

The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Environmental Health

Community Sanitation Program

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| CHARLES D. BAKERGovernorKARYN E. POLITOLieutenant Governor  |

June 4, 2015

Robert J. Garvey, Sheriff

Hampshire County Jail and House of Correction

205 Rocky Hill Road

Northampton, MA 01060

Re: Facility Inspection - Hampshire County Jail and House of Correction, Northampton

Dear Sheriff Garvey:

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 Hampshire County Jail and House of Correction on May 28, 2015 accompanied by Lieutenant David Murphy, EHSO and Paul Halfmann, Community Sanitation Program. Violations noted during the inspection are listed below including 40 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

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

**ENTRANCE AREA**

**Male Bathroom**

No Violations Noted

**Female Bathroom**

No Violations Noted

**COMPLIANCE HALL**

**Staff Break Room**

FC 4-204.112(A) Design and Construction, Functionality: No functioning thermometer in refrigerator

**Staff Bathroom**

No Violations Noted

**Offices**

 No Violations Noted

**MALE STAFF LOCKER ROOM**

105 CMR 451.123 Maintenance: Shower rusted

**Staff Gym**

 No Violations Noted

**MEDICAL**

**Medical Waste**

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)(3) Procedures; Records; Record-Keeping Log: Generator had no written documentation for blood borne pathogen training

105 CMR 480.500(B)(2)(A-D) Procedures; Records; Record-Keeping Log: Generator did not specify off-site treatment parameters, missing record keeping log

