



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS  
LANSING

RICK SNYDER  
GOVERNOR

HEIDI E. WASHINGTON  
DIRECTOR

**STEP III GRIEVANCE DECISION**

92695

15C


To Prisoner: Gould #: 187131  
Current Facility:  
Grievance ID #: URF-17-07-2035-15C  
Step III Received: 9/8/2017

*File*

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.

**THE STEP III APPEAL IS DENIED.**

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

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

Date Mailed: SEP 29 2017

cc: Warden, Filing Facility:

AUG 25 2017

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

4835-4248 5/09  
CSJ-247B

Date Received by Grievance Coordinator  
at Step II: AUG 04 2017

Grievance Identifier: URF1171071 20351 USC

**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: URF  
Warden's Office by 8-9-17. If it is not submitted by this date, it will be considered terminated  
untimely.

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

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
<u>GOULD, RAND W.</u>	<u>G-187131</u>	<u>URF</u>	<u>B-176</u>	<u>7/04/17</u>	<u>8/03/17</u>

**STEP II - Reason for Appeal** Step II Response is a blanket denial and blatant cover-up by Colleen Myotte, who as a "mailroom employee" is one of the persons grieved and not "an appropriate respondent" as required by PDO 3.02.130 (X). Moreover, grievant has previously provided copies of several letters from senders regarding mail sent via USPS, and now missing, especially a letter from Workers World staff person, Ann Pruden, dated 2/24/17, stating URF sent them a "cold form" indicating URF will not allow prisoners to receive the newspaper. See URF 1703 00824 0072, with said letter attached. Remedy requested at step I must be granted.

**STEP II - Response**  
See Attached  
Date Received by Step II Respondent: AUG 04 2017

Date actually returned to grievant: 8/18/17

CONNIE HORTON, ALVARADO Chorton 8/14/17  
Respondent's Name (Print) Respondent's Signature Date  
Date Returned to Grievant: 8-16-17

**STEP III - Reason for Appeal** In what has now become a warden Horton's typical schizophrenic response, she first claims said Worker World's violated PDO 5.03.118 (m), thereby admitting they came into URF's mailroom, and secondly, they "have never been received" by URF mail room. This indicates one of two things, either Horton is in the midst of a psychotic break or, most likely, she is trying to cover up the unlawful acts of URF mail room employees and Step I respondent and reviewer, Colleen Myotte and Edison Forrester respectively. As such, Horton and her fellow conspirators are in direct violation of all the law, rule and policy set forth at Steps I & II, which stands unrefuted as a compelling and intentional refusal to perform their prescribed duties as state employees in violation of MCL 750.748, MCL 19.102, PDO 3.03.107 (B), PDO 4.01.110A and MDOC work rule #13, requiring remedy requested at Steps I & II to be granted for this.

NOTE: Only a copy of this appeal and the response will be returned to you. 8/21/17

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

STEP II GRIEVANCE RESPONSE FOR PRISONER: GOULD 187131 B-176 (URF)

Grievance URF 1707 2035 15C has been reviewed.

Grievant alleges the mailroom failed to deliver 6 issues of Workers World Newspaper, Vol. 59, Nos. 21-26.

This Step II Respondent finds the Step I response is appropriate and supported by PD 05.03.118, Prisoner Mail, Paragraph MM states, "Prisoners are prohibited from receiving mail that may pose 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".

The Step I Respondent found the newspapers in question have never been received by the facility to disburse. No violation of policy exists.

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

  
\_\_\_\_\_  
Connie Horton, A/Warden

8/15/17  
Date

CH/ka

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

4835-4247 10/94  
 CSJ-247A

Date Received at Step I \_\_\_\_\_

Grievance Identifier: URF117107120351154

**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
<u>GOULD RAND W</u>	<u>C-187131</u>	<u>URF</u>	<u>B-176</u>	<u>7/04/17</u>	<u>7/10/17</u>

What attempt did you make to resolve this issue prior to writing this grievance? On what date? 7/04/17

If none, explain why. On this date, grievant notified the URF mail room that Workers World newspapers, Vol 54, Nos 21-26 dated 5/25/17, 6/01/17, 6/08/17, 6/15/17, 6/22/17 & 6/29/17, respectively, had been mailed to the URF per his subscription plan but had not been delivered to him as required by law. No response given as of this date.

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.

URF mail room employees have, again, failed to deliver multiple issues of Workers World newspaper, specifically Vol 54, Nos 21-26, dated 5/25/17, 6/01/17, 6/08/17, 6/15/17, 6/22/17 & 6/29/17, respectively, for a total of six (6) issues, that had been mailed via USPS to grievant at URF per his subscription in violation of his, and the sender's, constitutional rights, as well as policy, rule, statute and law. U.S. Const. Am I, Mich. Const. 1963, art. 1, § 5, also, PD 05.03.118; PD 03.03.130; Admin R. 791.6603, and MCL 800.43. Further, no notice has been given regarding said ~~the~~ failure in violation of PD 05.03.118(100), Admin R. 791.6603(8), and Procunier v Martinez, 416 US 396, 417 (1974). Said failures to follow rule, policy and law constitutes violations of MCL 19.142(1)(g), PD 04.01.710A, and MDOC Work Rule # 13, as well as 18 USC 351702, 1703, 18 USC 3241, 242, and 28 USC §1343. Therefore said undelivered issues, must be ordered produced forthwith and immediately handed over to grievant's possession, employees responsible subject to discipline pursuant to PD 02.03.100, and this matter turned over to the U.S. Postal Inspector, U.S. and Michigan Attorneys General's for investigation.

Grievant's Signature

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

*See attached*

<u>[Signature]</u> Respondent's Signature	<u>7/10/17</u> Date	<u>[Signature]</u> Reviewer's Signature	<u>7/10/17</u> Date
<u>[Name]</u> Respondent's Name (Print)	<u>COA7</u> Working Title	<u>[Name]</u> Reviewer's Name (Print)	<u>[Title]</u> Working Title

Date Returned to Grievant: 7-25-17 If resolved at Step I, Grievant sign here. Resolution must be described above. Grievant's Signature \_\_\_\_\_ Date \_\_\_\_\_

# MICHIGAN DEPARTMENT OF CORRECTIONS

*"Committed to Protect, Dedicated to Success"*

## MEMORANDUM

**DATE:** July 17, 2017  
**TO:** GOULD 187131 URF B176  
**FROM:** Colleen Myotte- GOA, Mailroom  
**SUBJECT:** Grievance URF-17-07-2035-15C

Grievant claims that Worker World Newspaper Vol 59 Nos21-26 dated 5/25/17, 6/01/17, 6,15/17, 6/22/17, & 6/29/17 had been mailed to the URF Mailroom, but has not been delivered to him.

**The above grievance was investigated and the following information was gathered:**  
All mail is processed once it is received at the facility, we do not log incoming mail with the exception of special handling of legal mail from an Attorney or court. There is no rejection on file for the above mentioned Newspapers from Workers World. You will have to take your argument up with the United State Post Service, contact Post Master Kincheloe MI 49788. You could also contact the company and complain about the amount of time that it takes for you to receive the item.

**No violation of policy or procedure was found.**