

The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Climate and Environmental Health

Division of Environmental Health Regulations and Standards

5 Randolph Street

Canton, MA 02021

Phone: 617-624-5757

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| MAURA T. HEALEYGovernorKIMBERLEY DRISCOLLLieutenant Governor  |

January 17, 2025

KATHLEEN E. WALSH

Secretary

ROBERT GOLDSTEIN, MD, PhD Commissioner

**Tel: 617-624-6000**

**www.mass.gov/dph**

Joseph D. McDonald, Jr., Sheriff

Plymouth County Correctional Facility

26 Long Pond Road

Plymouth, MA 02360 (electronic copy)

Re: Complaint-Based Investigation with Air Testing – Plymouth County Correctional Facility

Dear Sheriff McDonald:

In response to alleged complaints and in accordance with 105 CMR 451.401 and 105 CMR 451.408, the Department of Public Health (Department) Division of Environmental Health Regulations and Standards (EHRS) conducted a complaint-based unannounced investigation with air testing (investigation) at the Plymouth County Correctional Facility (HOC) on January 13, 2025. This letter summarizes the complaint allegations and the results of our investigation.

**Complaint Allegation**

* During the week of January 6, 2025, inmates housed in the U.S. Immigration and Customs Enforcement (ICE) housing units DN3 and E3 allegedly began experiencing cold air being distributed from the ventilation system in their cells resulting in uncomfortable living conditions.
* Inmates are not given additional clothing when requested.

**Investigation**

The Department conducted temperature measurements in all six ICE housing units, including the two with complaints, as well as housing units C3, DS3, FS3, and FN3, to confirm the minimum recommended requirements were met pursuant to 105 CMR 451.330. Several ambient air temperature samples were taken from inside cells, tiers, and common areas.

The investigation was conducted by Steven Hughes and Nicholas Gale, EHRS; Also present were Kevin DiMarzio, Assistant Deputy Superintendent (ADS) of Operations; Ralph Mattivello, Assistant Superintendent; Timothy Baptiste, Supervisory Detention and Deportation Officer; and Jennifer Clark, Operations Captain.

**Overview**

Section 1 identifies any deficiencies identified during the investigation.

Section 2 provides information on submitting a Plan of Correction for any identified deficiencies.

Section 3 identifies the areas in which the air temperature measurements were taken, along with the results of those measurements.

Section 4 outlines observations and recommendations related to the facility investigation.

**SECTION 1: Deficiencies**

The Department did not observe deficiencies during this investigation.

**SECTION 2: Plan of Correction**

The Department did not observe deficiencies; therefore, no Plan of Correction is required.

**SECTION 3: Air Temperatures**

The Department visited the following locations to collect air temperatures using a *TSI Q-Trak XP*, which was calibrated in accordance with manufacturer’s specifications:

