



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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January 13, 2017

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; 105 CMR 520.000 Labeling; 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 January 3, 2017 accompanied by Lieutenant Andrew Mitzan, EHSO. Violations noted during the inspection are listed below including 31 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

(\* indicates conditions documented on previous inspection reports)

**MAIN BUILDING**

**(4<sup>th</sup> Floor)**

**4 Alley**

*Cells*

105 CMR 451.353 Interior Maintenance: Floor dirty with debris in cell # 53

**8 Alley**

*Shower*

105 CMR 451.123\* Maintenance: Shower curtain ripped  
105 CMR 451.123 Maintenance: Handle loose in shower

*Cells*

No Violations Noted

## **12 Alley**

### *Cells*

No Violations Noted

### *Slop Sink*

No Violations Noted

## **16 Alley**

### *Cells*

105 CMR 451.353

Interior Maintenance: Wall paint peeling in cell # 215

## **Plant 4**

### *Bathroom*

105 CMR 451.123\*

Maintenance: Ceiling paint peeling in shower area

105 CMR 451.123\*

Maintenance: Shower curtain missing in shower # 2

### *Cells*

105 CMR 451.353

Interior Maintenance: Ceiling paint peeling in cell # 3

## **(3<sup>rd</sup> Floor)**

## **3 Alley**

### *Cells*

105 CMR 451.350\*

Structural Maintenance: Wall damaged around toilet in cell # 43 and 44

105 CMR 451.353

Interior Maintenance: Floor surface damaged in cell # 41

105 CMR 451.353\*

Interior Maintenance: Wall surface damaged in cell # 40

## **7 Alley**

### *Cells*

105 CMR 451.353\*

Interior Maintenance: Wall surface damaged in cell # 108 and 109

### *Showers*

Unable to Inspect – Showers Not Used

## **11 Alley**

### *Cells*

105 CMR 451.102

Pillows and Linens: No pillow available for inmate in cell # 157

### *Showers*

Unable to Inspect – Showers Not Used

## **15 Alley**

### *Cells*

105 CMR 451.350\*

Structural Maintenance: Wall damaged around toilet in cell # 208

105 CMR 451.353\*

Interior Maintenance: Wall surface damaged in cell # 203

105 CMR 451.353

Interior Maintenance: Wall surface damaged in cell # 201, 202, and 212

### **Plant 3**

#### *Bathroom*

105 CMR 451.123\* Maintenance: Ceiling paint peeling outside showers

#### *Cells*

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # 2 and 8

### **(2<sup>nd</sup> Floor)**

### **Health Services**

#### *Female Staff Bathroom*

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No soap at handwash sink

#### *Copy Room*

No Violations Noted

#### *Nurse's Station*

No Violations Noted

#### *Offices*

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling

#### *Exam Room*

No Violations Noted

### **14 Alley**

#### *Showers*

Unable to Inspect – Showers Not Used

#### *Cells*

No Violations Noted

### **10 Alley**

#### *Showers*

Unable to Inspect – Showers Not Used

#### *Cells*

No Violations Noted

### **6 Alley**

#### *Showers*

Unable to Inspect – Showers Not Used

#### *Cells*

105 CMR 451.350\* Structural Maintenance: Wall damaged around toilet in cell # 92

105 CMR 451.350 Structural Maintenance: Wall damaged around toilet in cell # 83, 85, and 93

105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling in cell # 84 and 85

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # 93

## **2 Alley**

### *Cells*

105 CMR 451.353\*  
105 CMR 451.353  
105 CMR 451.353

Interior Maintenance: Wall surface damaged in cell # 23  
Interior Maintenance: Wall surface damaged in cell # 31  
Interior Maintenance: Ceiling surface damaged in cell # 25

## **(1<sup>st</sup> Floor)**

## **1 Alley**

### *Cells*

105 CMR 451.350\*  
105 CMR 451.350  
105 CMR 451.350\*

Structural Maintenance: Wall damaged in cell # 4, 6, 7, and 10  
Structural Maintenance: Wall damaged in cell # 3, 12, and 13  
Structural Maintenance: Ceiling damaged in cell # 2 and 11

