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# 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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June 11, 2014

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 May 23, 2014 accompanied by Lieutenant Andrew Mitzan, EHSO, and Jonathan Brown, Community Sanitation Program. Violations noted during the inspection are listed below including 69 repeat violations:

## **HEALTH AND SAFETY VIOLATIONS**

(\* indicates conditions documented on previous inspection reports)

### **MAIN BUILDING**

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

##### **4 Alley**

105 CMR 451.350  
105 CMR 451.353

Structural Maintenance: Wall damaged in cell # 55  
Interior Maintenance: Wall paint peeling in cell # 52

##### **8 Alley**

105 CMR 451.350\*  
105 CMR 451.350

Structural Maintenance: Wall damaged in cell #125  
Structural Maintenance: Wall damaged in cell # 121 and 127

##### **12 Alley**

105 CMR 451.353\*

Interior Maintenance: Wall paint peeling in cell # 165, 166, and 173

##### **16 Alley**

No Violations Noted

## **Plant 4**

### *Bathroom*

105 CMR 451.123\*  
105 CMR 451.123  
105 CMR 451.123

Maintenance: Ceiling paint peeling in shower area  
Maintenance: Floor paint peeling in shower area  
Maintenance: Shower curtain missing in shower # 1

### *Cells*

105 CMR 451.353\*

Interior Maintenance: Wall paint peeling in cell # 3 and 5

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

### **3 Alley**

105 CMR 451.350\*  
105 CMR 451.353\*  
105 CMR 451.353\*  
105 CMR 451.353

Structural Maintenance: Wall damaged, wall rusted in cell # 46  
Interior Maintenance: Wall paint peeling in cell # 34  
Interior Maintenance: Ceiling paint peeling in cell # 34  
Interior Maintenance: Ceiling paint peeling in cell # 45 and 46

### **7 Alley**

105 CMR 451.353\*  
  
105 CMR 451.353  
105 CMR 451.350\*

Interior Maintenance: Ceiling paint peeling in cell # 97, 99, 100, 105, 107, and 109, 110, 111, and 112  
Interior Maintenance: Ceiling paint peeling in cell # 106  
Structural Maintenance: Wall damaged in cell # 108

### **11 Alley**

No Violations Noted

### **15 Alley**

105 CMR 451.353\*  
105 CMR 451.353  
105 CMR 451.350

Interior Maintenance: Wall paint peeling in cell # 205 and 209  
Interior Maintenance: Wall paint peeling in cell # 206  
Structural Maintenance: Wall damaged in cell # 212

## **Plant 3**

### *Bathroom*

105 CMR 451.123\*  
105 CMR 451.123\*  
105 CMR 451.123\*  
105 CMR 451.123\*

Maintenance: Soap scum on walls in shower # 1 and 2  
Maintenance: Floor paint peeling in shower area  
Maintenance: Wall paint peeling in shower area  
Maintenance: Ceiling paint peeling in shower area

### *Cells*

105 CMR 451.353\*  
105 CMR 451.353

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

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

No Violations Noted

*Exam Room*

No Violations Noted

**14 Alley**

105 CMR 451.353\*

Interior Maintenance: Ceiling paint peeling in cell # 195, 196, and 197

105 CMR 451.353

Interior Maintenance: Ceiling paint peeling in cell # 193 and 200

105 CMR 451.353

Interior Maintenance: Wall paint peeling in cell # 193 and 195

**10 Alley**

105 CMR 451.353

Interior Maintenance: Wall paint peeling in cell # 148

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

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 93

105 CMR 451.353\*

Interior Maintenance: Ceiling paint peeling in cell # 85, 89, 90, 93, and 94

105 CMR 451.353

Interior Maintenance: Ceiling paint peeling in cell # 92

**2 Alley**

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 19

105 CMR 451.350\*

Structural Maintenance: Ceiling damaged in cell # 17, 27, and 32

105 CMR 451.350

Structural Maintenance: Ceiling damaged in cell # 31

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

**1 Alley**

105 CMR 451.103

Mattresses: Mattress damaged in cell # 4

105 CMR 451.353

Interior Maintenance: Wall paint peeling in cell # 12, 13, 14, and 15

**5 Alley**

105 CMR 451.353

Interior Maintenance: Wall paint peeling in cell # 75 and 76

105 CMR 451.353

Interior Maintenance: Appearance of mold in cell # 68 and 79

105 CMR 451.353\*

Interior Maintenance: Ceiling paint peeling in cell # 76

**9 Alley**

*Bathroom*

105 CMR 451.123\*

Maintenance: Soap scum on walls in shower # 1 and 2

*Cells*

No Violations Noted

*Barbershop*

No Violations Noted

**13 Alley**

*Bathroom*

105 CMR 451.123\*

Maintenance: Wall paint peeling in shower area

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1 and 2  
105 CMR 451.123\* Maintenance: Shower curtain missing in shower # 1

*Property*

No Violations Noted

*Cells*

No Violations Noted

*Slop Sink – Maintenance Closet*

No Violations Noted

**KITCHEN**

FC 5-202.12(A)\* Plumbing System, Design: Handwashing sink water temperature recorded at 149<sup>0</sup>F

*Cooler # 1*

FC 6-404.11 Location and Placement; Distressed Merchandise: Dented cans not properly segregated

*Mop Closet*

No Violations Noted

*Dishwashing Machine Area*

FC 6-301.11 Numbers and Capacity; Handwashing Facilities: No soap at handwash sink  
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 451.140\* Adequate Ventilation: Inadequate ventilation in common shower area  
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 182 inmates  
105 CMR 451.123\* Maintenance: Wall paint peeling  
105 CMR 451.123\* Maintenance: Soap scum on walls in shower area  
105 CMR 451.123\* Maintenance: Appearance of mold on walls in shower area

105 CMR 451.123 Maintenance: Wall damaged in shower area

*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*

105 CMR 451.353\* Interior Maintenance: Wall paint peeling

105 CMR 451.353\* Interior Maintenance: Air vent dusty in cell block area

*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*

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

FC 4-204.112(A) Design and Construction, Functionality: No functioning thermometer in white refrigerator

**Observations and Recommendations**

1. The inmate population was 182 at the time of inspection.

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".

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  
Luis S. Spencer, 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