

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  |

December 31, 2019

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 December 30, 2019 accompanied by Lieutenant Andrew Mitzan, Environmental Health and Safety Officer and Lieutenant James Stewart. Violations noted during the inspection are listed below including 20 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

Jana Ferguson, 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)

Nelson Alves, 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

**8 Alley**

*Shower*

105 CMR 451.130\* Hot Water: Shower water temperature recorded at 610F

*Cells*

 No Violations Noted

**12 Alley**

*Cells*

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 173

*Slop Sink*

 No Violations Noted

**16 Alley**

*Cells*

105 CMR 451.353 Interior Maintenance: Floor surface damaged in cell # 216

**Plant 4**

*Bathroom*

105 CMR 451.130\* Plumbing: Plumbing not maintained in good repair, shower on left leaking

105 CMR 451.123 Maintenance: Floor paint damaged outside showers

105 CMR 451.123 Maintenance: Ceiling surface damaged outside showers

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling surface damaged in cell # 4

105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 8

**(3rd Floor)**

**3 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Debris around bottom of the toilet in cell # 37

105 CMR 451.353 Interior Maintenance: Debris around bottom of the toilet in cell # 42 and 43

105 CMR 451.103 Mattresses: Mattress damaged in cell # 34

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 39 and 46

**7 Alley**

*Cells*

105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 98, 103, and 108

105 CMR 451.353 Interior Maintenance: Floor paint damaged in cell # 98, 102, and 108

*Showers*

 Unable to Inspect – Both Showers Off-line

**11 Alley**

*Cells*

105 CMR 451.353 Interior Maintenance: Floor paint damaged in cell # 157

105 CMR 451.353 Interior Maintenance: Wall surface damaged behind toilet in cell # 153

*Showers*

 Unable to Inspect – Both Showers Off-line

**15 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Floor paint damaged in cell # 203

105 CMR 451.353 Interior Maintenance: Floor paint damaged in cell # 209 and 210

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 203 and 205

105 CMR 451.353\* Interior Maintenance: Debris around bottom of the toilet in cell # 211

105 CMR 451.353 Interior Maintenance: Debris around bottom of the toilet in cell # 202

**Plant 3**

*Bathroom*

105 CMR 451.123\* Maintenance: Orange staining on ceiling and wall in shower on right

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling surface damaged in cell # 5

105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 2 and 6

105 CMR 451.353\* Interior Maintenance: Floor surface damaged under toilet in cell # 2

**(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 paint damaged

*Exam Room*

 No Violations Noted

**14 Alley**

*Showers*

 Unable to Inspect – Both Showers Off-line

*Cells*

 No Violations Noted

**10 Alley**

*Showers*

 Unable to Inspect – Both Showers Off-line

*Cells*

 No Violations Noted

**6 Alley**

*Showers*

 No Violations Noted

*Cells*

 No Violations Noted

**2 Alley**

*Property Storage*

 No Violations Noted

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall surface damaged around toilet in cell # 22

**(1st Floor)**

**1 Alley**

*Property Storage*

 No Violations Noted

*Cells*

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 12 and 15

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

**5 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Debris on wall behind toilet in cell # 67

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 74

105 CMR 451.353 Interior Maintenance: Floor paint damaged in cell # 67

*Showers*

 No Violations Noted

**9 Alley**

*Cells*

 No Violations Noted

*Showers*

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

*Barbershop*

 No Violations Noted

**13 Alley**

*Showers*

105 CMR 451.123 Maintenance: Ceiling dirty in shower on right

*Cells*

 No Violations Noted

*Property*

 No Violations Noted

*Male Staff Bathroom*

 No Violations Noted

*Slop Sink – Maintenance Closet*

105 CMR 451.353 Interior Maintenance: Unlabeled chemical bottle, labels worn off

**FOOD SERVICE**

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

*Main Area*

 No Violations Noted

*Ice Machine*

FC 4-602.11(E)(4)(b) Cleaning of Equipment and Utensils, Frequency: Accumulation of soil/mold observed on interior surfaces of ice machine

*Cooler # 1*

 Unable to Inspect - Locked

*Mop Closet*

 No Violations Noted

*Kitchen Office*

 Unable to Inspect - Locked

*Handwash Sink (across from ovens)*

FC 6-301.11 Numbers and Capacity; Handwashing Sinks: No soap at handwash sinkPf

*Handwash Sink (near 3-Compartment sink)*

 No Violations Noted

*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, door not weather and vermin tight

*Dry Storage*

 No Violations Noted

*Dining Area*

 No Violations Noted

*Freezer*

Unable to Inspect - Locked

**DAY ROOM**

105 CMR 451.353\* Interior Maintenance: Floor surface damaged

105 CMR 451.353\* Interior Maintenance: Upper ceiling vents dirty

105 CMR 451.353 Interior Maintenance: Wall surface damaged under hot water dispenser

*Bathroom*

105 CMR 451.123\* Maintenance: Ceiling vent dusty

105 CMR 451.123\* Maintenance: Privacy partitions paint damaged

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, shower # 3 leaking

*Mop Closet*

 No Violations Noted

**LAUNDRY ROOM**

 No Violations Noted

**Intake**

*Inmate Bathroom B-1*

 No Violations Noted

*Inmate Bathroom B-2*

Unable to Inspect – In Use

*Holding Cells*

105 CMR 451.353 Interior Maintenance: Walls rusted in holding cell # 1 and 2

*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 146 at the time of inspection.
2. 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;
	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; and
	4. The CSP recommended installing soap holders on the wall in the Day Room showers so inmates do not have to keep soap on the floor.

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