



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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April 5, 2021

Thomas M. Hodgson, Sheriff
 Bristol County Jail, Ash Street Facility
 400 Faunce Corner Road
 Dartmouth, MA 02747 (electronic copy)

Re: Facility Inspection – Bristol County Jail, Ash Street Facility, New Bedford

Dear Sheriff Hodgson:

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 2013 Food Code; 105 CMR 500.000 Good Manufacturing Practices for Food; and 105 CMR 205.000 Minimum Standards Governing Medical Records and the Conduct of Physical Examinations in Correctional Facilities; the Department’s Community Sanitation Program (CSP) conducted an inspection of the Bristol County Jail, Ash Street Facility on April 1, 2021 accompanied by Lieutenant Andrew Mitzan, Environmental Health and Safety Officer. Violations noted during the inspection are listed below including 10 repeat violations.

Should you have any questions, please don’t hesitate to contact me.

Sincerely,

Nicholas Gale
 Environmental Health Inspector, CSP, BEH

cc: Monica Bharel, MD, MPH, Commissioner, DPH (electronic copy)
 Jan Sullivan, Acting Director, BEH (electronic copy)
 Steven Hughes, Director, CSP, BEH (electronic copy)
 Marylou Sudders, Secretary, Executive Office of Health and Human Services (electronic copy)
 Carol A. Mici, Commissioner, DOC (electronic copy)
 Thomas Turco, Secretary, EOPSS (electronic copy)
 Timothy Gotovich, Director, Policy Development and Compliance Unit (electronic copy)
 Steven Souza, Superintendent (electronic copy)
 Lieutenant Andrew Mitzan, EHSO (electronic copy)
 Damon Chaplin, Health Director, New Bedford Health Department (electronic copy)
 Clerk, Massachusetts House of Representatives (electronic copy)
 Clerk, Massachusetts Senate (electronic copy)

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

Main Lobby

Bathroom

No Violations Noted

4 Alley

Cells

105 CMR 451.353*

Interior Maintenance: Debris around bottom of toilet in cell # 55 and 58

105 CMR 451.353

Interior Maintenance: Debris around bottom of toilet in cell # 49, 50, 61, and 62

105 CMR 451.103

Mattresses: Mattress damaged in cell # 53

8 Alley

Shower

105 CMR 451.130*

Hot Water: Shower water temperature recorded at 90⁰F

Cells

No Violations Noted

12 Alley

Cells

105 CMR 451.353

Interior Maintenance: Pillow damaged in cell # 168

Slop Sink

No Violations Noted

16 Alley

Cells

No Violations Noted

Plant 4

Bathroom

No Violations Noted

Cells

105 CMR 451.353*

Interior Maintenance: Ceiling surface damaged in cell # 4 and 8

(3rd Floor)

3 Alley

Cells

No Violations Noted

7 Alley

Cells

105 CMR 451.353

Interior Maintenance: Wall surface damaged in cell # 110

Showers

Unable to Inspect – Both Showers Off-line

11 Alley

Cells

No Violations Noted

Showers

Unable to Inspect – Both Showers Off-line

15 Alley

Cells

105 CMR 451.103

Mattresses: Mattress damaged in cell # 210

Plant 3

Bathroom

105 CMR 451.123*

Maintenance: Orange staining on ceiling and wall in shower on right

Cells

No Violations Noted

(2nd Floor)

Health Services

Female Staff Bathroom

No Violations Noted

Copy Room

No Violations Noted

Nurse's Station

No Violations Noted

Offices

105 CMR 451.353*

Interior Maintenance: Ceiling surface damaged

Exam Room

No Violations Noted

14 Alley

Showers

Unable to Inspect – Both Showers Off-line

Cells

105 CMR 451.103

Mattresses: Mattress damaged in cell # 199

10 Alley

Showers

Unable to Inspect – Both Showers Off-line

Cells
105 CMR 451.353
105 CMR 451.353

Interior Maintenance: Wall surface damaged in cell # 145 and 147
Interior Maintenance: Ceiling surface damaged in cell # 145 and 147

6 Alley

Showers

No Violations Noted

Cells
105 CMR 451.353
105 CMR 451.103

Interior Maintenance: Wall surface damaged in cell # 86 and 87
Mattresses: Mattress damaged in cell # 93 and 96

2 Alley

Property Storage

No Violations Noted

Cells
105 CMR 451.353
105 CMR 451.353
105 CMR 451.103

Interior Maintenance: Wall surface damaged around toilet in cell # 25 and 29
Interior Maintenance: Ceiling surface damaged in cell # 17 and 28
Mattresses: Mattress damaged in cell # 23

