

The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Environmental Health

Community Sanitation Program

180 Beaman Street, West Boylston, MA 01583

MARYLOU SUDDERS

Secretary

MONICA BHAREL, MD, MPH Commissioner

Tel: 617-624-6000

www.mass.gov/dph

Phone: 508-792-7880 Fax: 508-792-7706

TTY: 508-835-9796

|  |
| --- |
| CHARLES D. BAKER  Governor  KARYN E. POLITO  Lieutenant Governor |

November 1, 2017

Kevin F. Coopering, Sheriff

Essex County Sheriff’s Department Headquarters

20 Manning Avenue

Middleton, MA 01929

Re: Facility Inspection - Essex County Correctional Alternative Center, Lawrence

Dear Sheriff Coopering:

In accordance with M.G.L. c. 111, §§ 5, 20, and 21, as well as Massachusetts Department of Public Health (Department) Regulations 105 CMR 451.000: Minimum Health and Sanitation Standards and Inspection Procedures for Correctional Facilities; 105 CMR 480.000: Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waste (State Sanitary Code, Chapter VIII); 105 CMR 590.000: Minimum Sanitation Standards for Food Establishments (State Sanitary Code Chapter X); the 1999 Food Code; 105 CMR 520.000 Labeling; and 105 CMR 205.000 Minimum Standards Governing Medical Records and the Conduct of Physical Examinations in Correctional Facilities; I conducted an inspection of the Essex County Correctional Alternative Center on October 27, 2017 accompanied by Sergeant Dennis Laubner. Violations noted during the inspection are listed below including 61 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

(*\* indicates conditions documented on previous inspection reports*)

**Main Building**

*Lobby*

No Violations Noted

*Control Room*

No Violations Noted

**Nurse’s Office**

105 CMR 480.500(A)\* Procedures; Records; Record-Keeping Log: Generator had no written procedures for maintaining compliance with 480.000

105 CMR 480.500(A)(2)\* Procedures; Records; Record-Keeping Log: Generator lacked written procedures for safe handling within the facility

105 CMR 480.500(B) Procedures; Records; Record-Keeping Log: Generator did not maintain a record-keeping log for waste sent off-site for treatment