**Staff Bathroom**

 No Violations Noted

**Shower**

 No Violations Noted

**Exam Rooms**

 No Violations Noted

**File Room**

 No Violations Noted

**Storage Room**

 No Violations Noted

**SPECIAL MANAGEMENT UNIT**

**A BLOCK**

**Lower Shower**

 No Violations Noted

**Upper Shower**

105 CMR 451.123 Maintenance: Floor paint damaged

**Storage Closet (lower)**

 No Violations Noted

**Storage Closet (upper)**

Unable to Inspect – No longer in use

**Cells**

105 CMR 451.353 Interior Maintenance: Floor tiles missing in cell # J1 and J6

**Officer’s Control Area**

105 CMR 451.123 Maintenance: Bathroom vent dusty

**B BLOCK**

**Lower Shower**

105 CMR 451.123 Maintenance: Floor tiles damaged

**Upper Shower**

 Unable to Inspect – In Use

**Storage Closet (lower)**

 No Violations Noted

**Storage Closet (upper)**

Unable to Inspect – No longer in use

**Cells**

 No Violations Noted

**HOUSE**

**Officer’s Control Area**

105 CMR 451.123 Maintenance: Bathroom floor dirty

**UNIT 1**

**Cells**

105 CMR 451.353 Interior Maintenance: Wall paint damaged in cell # C2

**Lower Shower**

105 CMR 451.123 Maintenance: Soap scum on shower curtain

**Storage Closet**

105 CMR 451.353 Interior Maintenance: Corner of ceiling vent damaged

105 CMR 451.353 Interior Maintenance: Ceiling vent dusty

105 CMR 451.353 Interior Maintenance: Wet mop stored in slop sink

**UNIT 2**

**Cells**

 No Violations Noted

**Upper Shower**

105 CMR 451.123 Maintenance: Wall tiles damaged

**Storage Closet**

 No Violations Noted

**UNIT 3**

**Cells**

105 CMR 451.103 Mattresses: Mattress damaged in cell # C21

105 CMR 451.353 Interior Maintenance: Baseboard damaged in cell # C15

**Lower Shower**

105 CMR 451.123 Maintenance: Soap scum on walls in shower

**Storage Closet (lower)**

 No Violations Noted

**Storage Closet (upper)**

Unable to Inspect – No longer in use

**UNIT 4**

**Cells**

 No Violations Noted

**Upper Shower**

105 CMR 451.123\* Maintenance: Cove base cracked

**Lower Shower**

105 CMR 451.123 Maintenance: Soap scum on walls in shower

**Storage Closet**

 No Violations Noted

**UNIT 5**

**Cells**

105 CMR 451.353 Interior Maintenance: Ventilation grille blocked in cell # C38

**Lower Shower**

105 CMR 451.123 Maintenance: Mold observed on shower curtain

**Upper Shower**

105 CMR 451.123 Maintenance: Mold observed on shower curtain

**Storage Closet**

105 CMR 451.353 Interior Maintenance: Slop sink basin cracked

105 CMR 451.353 Interior Maintenance: Ceiling vent dusty

**UNIT 6**

**Cells**

 No Violations Noted

**Lower Shower**

105 CMR 451.123\* Maintenance: Floor tiles damaged

105 CMR 451.123 Maintenance: Floor dirty

**Upper Shower**

105 CMR 451.123 Maintenance: Soap scum on walls in shower

105 CMR 451.123 Maintenance: Soap scum on floor in shower

105 CMR 451.123 Maintenance: Soap scum on shower curtain

**Storage Closet**

 Unable to Inspect – Locked

**OFFICER’S CONTRL AREA**

Unable to Inspect – Locked

**Staff Bathroom**

Unable to Inspect – Locked

**UNIT 7**

**Cells**

 No Violations Noted

**Lower Shower**

105 CMR 451.123\* Maintenance: Floor tiles damaged

105 CMR 451.123 Maintenance: Mold observed on shower curtain

**Upper Shower**

105 CMR 451.123 Maintenance: Soap scum on walls in shower

105 CMR 451.123 Maintenance: Floor dirty

**UNIT 8**

**Cells**

 No Violations Noted

**Lower Shower**

105 CMR 451.123\* Maintenance: Floor tiles damaged

105 CMR 451.123\* Maintenance: Soap scum on walls in shower

105 CMR 451.123 Maintenance: Soap scum on floor in shower

**Upper Shower**

105 CMR 451.123\* Maintenance: Floor tiles damaged

105 CMR 451.123 Maintenance: Tiles damaged outside of shower

105 CMR 451.123 Maintenance: Floor dirty

105 CMR 451.123 Maintenance: Soap scum on walls in shower

**Storage Closet**

105 CMR 451.353 Interior Maintenance: Wall vent dusty

**MAIN KITCHEN**

**Barrel Room**

FC 6-501.111(B) Maintenance and Operations; Pest Control: Flies observed in barrel room

**Staff Bathroom**

 No Violations Noted

**Pot Room**

FC 4-903.11(B)(1) Protection of Clean Items, Storing: Pots not stored in the inverted position

**Walk-in Cooler # 2 & 3**

 No Violations Noted

**Handwash Sink and 3-Bay Sink**

 No Violations Noted

**Dishwashing Area**

 No Violations Noted

**Serving Line**

 No Violations Noted

**Dining Room**

 No Violations Noted

**Dry Storage**

 No Violations Noted

**Walk-in Freezer # 1**

 No Violations Noted

**Deep Freezer # 6**

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

**Inmate Bathroom**

105 CMR 451.123 Maintenance: Ceiling vent dusty

**Chemical Storage**

 No Violations Noted

**LAUNDRY**

 No Violations Noted

**MODULAR**

**Control**

FC 4-602.12(B) Cleaning of Equipment and Utensils; Frequency: Interior of microwave oven dirty