|  |  |  |  |
| --- | --- | --- | --- |
| **Date** | **Time of Day** | **Testing Location** | **Temperature (℉)** |
| 1-13-25 | 9:15 AM | Outside – Beginning of Inspection | 35.7 |
| **Housing Unit C3** |
| 1-13-25 | 9:40 AM | Day Room, Front, 1st Floor | 71.1 |
| 1-13-25 | 9:42 AM | Cell C309, 1st Floor | 70.9 |
| 1-13-25 | 9:43 AM | Day Room, Rear, 1st Floor | 70.7 |
| 1-13-25 | 9:44 AM | Cell C409, 2nd Floor | 71.8 |
| 1-13-25 | 9:45 AM | 2nd Floor, Tier, Left-Side Middle | 72.3 |
| 1-13-25 | 9:46 AM | 2nd Floor, Tier, Front | 73.6 |
| 1-13-25 | 9:47 AM | Cell C429, 2nd Floor | 72.7 |
| 1-13-25 | 9:47 AM | 2nd Floor, Tier, Right-Side Middle | 73 |
| 1-13-25 | 9:48 AM | Cell C327, 1st Floor | 71.6 |
| **Housing Unit DS3** |
| 1-13-25 | 9:51 AM | Day Room, Front, 1st Floor | 71.4 |
| 1-13-25 | 9:51 AM | Cell DS304, 1st Floor | 72 |
| 1-13-25 | 9:52 AM | Day Room, Rear, 1st Floor | 71.6 |
| 1-13-25 | 9:53 AM | Cell DS404, 2nd Floor | 72.7 |
| 1-13-25 | 9:54 AM | 2nd Floor, Tier, Middle | 72.3 |
| **Housing Unit DN3** |
| 1-13-25 | 9:55 AM | Day Room, Front, 1st Floor | 72.7 |
| 1-13-25 | 9:56 AM | Cell DN304, 1st Floor | 72.9 |
| 1-13-25 | 9:56 AM | Day Room, Read, 1st Floor | 73 |
| 1-13-25 | 9:58 AM | Cell DN404, 2nd Floor | 73.4 |
| 1-13-25 | 9:58 AM | 2nd Floor, Tier, Middle | 73.6 |
| **Housing Unit E3** |
| 1-13-25 | 10:01 AM | Day Room, Front, 1st Floor | 72.9 |
| 1-13-25 | 10:02 AM | Cell E309, 1st Floor | 73.2 |
| 1-13-25 | 10:02 AM | Day Room, Rear, 1st Floor | 73.2 |
| 1-13-25 | 10:05 AM | Cell E409, 2nd Floor | 74.1 |
| 1-13-25 | 10:05 AM | 2nd Floor, Tier, Left-Side Middle | 74.1 |
| 1-13-25 | 10:06 AM | 2nd Floor, Tier, Front | 75.2 |
| 1-13-25 | 10:08 AM | Cell E429, 2nd Floor | 74.8 |
| 1-13-25 | 10:08 AM | 2nd Floor, Tier, Right-Side Middle | 74.8 |
| 1-13-25 | 10:09 AM | Cell E326, 1st Floor | 74.3 |
| **Housing Unit FS3** |
| 1-13-25 | 10:13 AM | Day Room, Front, 1st Floor | 72.3 |
| 1-13-25 | 10:13 AM | Cell FS304, 1st Floor | 72.5 |
| 1-13-25 | 10:14 AM | Day Room, Rear, 1st Floor | 72.1 |
| 1-13-25 | 10:15 AM | Cell FS404, 2nd Floor | 72.7 |
| 1-13-25 | 10:15 AM | 2nd Floor, Tier, Middle | 72.7 |
| **Housing Unit FN3** |
| 1-13-25 | 10:17 AM | Day Room, Front, 1st Floor | 72.3 |
| 1-13-25 | 10:17 AM | Cell FN304, 1st Floor | 71.8 |
| 1-13-25 | 10:18 AM | Day Room, Rear, 1st Floor | 70.9 |
| 1-13-25 | 10:19 AM | Cell FN404, 2nd Floor | 71.4 |
| 1-13-25 | 10:19 AM | 2nd Floor, Tier, Middle | 71.4 |
|  |
| 1-13-25 | 10:23 AM | 3rd Floor, Main Hallway, South End | 71.4 |
| 1-13-25 | 10:24 AM | 3rd Floor, Main Hallway, North End | 68.5 |
|  |
| 1-13-25 | 10:46 AM | Outside – Conclusion of Inspection | 41.7 |

**SECTION 4: Observations and Recommendations**

1. On January 10, 2025, the Department received a number of email and phone complaints from concerned individuals and organizations regarding the lack of heat for ICE inmates in housing units DN3 and E3. The Department contacted the HOC to validate these concerns and discovered the facility had received a similar complaint that week. HOC staff conducted an immediate inspection of all housing units, and determined minimum temperatures were being met. Staff implemented routine temperature monitoring protocols for the 3rd floor ICE housing units to ensure the heat did not fall below minimum recommended requirements.
2. While on site on January 13, 2025, the Department inquired about the facility’s policy for distributing clothing to inmates and was informed that standard uniforms are supplied to all incarcerated individuals and that optional clothing can be purchased, which meets the minimum requirements within 105 CMR 451.210. EHRS recommends formalizing a written clothing policy and sharing it with the Department.
3. The Department recommends frequent monitoring of all indoor air temperatures to ensure that heat does not fall below minimum recommended requirements.

Sincerely,

Steven Hughes

Director, Division of Environmental Health Regulations and Standards