



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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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 (electronic copy)
 Jana Ferguson, 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)
 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 sink^{Pf}

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:
 - 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;
 - 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; and
 - d. 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 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