**Staff Bathroom**

 No Violations Noted

**NORTH**

**Bathroom**

105 CMR 451.123\* Maintenance: Plumbing chase behind toilets has rotted wall studs, floor joists, and sill plate

105 CMR 451.123\* Maintenance: Hole in floor behind toilets # 1 & 2 covered with plywood

105 CMR 451.123\* Maintenance: Ceiling vents dusty

105 CMR 451.123 Maintenance: Toilet # 6 out-of-order

105 CMR 451.123 Maintenance: Mop hung over side of toilet stall

105 CMR 451.123 Maintenance: Counter tops dirty throughout sink area

105 CMR 451.123 Maintenance: Floor dirty throughout bathroom

**Utility Sink**

105 CMR 451.123\* Maintenance: Plywood covering hole in floor

**Showers**

105 CMR 451.123\* Maintenance: Floor cracked in shower # 2

105 CMR 451.123\* Maintenance: Shower walls cracked in shower # 3, 5, and 7

105 CMR 451.123 Maintenance: Shower walls cracked in shower # 6 and 8

105 CMR 451.123\* Maintenance: Wall board in shower # 8 not properly secured

105 CMR 451.123\* Maintenance: Floor cracked at each shower divider’s support beam

105 CMR 451.123\* Maintenance: Ceiling vents dusty

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1-8

105 CMR 451.123 Maintenance: Soap scum on floor in shower # 1-8

**Day Room**

105 CMR 451.353 Interior Maintenance: Chess table damaged

**Room # 1**

 No Violations Noted

**Room # 2**

 No Violations Noted

**Room # 3**

105 CMR 451.353\* Interior Maintenance: Floor tiles damaged

**Room # 4**

 No Violations Noted

**Room # 5**

 No Violations Noted

**Room # 6**

 No Violations Noted

**Room # 7**

 No Violations Noted

**Room # 8**

105 CMR 451.141 Screens: Screen damaged

**Room # 9**

105 CMR 451.353 Interior Maintenance: Middle ceiling ventilation grille blocked

105 CMR 451.353 Interior Maintenance: Far right ceiling ventilation grille rusted

**Room # 10**

105 CMR 451.353\* Interior Maintenance: Floor tiles damaged

105 CMR 451.350 Structural Maintenance: Hole in wall

**SOUTH**

**Bathroom**

105 CMR 451.123\* Maintenance: Floor worn and no longer easily cleanable

105 CMR 451.123\* Maintenance: Wall corner cracked at toilet # 1

105 CMR 451.123\* Maintenance: Hole in wall around flusher at toilet # 4

105 CMR 451.123 Maintenance: Hole in wall around flusher at toilet # 3

105 CMR 451.123 Maintenance: Wall dirty at toilet # 6

105 CMR 451.123 Maintenance: Mop hung over side of toilet stall

105 CMR 451.123 Maintenance: Ceiling vent dusty

**Showers**

105 CMR 451.123\* Maintenance: Hole in floor in the plumbing chase behind shower wall

105 CMR 451.123\* Maintenance: Plumbing chase behind showers has rotted wall studs, floor joists, and sill plate

105 CMR 451.123\* Maintenance: Wallboard in plumbing chase behind showers has mold growth

105 CMR 451.123\* Maintenance: Wallboard in showers not moisture proof, walls bulging

105 CMR 451.123\* Maintenance: Ceiling vents rusted

105 CMR 451.123 Maintenance: Ceiling vents dusty

105 CMR 451.123 Maintenance: Shower walls damaged in shower # 2, 4, 5, and 6

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1, 2, 4, 5, 6, 7, and 9

105 CMR 451.123 Maintenance: Soap scum on floor in shower # 1, 2, 4, 5, 6, 7, 8, and 9

**Day Room**

105 CMR 451.350 Structural Maintenance: Floor damaged near water fountain

105 CMR 451.353 Interior Maintenance: Metal panels around water fountain falling off

**Room # 1**

105 CMR 451.350 Structural Maintenance: Wall damaged near entrance

**Room # 2**

105 CMR 451.353\* Interior Maintenance: Ceiling vent rusted

105 CMR 451.353\* Interior Maintenance: Wallboard divider broken

**Room # 3**

105 CMR 451.353\* Interior Maintenance: Wallboard divider broken

105 CMR 451.353\* Interior Maintenance: Hole in wall

**Room # 4**

105 CMR 451.353\* Interior Maintenance: Ceiling vent dusty

105 CMR 451.353\* Interior Maintenance: Wallboard divider broken

**Room # 5**

105 CMR 451.353\* Interior Maintenance: Wallboard divider broken

105 CMR 451.353 Interior Maintenance: Ceiling vent rusted

**Room # 6**

105 CMR 451.353\* Interior Maintenance: Gap between wall and ceiling above window

105 CMR 451.141 Screens: Screen did not fit in window properly

**Room # 7**

 No Violations Noted

**Room # 8**

105 CMR 451.353 Interior Maintenance: Wallboard divider broken

**Room # 9**

105 CMR 451.353 Interior Maintenance: Wallboard divider broken

**Room # 10**

 No Violations Noted

**Dental**

 No Violations Noted

**Offices**

 No Violations Noted

