

APR 23

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE APPEAL FORM

4835-4248 5/09
CSJ-247B

Rec'd 4/05/18

ARV

Date Received by Grievance Coordinator
at Step II: APR 09 2018

Grievance Identifier: URF1181031 1071H1 107B1

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 4-16-18. 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>C-187131</u> | <u>URF</u> | <u>B-176</u> | <u>1/30/18</u> | <u>4/08/18</u> |

STEP II — Reason for Appeal Step I respondent, R. Musker did not interview grievant. This is a lie. Grievant was not interviewed by anyone on 3/23/18. This too is a lie. Grievant was interviewed by Edison Forrester on 3/22/18 but he was not Step I respondent and was/is the reviewer, in and of itself a conflict of interest. Nevertheless, as grievant has advised grievance coordinator M. McLean and mail room staff, repeatedly, pursuant to PD 03.02.130 (U) "staff who may be involved in the issue being grieved," such as mail room staff incompetence, malfeasance, and various criminal acts, "shall not participate in any capacity in the grievance investigation, reviews, or response" and mail room staff are not considered "appropriate respondents" to grievances written in concern of their addressed acts, according to PD 03.02.130 (U). Forrester may have been as their supervisor but created conflict by being both interviewer and reviewer. It is hardly believable that a manager or any other reviewing staff, in order not to miss filed the request for hearing. It is an outright lie to state staff had no way to know request had been filed (sic) since grievant filed mail room notice on 2/13/18 and 2/26/18 about hearing request. Hearing denied at Step I must be granted and all staff involved prosecuted for state and federal law violations committed.

STEP II — Response

Date Received by
Step II Respondent:
APR 09 2018

See Attached

Due by 4/30/18 but
Rec'd 5/03/18

Connie Horton, Warden Horton
Respondent's Name (Print) Respondent's Signature

4/17/18
Date

Date Returned to
Grievant:
4-19-18

STEP III — Reason for Appeal The across the board violation of PD 03.02.130 (U) & (K) renders the grievance process in this matter null and void. To allow the staff involved, the mail room staff, to investigate themselves and respond to grievances is as big a conflict of interest as is imaginable and only speaks the rampant staff corruption at URF particularly, the grievance coordinator M. McLean and Warden Connie Horton and her office. Wherefore, as it is clear there is conspiracy at URF that has continuously deprived grievant of his civil rights, especially to receive mail and due process, under color of law in violation of 18 USC §§ 241, 242, 1702 & 1703, this matter should be turned over to the U.S.P.S. Postal Inspector, FBI and U.S. Atty. General for investigation and prosecution and to state police and Atty. General for violations of Michigan.

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.

[Signature] 5/04/18

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

Grievance URF 1803 0714 07B has been reviewed.

Grievant is grieving he has not had an Administrative Hearing on a mail rejection he requested a hearing on. He sent the request back to the mailroom on 1/30/18.

This Step II Respondent finds the Step I response is appropriate and supported by PD 05.03.118, Prisoner Mail, Paragraph WW states in part "Unless the prisoner waives his/her right to a hearing in writing by choosing an allowable disposition for the item, and the prisoner and staff agree on the appropriate disposition of the item, a prompt hearing shall be conducted pursuant to Administrative Rule 791.3310 to determine if the mail violates policy for the reason(s) identified in the Notice of Package/Mail Rejection (CSJ-316) and, if so, the appropriate disposition of the mail. The hearings officer shall not be the person who issued the Notice."

The Step I Respondent found the hearing request had been misplaced by filing it in the mailroom files rather than it being placed as active. The Step I grievance prompted this to be looked into and the error was found. The hearing was then held.

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

CHorton

Connie Horton, Warden

4/12/18

Date

CH/ka

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
CSJ-247A

Date Received at Step I 3-7-18 Grievance Identifier: URF1181031 10711H1 1071B1

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 |
|--------------------------|----------|-------------|-------------|------------------|--------------|
| GOULD, RAND W. | C-187131 | URF | B-176 | 1/30/18 | 3/05/18 |

What attempt did you make to resolve this issue prior to writing this grievance? On what date? 2/13 & 2/26/18

If none, explain why. Grievant spoke repeatedly with PC Ledford and sent two letters to mail room regarding his 1/30/18 request for an administrative hearing in concern of below-said mail rejection with no resolution or reply forthcoming.

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.