*Storage Closet*

No Violations Noted

*Nurse’s Bathroom*

No Violations Noted

*Shift Commander’s Office*

No Violations Noted

*Parole Office*

Unable to Inspect – Locked

*Parole Office Bathroom*

Unable to Inspect – Locked

*Hallway*

No Violations Noted

*Staff Break Room*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 800F

*Storage Room*

No Violations Noted

**Second Floor Lobby**

*Superintendent’s Office*

No Violations Noted

*Conference Room*

105 CMR 451.200 Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty

*Deputy Superintendent’s Office*

No Violations Noted

*Assistant Deputy Superintendent’s Office # 1*

No Violations Noted

*Assistant Deputy Superintendent’s Office # 2*

No Violations Noted

*Male Staff Bathroom*

No Violations Noted

*Female Staff Bathroom*

No Violations Noted

**South Side 1st Floor**

*Attorney Room*

No Violations Noted

*Work Release Waiting Area*

No Violations Noted

*Work Release Office*

105 CMR 451.200 Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, no functioning thermometer in refrigerator

*Records Office*

No Violations Noted

*Female Staff Bathroom*

105 CMR 451.123\* Maintenance: Ceiling tile damaged

*Male Staff Bathroom*

105 CMR 451.123\* Maintenance: Ceiling tiles water damaged

*Offices*

No Violations Noted

**Intake Area**

*Urine Lab*

No Violations Noted

*Shake Down Rooms*

105 CMR 451.353 Interior Maintenance: Light shield missing

**South Side 2nd Floor**

*Hallway*

No Violations Noted

*Storage Room*

No Violations Noted

*Bathroom*

Unable to Inspect – In Use

*Room # S201*

No Violations Noted

*Room # S202*

No Violations Noted

*Room # S203*

105 CMR 451.353\* Interior Maintenance: Light shield damaged

*Room # S204*

No Violations Noted

*Room # S205*

No Violations Noted

*Room # S206*

No Violations Noted

*Room # S207*

No Violations Noted

*Room # S208*

No Violations Noted

*Room # S209*

105 CMR 451.353\* Interior Maintenance: Light shield damaged

*Room # S210*

No Violations Noted

*Room # S211*

No Violations Noted

**South Side 3rd Floor**

*Hallway*

105 CMR 451.353 Interior Maintenance: Light shield missing

*Staff Bathroom*

105 CMR 451.123 Maintenance: Window sill paint damaged

*Storage Closet*

No Violations Noted

*Lieutenant’s Office*

No Violations Noted

*Investigator’s Office*

No Violations Noted

*Property Room*

105 CMR 451.353 Interior Maintenance: Window sill paint damaged

*Hallway*

105 CMR 451.353 Interior Maintenance: Light shield missing

*Room # S301*

105 CMR 451.353 Interior Maintenance: Light shield missing

105 CMR 451.353 Interior Maintenance: Window sill paint damaged

*Room # S302*

105 CMR 451.141 Screens: Screen missing

105 CMR 451.353 Interior Maintenance: Door damaged near door knob

*Room # S303*

No Violations Noted

*Room # S304*

105 CMR 451.103\* Mattresses: Mattress damaged

*Room # S305*

105 CMR 451.350 Structural Maintenance: Plaster damaged on support beam

*Inmate Bathroom*

Unable to Inspect – No Longer In Use

**North Side 1st Floor**

*Dining Room*

FC 6-501.11\* Maintenance and Operation; Repairing: Facility not in good repair, paint damaged on window sill near vending machines

FC 6-202.15(A)(2)\* Design, Construction, and Installation; Functionality: Windows not weathertight and structurally sound, window broken

*Ice Machine*

No Violations Noted

*Tray Room*

FC 6-501.12(A)\* Maintenance and Operation; Cleaning: Facility not cleaned properly, mold observed on wall behind warewash machine

FC 6-501.12(A)\* Maintenance and Operation; Cleaning: Facility not cleaned properly, mold observed on floor under warewash machine

FC 6-501.12(A)\* Maintenance and Operation; Cleaning: Facility not cleaned properly, rodent droppings observed

FC 4-204.115 Design and Construction, Functionality: Thermometer not functioning properly on warewashing machine

FC 4-501.11(A) Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, sanitizer not dispensing into warewash machine

FC 4-501.15 Maintenance and Operation, Equipment: Warewashing machine not operating in accordance with manufacturer’s instructions

FC 4-501.114(A) Maintenance and Operation; Equipment: Chlorine sanitizer solution tested less than recommended concentration

*Male Visitor’s Bathroom*

105 CMR 451.123 Maintenance: Toilet dirty

*Female Visitor’s Bathroom*

105 CMR 451.123 Maintenance: Toilet dirty

**Kitchen**

**Back Serving Area**

*2-Door Refrigerator*

No Violations Noted

*Serving/Prep Tables*

No Violations Noted

*Chemical Closet*

No Violations Noted

*Dry Storage Closet*

FC 6-501.12(A)\* Maintenance and Operation; Cleaning: Facility not cleaned properly, rodent droppings observed

*Freezer (F2)*

FC 3-305.11(A)(3) Preventing Contamination from Premises: Food stored in an inappropriate location, food stored less than 6 inches from the floor, milk on floor

*Walk-in Refrigerator and Freezer (same unit)*

FC 4-501.11(A)\* Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, ice build-up on floor

**Main Kitchen Area**

*Office*

105 CMR 590.009(G)(3)(b)\* Special Requirements: Food Allergen Awareness Training, no prominently posted food allergen awareness training certificate

*Prep Tables*

No Violations Noted

*Loading Dock*

FC 6-202.15(A)(3)\* Design, Construction, and Installation; Functionality: Outer door not weather and vermin tight

*2-Bay Sink (Left)*

No Violations Noted

*2-Bay Sink (Center)*

No Violations Noted

*2-Bay Sink (Right)*

No Violations Noted

*Handwash Sink*

FC 5-205.15(B) Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, faucet corroded

