



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  
Phone: 508-792-7880 Fax: 508-792-7706  
TTY: 508-835-9796

CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lieutenant Governor

MARYLOU SUDDERS  
Secretary

MONICA BHAREL, MD, MPH  
Commissioner

Tel: 617-624-6000  
[www.mass.gov/dph](http://www.mass.gov/dph)

March 15, 2016

Peter J. Koutoujian, Sheriff  
Middlesex County Sheriff's Office  
400 Mystic Avenue  
Medford, MA 02155

Re: Plan of Correction -- Middlesex County Jail and House of Corrections, Billerica

Dear Sheriff Koutoujian:

The Massachusetts Department of Public Health (Department) has received your Plan of Correction in response to my inspection on January 12, 13, and 14, 2016. After review, the Department finds the plan appropriately addresses all of the violations noted in the report with the following exceptions:

Your Plan of Correction indicates an approved overcrowding waiver from the Department of Corrections (DOC) regarding floor space in cells. Please be advised that the DOC does not have the authority to issue waivers for any provisions of 105 CMR 451.000, therefore we cannot accept a waiver from the DOC as a means of remedy. The Department appreciates the limitations of correctional facilities and the need to accommodate the ever-increasing population; however we remain concerned with the overcrowded conditions.

Please provide the corrective actions taken for the following unaddressed violations:

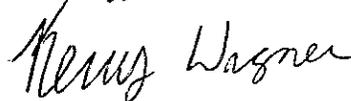
1. Light out in the D Pod lower level showers # 1, 3, and 5;
2. Ceiling damaged in the 2<sup>nd</sup> floor male bathroom in the Old Administration Wing; and
3. Missing light shield in the stairway to the basement of House # 1.

Please provide an estimated date of completions for:

1. The damaged refrigerator handle in the staff dining room of the food service area;
2. Missing shower curtains in the A & B and I & J side shower areas of the Training Building; and
3. Unfinished ceiling in the Training Building Gym.

Thank you for your prompt attention to this matter, should you have any questions please contact me at the address listed above.

Sincerely,



Kerry Wagner  
Environmental Health Inspector, CSP, BEH

cc: Jan Sullivan, Acting 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  
Shawn Jenkins, Superintendent  
Andrew Freker, Deputy Superintendent  
Captain William Buckley, EHSO  
Sergeant Rudy Chaput, EHSO  
Richard Berube, Director, Billerica Board of Health  
Clerk, Massachusetts House of Representatives  
Clerk, Massachusetts Senate ✓  
Daniel Bennett, Secretary, EOPSS  
Jennifer Gaffney, Director, Policy Development and Compliance Unit