Grievant requested an administrative hearing on 1/30/18 by placing a filled-out copy of Notice of Package/Mail Rejection by J. Mentagh, 1/26/18, in concern of Workers World, Vol. 60, No. 3, Jan. 11, 2018, with no hearing held or scheduled as of this date in violation of PD 05.03.118(VV).

Wherefore, grievant demands an administrative hearing be held and all mail room staff involved in this refusal to schedule said hearing be subject to employee discipline pursuant to PD 02.03.100

[Signature]
Grievant's Signature 3/05/18

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

3/23/18 [Signature]

See attached

[Signature]
Respondent's Signature
R. Masker
Respondent's Name (Print)
3/28/18
Date
GO7 #1
Working Title

[Signature]
Reviewer's Signature
Ben Carter
Reviewer's Name (Print)
3-28-18
Date
Prm
Working Title

Date Returned to Grievant: 3-30-18 If resolved at Step I, Grievant sign here. Resolution must be described above.
Grievant's Signature _____ Date _____

4/10/18

MICHIGAN DEPARTMENT OF CORRECTIONS

Expecting Excellence Every Day

MEMORANDUM

DATE: 3/28/2018

TO: Gould 187131

FROM: R. Masker, General Office Assistant

SUBJECT: Grievance URF 1803-0714-07B

Grievant states: he received a Notice of Package Mail Rejection and requested a hearing but as of the date of this grievance he never received one.

This grievance was investigated and the following information was determined.

The mail room staff that rejected the item in question was experiencing a delay in processing request for hearings due to a change in the mail policy. That staff member had inadvertently miss-filed the request for hearing and then retired before the process was completed.

Staff that took over that process had no way to know a request for hearing had been file until receiving this grievance. Upon receiving the grievance a diligent search was conducted, item located and an immediate hearing held.

When filing thousands of pieces of mail each week miss-filing one piece can happen. It was not done intentionally but simply through human error. When the error was made known it was corrected immediately.

Mail was processed according to PD-05.03.118. No violation of policy or procedure has been found.

R. Masker

From: Rand W. Gould C-187131
URF 8-176

26 February 2019

To: Mail Room

URF

(Attn: J. Mentagh; and R. Valle)

Re: Notice of Package/Mail Rejections NOT SCHEDULED FOR
HEARINGS AS REQUESTED


Dear Sir/Madam:

Please take notice, a Hearing Request was placed in B-Unit mail box on 1/30/18, with a second request made on 2/13/18, in concern of Notice of Package/Mail Rejection, Workers World, Vol. 60, No. 3, June 1918, J. Mentagh, 1/26/18. No hearing has been scheduled or held as of this date.

Please, also, take notice, a Hearing Request was placed in B-Unit Mail box on 2/14/18 in concern of Notice of Package/Mail Rejection, "Book" From Microcosm, 2752 N. Williams Ave, Portland, OR 97277, R. Valle, 2/13/18. No hearing has been scheduled or held as of this date.

Further delays in both of these matters will result in a grievance being filed and eventual criminal investigations, prosecutions, and a Federal lawsuit.

Sincerely,



Rand W. Gould

cc: file

From: Rand W. Gould C-187131
URF B-176

13 February 2018

To: Mail Room
URF

Re: Notice of Package/Mail Rejection, Workers World, Vol. 60,
No. 3, J. Mentagh, 1/26/18, Hearing Requested 1/30/18

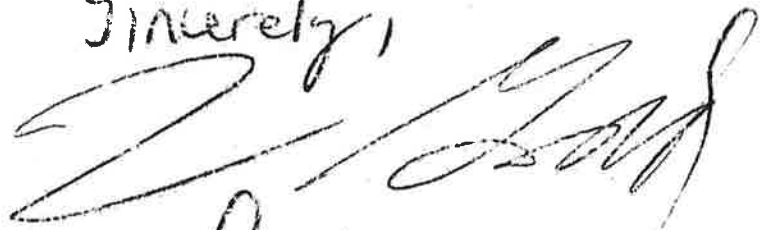
Dear Sir/Madam:

Please be advised on 1/30/18 I placed ~~MM~~ above-refer-
enced Hearing Request in B-Unit mail box, along with
Hearing Request For Prison Legal News, Jan. 2018, yet no
hearing for above-referenced has been scheduled or
held as of this date.

N.B., hearing for said Prison Legal News was held
on 2/09/18.

Please schedule said hearing asap.

Sincerely,



Rand W. Gould

(C: File