



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
 Phone: 781-828-7700 Fax: 781-828-7703

CHARLES D. BAKER
 Governor

KARYN E. POLITO
 Lieutenant Governor

MARYLOU SUDDERS
 Secretary

MONICA BHAREL, MD, MPH
 Commissioner

Tel: 617-624-6000
www.mass.gov/dph

June 19, 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 May 30, 2019 accompanied by Lieutenant Andrew Mitzan, Environmental Health and Safety Officer and Captain Antonio Oliveira. Violations noted during the inspection are listed below including 31 repeat violations:

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

4 Alley

Cells

105 CMR 451.353	Interior Maintenance: Floor surface damaged in cell # 53, 54, and 56
105 CMR 451.353	Interior Maintenance: Wall surface damaged on side of toilet in cell # 58

8 Alley

Shower

105 CMR 451.123*	Maintenance: Soap scum on floor in shower
105 CMR 451.130*	Hot Water: Shower water temperature recorded at 63 ⁰ F
105 CMR 451.123	Maintenance: Orange staining on ceiling

Cells

105 CMR 451.353	Interior Maintenance: Debris around bottom of the toilet in cell # 124
-----------------	--

12 Alley

Cells

No Violations Noted

Slop Sink

105 CMR 451.353

Interior Maintenance: Ceiling surface damaged

16 Alley

Cells

105 CMR 451.353*

Interior Maintenance: Floor surface damaged in cell # 217

105 CMR 451.353

Interior Maintenance: Floor surface damaged in cell # 214, 215, 218, and 221

Plant 4

Bathroom

105 CMR 451.123*

Maintenance: Soap scum on walls in the shower on right

105 CMR 451.123

Maintenance: Soap scum on walls in the shower on left

105 CMR 451.123

Maintenance: Ceiling dirty in shower on left and right

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, shower on left leaking

Cells

105 CMR 451.353

Interior Maintenance: Ceiling surface damaged in cell # 1, 2, 3, 4, and 10

(3rd Floor)

3 Alley

Cells

105 CMR 451.353*

Interior Maintenance: Ceiling surface damaged in cell # 45

105 CMR 451.353

Interior Maintenance: Ceiling surface damaged in cell # 35

105 CMR 451.103

Mattresses: Mattress damaged in cell # 38 and 43

105 CMR 451.353

Interior Maintenance: Debris around bottom of the toilet in cell # 33 and 37

7 Alley

Cells

105 CMR 451.353*

Interior Maintenance: Ceiling surface damaged in cell # 111

105 CMR 451.353

Interior Maintenance: Ceiling surface damaged in cell # 97, 105, 109, and 112

105 CMR 451.353

Interior Maintenance: Wall surface damaged around toilet in cell # 106

105 CMR 451.353

Interior Maintenance: Floor surface damaged around toilet in cell # 106

105 CMR 451.353

Interior Maintenance: Debris around bottom of the toilet in cell # 103

Showers

Unable to Inspect – Both Showers Off-line

11 Alley

Cells

105 CMR 451.353*

Interior Maintenance: Floor surface damaged around toilet in cell # 155 and 156

105 CMR 451.353

Interior Maintenance: Debris around bottom of the toilet in cell # 160

Showers

Unable to Inspect – Both Showers Off-line

15 Alley

Cells

105 CMR 451.353 Interior Maintenance: Floor surface damaged in cell # 203
105 CMR 451.353 Interior Maintenance: Debris stuck to wall in cell # 203
105 CMR 451.353 Interior Maintenance: Debris around bottom of the toilet in cell # 211

Plant 3

Bathroom

105 CMR 451.123* Maintenance: Soap scum on walls in shower on left and right
105 CMR 451.123* Maintenance: Floor surface damaged outside showers
105 CMR 451.123 Maintenance: Orange staining on ceiling in shower on right
105 CMR 451.123 Maintenance: Ceiling dirty outside showers

Cells

105 CMR 451.353* Interior Maintenance: Ceiling surface damaged in cell # 5, 7, and 8
105 CMR 451.353 Interior Maintenance: Floor surface damaged under toilet in cell # 2
105 CMR 451.353 Interior Maintenance: Ceiling dirty in cell # 3

(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

105 CMR 451.353 Interior Maintenance: Floor surface damaged in cell # 190, 197, and 198

10 Alley

Showers

Unable to Inspect – Both Showers Off-line

Cells

105 CMR 451.353* Interior Maintenance: Ceiling surface damaged in cell # 152
105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 144
105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 151

