not satisfied with, and for given reason by respondent Shane McGillen (290) "NO OEM," I grievance called with all "OEM" for their officer's, and they seized Aransas Point Service Station to send a separate service call and service an LCC officer. I grievance requests someone Shane McGillen (290), violated my rights to request closure of "no food" clause (3) of his grievance, and the Policy Directive by not giving me the opportunity to explain the grievances were repeatedly denied. Mr. McGillen (290) issue or should have been aware of errors from which they could result in a substantial risk of injury. For example, "foreign objects" are found inside food products, even if such foreign objects were not detected by the grievant, the grievant's health or otherwise affected a condition inconsistent with grievance. Mr. McGillen (290) claims that "substantial indifference" to grievant's health and safety and that failing to comply with his right's under Article 9.6.06, the grievant shall have the opportunity to explain the grievances were repeatedly denied. The grievant to enable me to return my Step I pursuant to identify and gather any additional information needed to support the grievance.

Ronnie Boone

Grievant's Signature

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


EXHIBIT N
[Appendix S (Exhibit "HH")]: See, Copy of MDOC Special Announcement

APPENDIX "S"
Special Announcement

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

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

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

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

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

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

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

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

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

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

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

EXHIBIT HH
[Appendix T]: See, Exhibits "II"

APPENDIX "T"
FOOD SERVICE COMMITTEE MEETING AGENDA

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

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

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

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

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

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

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

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

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

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

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

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

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

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

S. McMullen 9-28-15
Co. File

Dave Mason, Administrative ass't. & Food Service Committee