*Steamer*

No Violations Noted

*Ovens and Hoods*

No Violations Noted

*Kettles*

FC 6-501.11\* Maintenance and Operation; Repairing: Facility not in good repair, floor damaged around kettles

*Slop Sink*

No Violations Noted

*Ice Machine*

No Violations Noted

**North Side 2nd Floor**

*Counselor’s Office*

105 CMR 451.353\* Interior Maintenance: Light shield damaged

105 CMR 451.353 Interior Maintenance: Wall paint damaged

*Inmate Bathroom*

105 CMR 451.123\* Maintenance: Floor not easily cleanable, unfinished

105 CMR 451.117\* Toilet Fixtures: Toilet fixtures dirty

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, sink # 1 clogged

*Hallway (Next to Barber Shop)*

105 CMR 451.353\* Interior Maintenance: Light shield damaged

105 CMR 451.353 Interior Maintenance: Wall paint damaged by phone

105 CMR 451.353 Interior Maintenance: Wall left unfinished

105 CMR 451.141 Screens: Screen missing

*Storage Room (Next to Barber Shop)*

Unable to Inspect – Locked

*Barber Shop*

105 CMR 451.353\* Interior Maintenance: Unlabeled chemical bottle

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, cold water handle damaged

105 CMR 451.353\* Interior Maintenance: Light shield missing

*Room # N201*

No Violations Noted

*Room # N202*

105 CMR 451.353\* Interior Maintenance: Hole in ceiling

105 CMR 451.344 Illumination in Habitable Areas: Light not functioning properly, light out

*Room # N203*

No Violations Noted

*Room # N204*

105 CMR 451.353 Interior Maintenance: Wall paint damaged

105 CMR 451.141 Screens: Screens missing

105 CMR 451.344 Illumination in Habitable Areas: Light not functioning properly, light out

*Room # N205*

105 CMR 451.353 Interior Maintenance: Light shield damaged

*Room # N206*

No Violations Noted

*Room # N207*

105 CMR 451.102 Pillows and Linens: Linens damaged at bed # 1

*Room # N209*

105 CMR 451.141 Screens: Screen missing

*Room # N210*

105 CMR 451.353\* Interior Maintenance: Light shields missing

105 CMR 451.101 Blankets: Blanket damaged at bed # 14

**North Side 3rd Floor**

*Hallway*

105 CMR 451.353 Interior Maintenance: Light shield missing

*Room # N301*

No Violations Noted

*Room # N302*

105 CMR 451.353 Interior Maintenance: Light shield damaged

*Room # N303*

105 CMR 451.353\* Interior Maintenance: Window sill paint damaged

105 CMR 451.103 Mattresses: Mattress damaged at bed # 1

*Room # N304*

No Violations Noted

*Room # N305*

105 CMR 451.353\* Interior Maintenance: Wall not easily cleanable, unfinished

105 CMR 451.103 Mattresses: Mattress damaged at bed # 1

*Room # N306*

No Violations Noted

*Bathroom*

105 CMR 451.126\* Hot Water: Hot water temperature recorded at 700F at handwash sink

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sinks

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, faucet corroded at handwash sink # 1

