

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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| DEVAL L. PATRICKGOVERNORJOHN W. POLANOWICZSECRETARYEILEEN M. SULLIVANACTING COMMISSIONER |

January 12, 2015

Thomas M. Hodgson, Sheriff

Bristol County Jail, Ash Street Facility

400 Faunce Corner Road

Dartmouth, MA 02747

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 1999 Food Code; 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 Bristol County Jail, Ash Street Facility on December 29, 2014 accompanied by Lieutenant Andrew Mitzan, EHSO. Violations noted during the inspection are listed below including 63 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

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

**MAIN BUILDING**

**(4th Floor)**

**4 Alley**

105 CMR 451.353 Interior Maintenance: Wall paint peeling in cell # 57

**8 Alley**

 No Violations Noted

**12 Alley**

105 CMR 451.353\* Interior Maintenance: Wall paint peeling in cell # 165, 166, and 173

105 CMR 451.353 Interior Maintenance: Wall paint peeling in cell # 174

**16 Alley**

 No Violations Noted

**Plant 4**

*Bathroom*

105 CMR 451.123\* Maintenance: Ceiling paint peeling in shower area

105 CMR 451.123\* Maintenance: Floor paint peeling in shower area

105 CMR 451.123\* Maintenance: Shower curtain missing in shower # 1

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall paint peeling in cell # 5

105 CMR 451.353 Interior Maintenance: Wall paint peeling in cell # 1 and 10

**(3rd Floor)**

**3 Alley**

105 CMR 451.350 Structural Maintenance: Wall damaged in cell # 44, 45, and 46

105 CMR 451.353\* Interior Maintenance: Wall paint peeling in cell # 34

105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling in cell # 34, 45, and 46

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # 44

**7 Alley**

105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling in cell # 97, 99, 100, 105, 106, 107, 109, and 111

105 CMR 451.350\* Structural Maintenance: Wall damaged in cell # 108

105 CMR 451.350 Structural Maintenance: Wall damaged in cell # 97, 99, 100, and 109

**11 Alley**

 No Violations Noted

**15 Alley**

 No Violations Noted

**Plant 3**

*Bathroom*

Unable to Inspect – In Use

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling in cell # 1, 2, 3, 4, 5, 6, 7, 8, and 10

**(2nd Floor)**

**Health Services**

*Female Staff Bathroom*

 No Violations Noted

*Copy Room*

105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling

*Nurse’s Station*

 No Violations Noted

*Offices*

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling

*Exam Room*

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling

**14 Alley**

105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling in cell # 192, 195, 196, 197, 198, and 200

105 CMR 451.353 Interior Maintenance: Wall paint peeling in cell # 200

**10 Alley**

105 CMR 451.353 Interior Maintenance: Wall paint peeling in cell # 149 and 151

105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling in cell # 145

**6 Alley**

105 CMR 451.350\* Structural Maintenance: Wall damaged in cell # 82 and 93

105 CMR 451.350 Structural Maintenance: Wall damaged in cell # 87 and 92

105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling in cell # 85, 89, 92, and 93

**2 Alley**

105 CMR 451.350\* Structural Maintenance: Wall damaged in cell # 19

105 CMR 451.350 Structural Maintenance: Wall damaged in cell # 23

105 CMR 451.350\* Structural Maintenance: Ceiling damaged in cell # 17

105 CMR 451.350 Structural Maintenance: Ceiling damaged in cell # 23

**(1st Floor)**

**1 Alley**

105 CMR 451.353\* Interior Maintenance: Wall paint peeling in cell # 12, 13, 14, and 15

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # 4 and 11

105 CMR 451.350 Structural Maintenance: Wall damaged in cell # 6 and 7

**5 Alley**

105 CMR 451.353\* Interior Maintenance: Wall paint peeling in cell # 75

105 CMR 451.353 Interior Maintenance: Wall paint peeling in cell # 73

105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling in cell # 76

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # 65

**9 Alley**

*Cells*

105 CMR 451.350 Structural Maintenance: Wall damaged in cell # 136

105 CMR 451.350 Structural Maintenance: Ceiling damaged in cell # 136

*Barbershop*

 No Violations Noted

**13 Alley**

*Property*

 No Violations Noted

*Male Staff Bathroom*

 No Violations Noted

*Cells*

 No Violations Noted

*Slop Sink – Maintenance Closet*

 No Violations Noted

**KITCHEN**

FC 5-205.15(B) Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking near ice machine

FC 5-205.15(B) Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking near entrance

*Cooler # 1*

 No Violations Noted

*Mop Closet*

 No Violations Noted

*Dishwashing Machine Area*

FC 6-201.11\* Design, Construction and Installation: Floor not easily cleanable, floor damaged under warewashing machine

FC 5-205.15(B)\* Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, sprayer rinse hose leaking

*Kitchen Office*

 No Violations Noted

*Dry Storage*

FC 6-201.16(A)\* Design, Construction, and Installation; Cleanability: Walls not easily cleanable, paint peeling

*Dining Area*

 No Violations Noted

*Freezer*

 No Violations Noted

*Milk Cooler*

 No Violations Noted

**DAY ROOM**

105 CMR 451.353\* Interior Maintenance: Wall paint peeling

105 CMR 451.350\* Structural Maintenance: Wall damaged, holes in wall

*Bathroom*

105 CMR 451.121(A)\* Privacy: No privacy partition in between showers

105 CMR 451.119\* Bathing Facilities: Inadequate shower to inmate ratio, 6 showers to 193 inmates

*Mop Closet*

105 CMR 451.353\* Interior Maintenance: Wall paint peeling

105 CMR 451.353\* Interior Maintenance: Exposed wires

105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling

**LAUNDRY ROOM**

 No Violations Noted

**ADMINISTRATION AREA**

**Intake**

*Inmate Bathroom*

105 CMR 451.123\* Maintenance: Wall damaged in inmate bathroom # 1

*Female Bathroom*

 No Violations Noted

*Holding Cells*

 No Violations Noted

*Vehicle Trap*

 No Violations Noted

*Staff Break Room with Lockers*

FC 4-601.11(A) Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, interior of toaster oven dirty

*Roll Call Area*

 No Violations Noted

*Officer’s Bathroom*

 No Violations Noted

*Staff Break Room*

FC 4-903.11(A)(2)\* Protection of Clean Items, Storing: Single-service items not protected from contamination, utensils left uncovered

**Observations and Recommendations**

1. The inmate population was 193 at the time of inspection.
2. At the time of inspection, all inmates were showering in the Day Room. The only showers used inside the cell block building are inside the Plant blocks.
3. At the time of inspection, the kitchen was not in use. The food is prepared and transferred from the Bristol County House of Correction. However, the walk-in coolers and freezers were in use and were inspected.

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)”.

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

Sincerely,

Nicholas Gale
Environmental Health Inspector, CSP, BEH

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

 Steven Hughes, Director, CSP, BEH

 John W. Polanowicz, Secretary, Executive Office of Health and Human Services

Carol Higgins O’Brien, Commissioner, DOC

 Steven Sousa, Superintendent

 Lieutenant Andrew Mitzan, EHSO

Brenda Weis, PhD, MSPH, Health Director, New Bedford Health Department

 Clerk, Massachusetts House of Representatives

 Clerk, Massachusetts Senate

 Andrea Cabral, Secretary, EOPS