(1st Floor)

1 Alley

Property Storage

No Violations Noted

Cells
105 CMR 451.353*
105 CMR 451.103

Interior Maintenance: Wall surface damaged behind toilet in cell # 16
Mattresses: Mattress damaged in cell # 2, 13, and 14

5 Alley

Cells
105 CMR 451.103
105 CMR 451.353

Mattresses: Mattress damaged in cell # 66 and 67
Interior Maintenance: Ceiling surface damaged in cell # 74 and 75

Showers

No Violations Noted

9 Alley

Cells
105 CMR 451.353

Interior Maintenance: Ceiling surface damaged in cell # 135

Showers

No Violations Noted

Barbershop

No Violations Noted

13 Alley

Showers
No Violations Noted

Cells
No Violations Noted

Property
No Violations Noted

Male Staff Bathroom
No Violations Noted

Slop Sink – Maintenance Closet
No Violations Noted

FOOD SERVICE

The following Food Code violations listed in **BOLD** were observed to be corrected on-site

Main Area
No Violations Noted

Ice Machine
No Violations Noted

Cooler # 1
No Violations Noted

Mop Closet
No Violations Noted

Kitchen Office
No Violations Noted

Handwash Sink (across from ovens)
No Violations Noted

Handwash Sink (near 3-Compartment sink)
FC 5-202.12(A) **Plumbing System; Design, Construction and Installation: Insufficient hot water temperature at handwashing sinks^{Pf}**

3-Compartment Sink
No Violations Noted

Dishwashing Machine Area
FC 6-201.11* **Design, Construction, and Installation; Cleanability: Floor not smooth and easily cleanable, floor damaged where concrete meets the floor tiles**
FC 6-202.15(A)(3)* **Design, Construction, and Installation; Functionality: Exterior door not self-closing or tight-fitting, access door not weather and vermin tight**
FC 6-501.11 **Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not in good repair, access door frame rusted**

Dry Storage
No Violations Noted

Dining Area

No Violations Noted

Freezer

Unable to Inspect – Locked

Inmate Bathroom

105 CMR 451.110(A)

Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

LAUNDRY ROOM

No Violations Noted

Intake

Inmate Bathroom B-1

No Violations Noted

Inmate Bathroom B-2

No Violations Noted

Holding Cells

No Violations Noted

Vehicle Trap

No Violations Noted

Staff Break Room with Lockers

No Violations Noted

Roll Call Area

No Violations Noted

Officer's Bathroom

No Violations Noted

Staff Break Room

No Violations Noted

Observations and Recommendations

1. The Inmate population was 77 at the time of inspection.
2. During the COVID-19 pandemic, there have been several changes made to the conduct of inspections for the CSP. One of those changes made includes reducing the amount of time CSP inspectors spend at one facility during an inspection. During the most recent inspection of your facility, the CSP conducted an abbreviated inspection of your facility focusing on those areas that have historically shown up on past reports as well as areas of high concern for health and safety. The focused inspection was conducted in an effort to reduce COVID-19 exposure to facility staff, inmates and CSP inspectors, and because of this, the inspection report does not include certain areas. We hope to return to standard inspectional procedures soon.
3. At the time of inspection:
 - a. Inmates were showering in both the Day Room and on some of the tiers. The CSP recommends all showers be cleaned daily and kept in good repair per 105 CMR 451.123;
 - b. At the time of inspection, the kitchen was not fully in use. All food is prepared and transferred daily from the Bristol County Jail & House of Correction; and
 - c. The CSP was informed all kitchen items are pre-washed at this facility, then once they return to the House of Correction, all of the items are put through the mechanical warewash machine to be washed and sanitized. If there are any items that need to be used at this facility, the CSP recommended using the 3-compartment sink to ensure sanitization.

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 and click on "Correctional Facilities" (available in both PDF and RTF formats).

To review the Food Establishment Regulations or download a copy, please visit the Food Protection website at www.mass.gov/dph/fpp and click on "Retail food". Then under DPH Regulations and FDA Code click "Merged Food Code" or "105 CMR 590.000 - State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments".

To review the Labeling regulations please visit the Food Protection website at www.mass.gov/dph/fpp and click on "Food Protection Program regulations". Then under Food Processing click "105 CMR 500.000: Good Manufacturing Practices for Food".

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

Sincerely,



Nicholas Gale
Environmental Health Inspector, CSP, BEH