105 CMR 451.123 Maintenance: Light shields missing

*Room # N307*

No Violations Noted

*Room # N308*

105 CMR 451.353\* Interior Maintenance: Light shield damaged

105 CMR 451.103 Mattresses: Three mattresses damaged

*Closet*

No Violations Noted

**Basement**

*Laundry*

No Violations Noted

*Tunnel near Laundry*

No Violations Noted

**Maintenance Cage**

105 CMR 451.353\* Interior Maintenance: Wet mop stored in bucket

105 CMR 451.350\* Structural Maintenance: Ceiling open and exposed outside of maintenance cage

*Sewing Room*

No Violations Noted

*Maintenance Area*

No Violations Noted

*Maintenance Office*

105 CMR 451.200\* Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, no functional thermometer in refrigerator

105 CMR 451.350\* Structural Maintenance: Ceiling open and exposed outside of maintenance office

*Maintenance Bathroom*

No Violations Noted

*Chemical Room*

No Violations Noted

**Main Bathroom**

*Toilets and Handwash Sinks*

105 CMR 451.130\* Plumbing: Plumbing not maintained in good repair, sink # 3 and 5 continuously running

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, sink # 6 not working

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, sink # 1 and 2 leaking

*Main Shower*

105 CMR 451.121(A)\* Privacy: No privacy partition between showers

105 CMR 451.130\* Plumbing: Plumbing not maintained in good repair, shower # 12 not working

105 CMR 451.130\* Plumbing: Plumbing not maintained in good repair, showerhead leaking at shower # 5

105 CMR 451.123 Maintenance: Ceiling light not secured

*Slop Sink*

No Violations Noted

**Re-entry Office**

105 CMR 451.200\* Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, inside of refrigerator door damaged

105 CMR 451.200\* Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty

*Re-entry Dorm Room*

105 CMR 451.322\* Cell Size: Inadequate floor space in dorm room

105 CMR 451.353\* Interior Maintenance: Ceiling tiles water stained

105 CMR 451.353 Interior Maintenance: Ceiling tiles missing

105 CMR 451.103\* Mattresses: Mattress damaged at bed # 17

105 CMR 451.103 Mattresses: Mattress damaged at bed # 12

105 CMR 451.101 Blankets: Blanket damaged at bed # 8

*Microwave Closet*

105 CMR 451.200\* Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty

*Re-entry Bathroom*

105 CMR 451.123 Maintenance: Ceiling tiles missing

105 CMR 451.353 Interior Maintenance: Unlabeled chemical bottle

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, handwash sink # 4 clogged

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, hot water faucet leaking at handwash sink # 4

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, faucet missing at handwash sink # 6

105 CMR 451.126 Hot Water: Hot water temperature recorded at 1010F

*Re-entry Shower Room*

105 CMR 451.121(A)\* Privacy: No privacy partition between showers

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, showerhead leaking at shower # 3

**Officer’s Weight Room**

105 CMR 451.350\* Structural Maintenance: Ceiling exposed and water damaged

*Female Staff Locker Room*

No Violations Noted

*Female Staff Bathroom*

105 CMR 451.123 Maintenance: Ceiling paint damaged

*Male Staff Locker Room*

No Violations Noted

**Gym**

105 CMR 451.353\* Interior Maintenance: Floor surface damaged

105 CMR 451.350\* Structural Maintenance: Exterior doors not rodent and weathertight

105 CMR 451.353\* Interior Maintenance: Debris behind vending machines

*Male Bathroom # 105*

No Violations Noted

*Female Bathroom # 106*

No Violations Noted

*Contractor’s Office*

No Violations Noted

*K-9 Office*

105 CMR 451.353\* Interior Maintenance: Ceiling tiles missing

**Garage**

105 CMR 451.350\* Structural Maintenance: Exterior door not rodent and weathertight

**Back Building**

*Classroom*

105 CMR 451.141 Screens: Screen missing

*Office Area*

No Violations Noted

*Hallway*

Unable to Inspect – Under Construction

*Bathroom*

Unable to Inspect – Under Construction

*Dorm # 1 – 6*

Unable to Inspect – Under Construction

*TV and Common Area*

Unable to Inspect – Under Construction

**Annex Building**

**First Floor**

*Dorm # 1*

105 CMR 451.103\* Mattresses: Mattress damaged at bed # 11 and 15

105 CMR 451.353 Interior Maintenance: Light shield damaged

*Dorm # 2*

105 CMR 451.103 Mattresses: Mattress damaged at bed # 5 and 11

*Visiting Room*

105 CMR 451.200\* Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty

*Handicapped Bathroom w/Shower*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 840F at handwash sink

**Second Floor**

*Dorm # 3*

No Violations Noted

*Dorm # 4*

Unable to Inspect – Not in Use

*Office*

No Violations Noted

**Basement**

*Counselor’s Offices*

No Violations Noted

*Library*

Unable to Inspect – Locked

*Staff Bathroom*

Unable to Inspect – Locked

*Inmate Bathroom*

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, faucet leaking at handwash sink # 2

