



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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July 5, 2016

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 15, 2016 accompanied by Lieutenant Andrew Mitzan, EHSO. Violations noted during the inspection are listed below including 33 repeat violations:

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

MAIN BUILDING

(4th Floor)

4 Alley

Cells

No Violations Noted

Showers

105 CMR 451.123*

Maintenance: Soap scum on walls in shower

105 CMR 451.123*

Maintenance: Shower curtain ripped

105 CMR 451.123*

Maintenance: Floor paint peeling outside shower

8 Alley

Cells

105 CMR 451.353

Interior Maintenance: Wall left unfinished in cell # 126, 127, and 128

Slop Sink

No Violations Noted

12 Alley

Cells

No Violations Noted

Slop Sink

No Violations Noted

16 Alley

Cells

No Violations Noted

Plant 4

Bathroom

105 CMR 451.123*

Maintenance: Ceiling paint peeling in shower area

105 CMR 451.123*

Maintenance: Floor 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 # 1

(3rd Floor)

3 Alley

Cells

105 CMR 451.350*

Structural Maintenance: Wall damaged around toilet in cell # 43, 45 and 46

105 CMR 451.350

Structural Maintenance: Wall damaged around toilet in cell # 44

105 CMR 451.350*

Structural Maintenance: Floor damaged around toilet in cell # 48

105 CMR 451.353

Interior Maintenance: Wall surface damaged in cell # 40

105 CMR 451.353

Interior Maintenance: Ceiling dirty in cell # 36

7 Alley

Cells

105 CMR 451.353*

Interior Maintenance: Ceiling paint peeling in cell # 106

105 CMR 451.353

Interior Maintenance: Ceiling paint peeling in cell # 109

105 CMR 451.353

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

Showers

Unable to Inspect – Showers Not Used

11 Alley

Cells

No Violations Noted

Showers

105 CMR 451.123

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

15 Alley

Cells

105 CMR 451.350*
105 CMR 451.353

Structural Maintenance: Wall damaged around toilet in cell # 208
Interior Maintenance: Wall surface damaged in cell # 203

Plant 3

Bathroom

105 CMR 451.123*
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: Ceiling paint peeling outside showers
Maintenance: Curtain missing in shower # 1
Maintenance: Debris in shower # 1
Maintenance: Floor rusted in shower # 1

Cells

No Violations Noted

(2nd Floor)

Health Services

Female Staff Bathroom

No Violations Noted

Copy Room

No Violations Noted

Nurse's Station

105 CMR 480.500(B)

Procedures; Records; Record-Keeping Log: Generator did not maintain a record-keeping log for waste sent off-site for treatment

Offices

No Violations Noted

Exam Room

No Violations Noted

14 Alley

Cells

No Violations Noted

10 Alley

Cells

No Violations Noted

6 Alley

Cells

105 CMR 451.350*
105 CMR 451.353

Structural Maintenance: Wall damaged around toilet in cell # 92
Interior Maintenance: Ceiling paint peeling in cell # 84 and 85

2 Alley

Cells

105 CMR 451.353

Interior Maintenance: Wall surface damaged in cell # 23

(1st Floor)

1 Alley

Cells

105 CMR 451.350*

Structural Maintenance: Wall damaged in cell # 4, 6, and 7

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 9 and 10

105 CMR 451.350*

Structural Maintenance: Ceiling damaged in cell # 11

105 CMR 451.350

Structural Maintenance: Ceiling damaged in cell # 2 and 10

5 Alley

Cells

105 CMR 451.350*

Structural Maintenance: Wall damaged in cell # 73

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 71

9 Alley

Cells

No Violations Noted

Showers

Unable to Inspect – Showers Not Used

Barbershop

105 CMR 451.353*

Interior Maintenance: Countertop surface damaged

13 Alley

Cells

No Violations Noted

Property

Unable to Inspect - Locked

Male Staff Bathroom

No Violations Noted

Showers

105 CMR 451.123*

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

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

Ice Machine
FC 3-304.12(A)

Preventing Contamination from Utensils: Ice scoop not stored properly

Cooler # 1

Unable to Inspect – No Access

Mop Closet

No Violations Noted

Kitchen Office

Unable to Inspect – No Access

Handwash Sink (near 3-bay sink)
105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, handwash sink leaking

3-Bay Sink
FC 5-205.15(B)*

Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, sink leaking

Dishwashing Machine Area
FC 6-201.11*

Design, Construction and Installation: Floor not easily cleanable, floor damaged under warewashing machine

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, rinse hose leaking

Dry Storage

No Violations Noted

Dining Area

No Violations Noted

Freezer

Unable to Inspect – No Access

Milk Cooler

Unable to Inspect – No Access

DAY ROOM

105 CMR 451.353*
105 CMR 451.353

Interior Maintenance: Wall paint peeling

Interior Maintenance: Floor surface damaged in several areas

Bathroom

105 CMR 451.123*
105 CMR 451.123*

Maintenance: Ceiling vent dusty

Maintenance: Soap scum on walls in shower

Mop Closet

No Violations Noted

LAUNDRY ROOM

No Violations Noted

ADMINISTRATION AREA

Intake

Inmate Bathroom B-1
105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, handwash sink not working

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

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 4-601.11(A)*

Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, 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; and
 - b. The kitchen was not in use. The food is prepared and transferred from the Bristol County Jail & House of Correction.

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 please visit the Food Protection website at 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 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