6 Alley

Showers

105 CMR 451.123*
105 CMR 451.123*

Maintenance: Soap scum on walls in shower on left and right
Maintenance: Ceiling dirty in shower on left and right

Cells

105 CMR 451.353
105 CMR 451.103

Interior Maintenance: Floor surface damaged in cell # 83
Mattresses: Mattress damaged in cell # 90

2 Alley

Property Storage

No Violations Noted

Cells

105 CMR 451.353*
105 CMR 451.353
105 CMR 451.353*
105 CMR 451.353
105 CMR 451.103*
105 CMR 451.103

Interior Maintenance: Ceiling surface damaged in cell # 21
Interior Maintenance: Ceiling dirty in cell # 21
Interior Maintenance: Wall surface damaged around toilet in cell # 22
Interior Maintenance: Floor surface damaged around toilet in cell # 19, 27, and 30
Mattresses: Mattress damaged in cell # 30
Mattresses: Mattress damaged in cell # 22 and 26

(1st Floor)

1 Alley

Property Storage

105 CMR 451.353

Interior Maintenance: Wall paint damaged

Cells

105 CMR 451.353

Interior Maintenance: Floor surface damaged in cell # 9

5 Alley

Cells

105 CMR 451.353*
105 CMR 451.353
105 CMR 451.353
105 CMR 451.353

Interior Maintenance: Ceiling surface damaged in cell # 73
Interior Maintenance: Wall left unfinished behind toilet in cell # 69
Interior Maintenance: Debris on wall behind toilet in cell # 67
Interior Maintenance: Ceiling paint damaged in cell # 71 and 75

Showers

105 CMR 451.123*
105 CMR 451.123*

Maintenance: Soap scum on walls in shower on left and right
Maintenance: Ceiling dirty in shower on left and right

9 Alley

Cells

105 CMR 451.353*
105 CMR 451.353*
105 CMR 451.353

Interior Maintenance: Ceiling surface damaged in cell # 133
Interior Maintenance: Wall surface damaged around toilet in cell # 129
Interior Maintenance: Floor surface damaged in cell # 139

Showers

105 CMR 451.123*
105 CMR 451.123
105 CMR 451.130

Maintenance: Soap scum on walls in shower on left and right
Maintenance: Ceiling dirty in shower on left and right
Plumbing: Plumbing not maintained in good repair, shower on left leaking

Barbershop

No Violations Noted

13 Alley

Showers

105 CMR 451.123*

Maintenance: Soap scum on walls in shower on left and right

105 CMR 451.123

Maintenance: Ceiling dirty in shower on left

Cells

No Violations Noted

Property

No Violations Noted

Male Staff Bathroom

No Violations Noted

Slop Sink – Maintenance Closet

No Violations Noted

FOOD SERVICE

The following Food Code violations listed in **BOLD** were observed to be corrected on-site.

Main Area

No Violations Noted

Ice Machine

No Violations Noted

Cooler # 1

No Violations Noted

Mop Closet

No Violations Noted

Kitchen Office

No Violations Noted

Handwash Sink (across from ovens)

FC 5-202.12(A)

Plumbing System; Design, Construction and Installation: Insufficient hot water temperature at handwashing sinks^{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 4-204.115*

Design and Construction, Functionality: Temperature measuring devices not functioning properly on warewashing machine

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

FC 6-501.12(A)

Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, excessive ice build-up on walls and ceiling inside freezer

DAY ROOM

105 CMR 451.353*

Interior Maintenance: Floor surface damaged

105 CMR 451.353*

Interior Maintenance: Upper ceiling vents dirty

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

105 CMR 451.123

Maintenance: Privacy partitions paint damaged

Mop Closet

105 CMR 451.353

Interior Maintenance: Floor surface damaged

LAUNDRY ROOM

No Violations Noted

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

No Violations Noted

Staff Break Room

105 CMR 451.200

Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven damaged

Observations and Recommendations

1. The Inmate population was 170 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 warewash machine was not functioning properly. The CSP was informed everything is pre-washed at this facility, then once it returns to the House of Correction, all 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;
 - d. The walk-in milk cooler was removed from the kitchen; and
 - e. 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

cc: Monica Bharel, MD, MPH, Commissioner, DPH
Jana Ferguson, Director, BEH
Steven Hughes, Director, CSP, BEH
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
Clerk, Massachusetts Senate