**CULINARY ARTS KITCHEN**

**Dishwashing Area**

 No Violations Noted

**Cooler**

 No Violations Noted

**Freezer**

 No Violations Noted

**LOWER LEVEL HOUSING**

**Supply Closet**

 No Violations Noted

**Laundry**

 No Violations Noted

**Control**

 Unable to Inspect – Locked

**UNIT 1**

**Cell**

 No Violations Noted

**Shower**

105 CMR 451.123 Maintenance: Wall tiles cracked

**Maintenance Closet**

 No Violations Noted

**UNIT 2**

**Cells**

 No Violations Noted

**Shower**

 No Violations Noted

**MAIN BUILDING GYM**

**Inmate Bathroom**

No Violations Noted

**Storage Closet**

105 CMR 451.353 Interior Maintenance: Wet mop stored upside down against wall

**Workout Rooms**

 No Violations Noted

**Female Staff Locker Room**

 No Violations Noted

**Weight Room**

 No Violations Noted

**SALLYPORT/INTAKE**

**Cells**

105 CMR 451.353 Interior Maintenance: Floor dirty in cell # 2

**Shower**

 No Violations Noted

**PROGRAMS HALLWAY**

**Library**

 No Violations Noted

**Wood Shop**

 No Violations Noted

**Wood Shop Bathroom**

105 CMR 451.124 Water Supply: Insufficient water supply in quantity and pressure at handwash sink

**Adult Learning Center**

 No Violations Noted

**Staff Bathroom**

105 CMR 451.123 Maintenance: Ceiling vent dusty

**Inmate Bathroom**

105 CMR 451.123 Maintenance: Ceiling vent dusty

**Inmate Bathroom (after Captain’s Office)**

 No Violations Noted

**Barber Shop**

 No Violations Noted

**Training Room**

 No Violations Noted

**MINIMUM HOUSING**

**Main Utility Room**

 No Violations Noted

**Staff Bathroom**

 No Violations Noted

**Day Room**

 No Violations Noted

**Kitchen**

 No Violations Noted

**A BLOCK**

**Cells**

 No Violations Noted

**Shower**

105 CMR 451.123\* Maintenance: Soap scum on floors in shower

105 CMR 451.123\* Maintenance: Soap scum on walls in shower

**B BLOCK**

**Cells**

 No Violations Noted

**Shower**

105 CMR 451.123 Maintenance: Soap scum on walls in shower

**C BLOCK**

**Cells**

 No Violations Noted

**Shower**

 No Violations Noted

**D BLOCK**

**Cells**

 No Violations Noted

**Shower**

 No Violations Noted

**E BLOCK**

**Cells**

 No Violations Noted

**Shower**

105 CMR 451.123 Maintenance: Soap scum on floors in shower

105 CMR 451.123 Maintenance: Soap scum on walls in shower

**F BLOCK**

**Cells**

 No Violations Noted

**Shower**

105 CMR 451.123\* Maintenance: Soap scum on floors in shower

105 CMR 451.123\* Maintenance: Soap scum on walls in shower

**Weight Room**

105 CMR 451.350 Structural Maintenance: Wall damaged near exit door

**Laundry**

 No Violations Noted

**REGIONAL LOCKUP**

**Entrance Bathroom**

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

**Main Desk**

 No Violations Noted

**Staff Bathroom**

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

**A BLOCK**

105 CMR 451.126 Water Supply: No hot water supplied to handwash sink in cell # 2 and 3

**B BLOCK**

105 CMR 451.353 Interior Maintenance: Floor dirty in cell # 1 and 4

105 CMR 451.124 Water Supply: Insufficient water supply in quantity and pressure at handwash sink in cell # 2

**C BLOCK**

 No Violations Noted

**D BLOCK**

105 CMR 451.124 Water Supply: Insufficient water supply in quantity and pressure at handwash sink in cell # 5

**Control Room**

 No Violations Noted

**Control Bathroom**

 No Violations Noted

**Observations and Recommendations**

1. The inmate population was 263 at the time of inspection.
2. There has been no improvement in the North Modular Showers since the Department’s last inspection. The Department remains concerned with the compromised structural integrity that is putting the health and safety of the inmates at risk due to structural rot and exposure to mold.

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/~dms/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,

 Kerry Wagner

 Environmental Health Inspector, CSP, BEH

cc: Suzanne K. Condon, Associate Commissioner, Director, BEH

 Steven Hughes, Director, CSP, BEH

Jay Youmans, Director of Government Affairs

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

Carol Higgins O’Brien, Commissioner, DOC

Patrick Cahillane, Assistant Superintendent

 Captain Robert Hodgen, Compliance Officer

 Lieutenant David Murphy, EHSO

Merridith O’Leary, RS, Health Director, Northampton Board of Health

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 Daniel Bennett, Secretary, EOPS