*Slop Sink*

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, hot water faucet not working

*Inmate Shower Room*

105 CMR 451.121(A)\* Privacy: No privacy partition between showers

105 CMR 451.123\* Maintenance: Soap scum on wall

105 CMR 451.123\* Maintenance: Soap scum on floor

105 CMR 451.123\* Maintenance: Mold observed on tile grout

105 CMR 451.130\* Plumbing: Plumbing not maintained in good repair, shower # 12 leaking

105 CMR 451.130\* Plumbing: Plumbing not maintained in good repair, shower # 10 not working

105 CMR 451.124\* Water Supply: Insufficient water supply in quantity and pressure at shower # 7

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, shower # 5, 6, and 7 leaking

**Observations and Recommendations**

1. The inmate population was 242 at the time of inspection.
2. The Back Building was undergoing renovations and no inmates were housed in the building at the time of inspection.
3. At the time of inspection policies and procedures specific to Essex County Correctional Alternative Center pertaining to compliance with 105 CMR 480.000 were unable to be located. The Department requests this information be kept in an accessible manner that would be available upon request at all reasonable times.
4. The Department remains concerned with the exposure of drywall to chronic dampness behind the Annex shower walls. The Department is concerned with the increased risk of disease transmission with the high number of inmates being exposed to such unsanitary conditions. We recommend ensuring all bathroom and shower areas are finished with smooth and easily cleanable surfaces as well as developing a higher frequency shower cleaning policy.
5. The warewash machine was a low temperature machine that sanitizes with a chlorine solution. The solution was not reading the correct concentration and the temperature gauge was not appropriately reading the water temperature. The Department requests information on interim measures being used while the warewash machine is being repaired to sanitize at the appropriate concentration.
6. According to 105 CMR 590.009(G)(3)(b), your facility is required to have an on staff certified Food Protection Manager who has been issued a Massachusetts certificate of allergen awareness training by an allergen awareness training verification program recognized by the Department. The Department has been continually unable to confirm if any staff members hold this certification. Once this certificate is obtained the Department requires it to be posted in a conspicuous location.

This facility does not comply with the Department’s Regulations cited above. In accordance with 105 CMR 451.404, please submit a plan of correction within 10 working days of receipt of this notice, indicating the specific corrective steps to be taken, a timetable for such steps, and the date by which correction will be achieved. The plan should be signed by the Superintendent or Administrator and submitted to my attention, at the address listed above.

To review the specific regulatory requirements please visit our website at [www.mass.gov/dph/dcs](http://www.mass.gov/dph/dcs) and click on "Correctional Facilities" (available in both PDF and RTF formats).

To review the Food Establishment regulations please visit the Food Protection website at [www.mass.gov/dph/fpp](http://www.mass.gov/dph/fpp) and click on “Food Protection Regulations”. Then under “Retail” click “105 CMR 590.000 - State Sanitary Code Chapter X – Minimum Sanitation Standards for Food Establishments” and “[1999 Food Code](http://www.cfsan.fda.gov/%7Edms/fc99-toc.html)”.

To review the Labeling regulations please visit the Food Protection website at [www.mass.gov/dph/fpp](http://www.mass.gov/dph/fpp) and click on “Food Protection Regulations”. Then under “General Food Regulations” click “105 CMR 520.000: Labeling.”

This inspection report is signed and certified under the pains and penalties of perjury.

Sincerely,

Amy Medeiros, MPH

Environmental Health Inspector, CSP, BEH

cc: Jana Ferguson, Director, BEH

Steven Hughes, Director, CSP, BEH

Marylou Sudders, Secretary, Executive Office of Health and Human Services

Thomas Turco, Commissioner, DOC

Aaron Eastman, Superintendent

Sean Gallagher, EHSO

Pascual A. Ruiz, Director, Lawrence Inspectional Services

Clerk, Massachusetts House of Representatives

Clerk, Massachusetts Senate

Daniel Bennett, Secretary, EOPSS

Nelson Alves, Director, Policy Development and Compliance Unit