## **5 Alley**

### *Cells*

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 70

## **9 Alley**

### *Cells*

No Violations Noted

### *Showers*

105 CMR 451.123  
105 CMR 451.123  
105 CMR 451.130

Maintenance: Soap scum on walls in shower # 1 and 2  
Maintenance: Wall paint peeling outside showers  
Plumbing: Plumbing not maintained in good repair, shower # 2 leaking

### *Barbershop*

105 CMR 451.353\*

Interior Maintenance: Countertop surface damaged

## **13 Alley**

### *Showers*

105 CMR 451.123\*  
105 CMR 451.123  
105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1 and 2  
Maintenance: Floor drain cover missing in shower # 1  
Maintenance: Wall paint peeling outside showers

### *Cells*

105 CMR 451.353

Interior Maintenance: Floor surface damaged outside cell # 186

### *Property*

No Violations Noted

### *Male Staff Bathroom*

No Violations Noted

### *Slop Sink – Maintenance Closet*

No Violations Noted

## **KITCHEN**

### *Main Area*

FC 4-903.11(A)(2)*	Protection of Clean Items, Storing: Single-service items not protected from contamination, utensils left uncovered near ovens
FC 3-304.14(B)(2)	Preventing Contamination from Linens: Wet cloth not stored in sanitizer bucket
FC 4-903.11(A)(2)	Protection of Clean Items, Storing: Single-service items not protected from contamination, foam cups left uncovered
FC 6-201.16(A)	Design, Construction, and Installation; Cleanability: Ceiling covering not easily cleanable above hood vent

### *Ice Machine*

No Violations Noted

### *Cooler # 1*

FC 3-501.16(B)	Limitation of Growth of Organisms, Temperature and Time Control: Refrigerator temperature recorded at 45°F
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### *Mop Closet*

No Violations Noted

### *Kitchen Office*

Unable to Inspect – No Access

### *Handwash Sink (near 3-bay sink)*

No Violations Noted

### *3-Bay Sink*

FC 5-205.15(B)*	Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, sink leaking
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### *Dishwashing Machine Area*

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

No Violations Noted

### *Dining Area*

No Violations Noted

### *Freezer*

Unable to Inspect – No Access

### *Milk Cooler*

No Violations Noted

## **DAY ROOM**

105 CMR 451.353*	Interior Maintenance: Wall paint peeling
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### *Bathroom*

105 CMR 451.123*	Maintenance: Ceiling vent dusty
105 CMR 451.123*	Maintenance: Soap scum on walls in shower
105 CMR 451.123	Maintenance: Wall tiles damaged in shower

*Mop Closet*

No Violations Noted

**LAUNDRY ROOM**

No Violations Noted

**ADMINISTRATION AREA**

**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*

105 CMR 451.123

Maintenance: Floor tiles damaged

105 CMR 451.123

Maintenance: Mold on ceiling

*Staff Break Room*

105 CMR 451.200

Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of white coffee-maker dirty

**Observations and Recommendations**

1. The inmate population was 192 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 Department recommends all showers be cleaned daily and kept in good repair per 105 CMR 451.123;
  - b. The kitchen was not in use. The food is prepared and transferred from the Bristol County Jail & House of Correction; and
  - c. The Department 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 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".

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 Regulations". Then under "General Food Regulations" click "105 CMR 520.000: Labeling."

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

Sincerely,



Nicholas Gale  
Environmental Health Inspector, CSP, BEH

cc: Jan Sullivan, Acting Director, BEH  
Steven Hughes, Director, CSP, BEH  
Timothy Miley, Director of Government Affairs  
Marylou Sudders, Secretary, Executive Office of Health and Human Services  
Thomas Turco, 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  
Daniel Bennett, Secretary, EOPSS  
Jennifer Gaffney, Director, Policy Development and Compliance Unit