

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

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| CHARLES D. BAKER  Governor  KARYN E. POLITO  Lieutenant Governor |

July 2, 2018

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 June 13, 2018 accompanied by Lieutenant Andrew Mitzan, Environmental Health and Safety Officer. Violations noted during the inspection are listed below including 73 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

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

**4 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Floor paint damaged in cell # 55

105 CMR 451.353\* Interior Maintenance: Floor surface damaged in cell # 62

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 49 and 61

**8 Alley**

*Shower*

105 CMR 451.123\* Maintenance: Floor paint damaged outside shower

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

*Cells*

105 CMR 451.353\* Interior Maintenance: Floor paint damaged in all cells

105 CMR 451.353\* Interior Maintenance: Wall surface damaged in cell # 116, 122, 124, 127, and 128

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 126

**12 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall surface damaged around toilet in cell # 165, 166, and 168

*Slop Sink*

No Violations Noted

**16 Alley**

*Cells*

No Violations Noted

**Plant 4**

*Bathroom*

105 CMR 451.123 Maintenance: Ceiling rusted in shower area

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 2

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1

105 CMR 451.123 Maintenance: Shower curtain dirty in shower # 1 and 2

*Cells*

No Violations Noted

**(3rd Floor)**

**3 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall surface damaged around toilet in cell # 43 and 44

105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 37

105 CMR 451.353\* Interior Maintenance: Floor paint damaged in cell # 39 and 41

105 CMR 451.353\* Interior Maintenance: Ceiling paint damaged in cell # 44 and 46

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 45

**7 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling paint damaged in cell # 98, 99, 108, 109, and 110

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 106

105 CMR 451.353\* Interior Maintenance: Wall surface damaged around toilet in cell # 97 and 110

105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 107

105 CMR 451.353\* Interior Maintenance: Wall paint damaged in cell # 98

*Showers* Unable to Fully Inspect – Both Showers Offline

105 CMR 451.123 Maintenance: Ceiling surface damaged outside showers

**11 Alley**

*Cells*

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 153, 154, 155, and 156

105 CMR 451.353\* Interior Maintenance: Wall damaged around toilet in cell # 157 and 161

105 CMR 451.353 Interior Maintenance: Wall damaged around toilet in cell # 159 and 160

105 CMR 451.353\* Interior Maintenance: Floor paint damaged in cell # 161, 162, and 163

*Showers*

105 CMR 451.123 Maintenance: Showers # 1 and 2 dirty

**15 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall damaged around toilet in cell # 208 and 209

105 CMR 451.353 Interior Maintenance: Wall damaged around toilet in cell # 212

105 CMR 451.353\* Interior Maintenance: Wall paint damaged in cell # 204

105 CMR 451.353 Interior Maintenance: Wall paint damaged in cell # 206

105 CMR 451.353\* Interior Maintenance: Floor paint damaged in cell # 206, 209, and 210

**Plant 3**

*Bathroom*

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

105 CMR 451.123 Maintenance: Curtains dirty in shower # 1 and 2

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1 and 2

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling paint damaged in cell # 2 and 8

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 4

**(2nd Floor)**

**Health Services**

*Female Staff Bathroom*

No Violations Noted

*Copy Room*

No Violations Noted

*Nurse’s Station*

No Violations Noted

*Offices*

No Violations Noted

*Exam Room*

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, handwash sink leaking

**14 Alley**

*Showers* Unable to Fully Inspect – Both Showers Offline

105 CMR 451.123 Maintenance: Wall surface damaged in shower area

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling paint damaged in cell # 192

**10 Alley**

*Showers*

105 CMR 451.123 Maintenance: Shower # 1 dirty

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling paint damaged in cell # 143, 144, 147, and 151

105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 148 and 149

**6 Alley**

*Showers*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 2

105 CMR 451.123 Maintenance: Floor surface damaged outside showers

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall damaged around toilet in cell # 81 and 82

105 CMR 451.353\* Interior Maintenance: Wall damaged around toilet in cell # 86

105 CMR 451.353\* Interior Maintenance: Ceiling paint damaged in cell # 85

**2 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall paint damaged in cell # 27

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 26

105 CMR 451.353\* Interior Maintenance: Mold on ceiling in cell # 27

105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 20

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 25 and 32

**(1st Floor)**

**1 Alley**

*Cells*

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

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

**5 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall surface damaged in cell # 73

105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 65, 69, 70, 71, 76, and 80

105 CMR 451.353\* Interior Maintenance: Ceiling surface damaged in cell # 73

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 70

*Showers*

105 CMR 451.123 Maintenance: Shower # 2 dirty

**9 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling paint damaged in cell # 137 and 138

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 136

105 CMR 451.353 Interior Maintenance: Wall paint damaged in cell # 136

*Showers*

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

105 CMR 451.123 Maintenance: Floor paint damaged outside showers

*Barbershop*

No Violations Noted

**13 Alley**

*Showers*

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

105 CMR 451.123 Maintenance: Curtains dirty in shower # 1 and 2

*Cells*

No Violations Noted

*Property*

Unable to Inspect – Locked

*Male Staff Bathroom*

Unable to Inspect – Locked

*Slop Sink – Maintenance Closet*

No Violations Noted

**KITCHEN**

*Main Area*

FC 6-201.16(A)\* Design, Construction, and Installation; Cleanability: Ceiling covering not easily cleanable above vent hood

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, hot water out-of-order at handwash sink

FC 5-205.15(B) Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, kettle # 3 leaking

FC 5-205.15(B) Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, leak at pipe near main entrance

*Ice Machine*

No Violations Noted

*Cooler # 1*

Unable to Inspect – Locked

*Mop Closet*

No Violations Noted

*Kitchen Office*

No Violations Noted

*Handwash Sink (near 3-Compartment sink)*

No Violations Noted

*3-Compartment Sink*

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

*Dishwashing Machine Area*

No Violations Noted

*Dry Storage*

No Violations Noted

*Dining Area*

No Violations Noted

*Freezer*

Unable to Inspect – Locked

*Milk Cooler*

Unable to Inspect – Locked

**DAY ROOM**

*Bathroom*

105 CMR 451.123\* Maintenance: Ceiling vent dusty

105 CMR 451.110(A)\* Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

*Mop Closet*

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged

**LAUNDRY ROOM**

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket inside chemical storage area

**Intake**

*Inmate Bathroom B-1*

No Violations Noted

*Inmate Bathroom B-2*

No Violations Noted

*Holding Cells*

105 CMR 451.353 Interior Maintenance: Ceiling vents dirty in holding cell 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*

No Violations Noted

**Observations and Recommendations**

1. The Inmate population was 147 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 Department 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 in use. The food is prepared and transferred from the Bristol County Jail & House of Correction; and
   3. 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](http://www.cfsan.fda.gov/%7Edms/fc99-toc.html)”.

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: Jana Ferguson, Director, BEH

Steven Hughes, Director, CSP, BEH

Marylou Sudders, Secretary, Executive Office of Health and Human Services

Thomas Turco, Commissioner, DOC

Steven Sousa, Superintendent

Lieutenant Andrew Mitzan, EHSO

Damon Chaplin, Health Director, New Bedford Health Department

Clerk, Massachusetts House of Representatives

Clerk, Massachusetts Senate

Daniel Bennett, Secretary, EOPSS

Nelson Alves, Director, Policy Development and Compliance Unit