

The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Environmental Health

Community Sanitation Program

5 Randolph Street, Canton, MA 02021

MARYLOU SUDDERS

Secretary

MONICA BHAREL, MD, MPH Commissioner

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| CHARLES D. BAKERGovernorKARYN E. POLITOLieutenant Governor  |

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

Jan Sullivan, Acting Director, BEH

 Steven Hughes, Director, CSP, BEH

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

105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 145 and 147

**6 Alley**

*Showers*

 No Violations Noted

*Cells*

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 86 and 87

105 CMR 451.103 Mattresses: Mattress damaged in cell # 93 and 96

**2 Alley**

*Property Storage*

 No Violations Noted

*Cells*

105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 25 and 29

105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 17 and 28

105 CMR 451.103 Mattresses: Mattress damaged in cell # 23

**(1st Floor)**

**1 Alley**

*Property Storage*

 No Violations Noted

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall surface damaged behind toilet in cell # 16

105 CMR 451.103 Mattresses: Mattress damaged in cell # 2, 13, and 14

**5 Alley**

*Cells*

105 CMR 451.103 Mattresses: Mattress damaged in cell # 66 and 67

105 CMR 451.353 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 sinksPf

*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:
	1. 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;
	2. 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
	3. 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](http://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](http://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](http://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