



MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lieutenant Governor

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Climate and Environmental Health
Community Sanitation Program
5 Randolph Street
Canton, MA 02021
Phone: 617-356-5387

KATHLEEN E. WALSH
Secretary

ROBERT GOLDSTEIN, MD, PhD
Commissioner

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

April 26, 2024

Paul Heroux, 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 Heroux:

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: Minimum Requirements for the Management of 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 April 18, 2024 accompanied by Lieutenant Andrew Mitzan, Environmental Health and Safety Officer. Violations noted during the inspection are listed below including 78 repeat violations:

Should you have any questions, please don't hesitate to contact me.

Sincerely,

Patrick Wallace
Environmental Health Inspector, CSP, BCEH

cc: Robert Goldstein, MD, PhD, Commissioner, DPH
Nalina Narain, Director, BCEH
Steven Hughes, Director, CSP, BCEH
Kathleen E. Walsh, Secretary, Executive Office of Health and Human Services (electronic copy)
Carol A. Mici, Commissioner, DOC (electronic copy)
Terrence Reidy, Secretary, EOPSS (electronic copy)
Brianna Arruda, Director, Policy Development and Compliance Unit (electronic copy)
Joseph Oliver III, Superintendent (electronic copy)
Lieutenant Andrew Mitzan, EHSO (electronic copy)
Stephanie Sloan, Acting Director, New Bedford Health Department (electronic copy)
Clerk, Massachusetts House of Representatives (electronic copy)
Clerk, Massachusetts Senate (electronic copy)

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

Main Lobby

Bathroom

No Violations Noted

(4th Floor)

4 Alley

Cells

105 CMR 451.103

Mattresses: Mattress damaged in cell # 59

8 Alley

Shower

105 CMR 451.123*

Maintenance: Door frame rusted

105 CMR 451.130*

Plumbing: Plumbing not maintained in good repair, shower out-of-order

Cells

105 CMR 451.130*

Plumbing: Plumbing not maintained in good repair, toilet fixture not secured to wall in cell # 125

12 Alley

Cells

105 CMR 451.353*

Interior Maintenance: Wall surface damaged in cell # 169

Slop Sink

No Violations Noted

16 Alley

Cells

105 CMR 451.353*

Interior Maintenance: Wall paint damaged in cell # 217

105 CMR 451.353*

Interior Maintenance: Wall paint damaged in cell # 223

Plant 4

105 CMR 451.353*

Interior Maintenance: Floor paint damaged in common area

Showers

105 CMR 451.123*

Maintenance: Floor surface damaged outside showers

105 CMR 451.123*

Maintenance: Ceiling dirty in shower # 1 and 2

105 CMR 451.123*

Maintenance: Curtain damaged in shower # 1 and 2

Cells

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

Interior Maintenance: Ceiling dirty, possible mold/mildew in cell # 2, 5, 6, and 7
Interior Maintenance: Ceiling paint damaged in cell # 2, 3, 5, 6, and 7
Interior Maintenance: Wall paint damaged in cell # 3 and 5
Interior Maintenance: Floor paint damaged in cell # 3
Interior Maintenance: Floor paint damaged in cell # 4
Interior Maintenance: Walls dirty in cell # 2 and 3
Interior Maintenance: Ceiling paint damaged in cell # 10

(3rd Floor)

3 Alley

Cells

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

Interior Maintenance: Wall paint damaged in cell # 34
Mattresses: Mattress damaged in cell # 35
Interior Maintenance: Ceiling paint damaged in cell # 34
Interior Maintenance: Ceiling water damaged in cell # 43
Interior Maintenance: Walls dirty, possible mold/mildew in cell # 48
Mattresses: Mattress damaged in cell # 42 and 46
Mattresses: Mattress dirty in cell # 46

7 Alley

Showers

Unable to Inspect – Both Showers Off-line

Cells

105 CMR 451.353

Interior Maintenance: Wall paint damaged in cell # 99

11 Alley

Showers

Unable to Inspect – Both Showers Off-line

Cells

105 CMR 451.353

Interior Maintenance: Ceiling paint damaged in cell # 154

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15 Alley

Cells

105 CMR 451.353*
105 CMR 451.353

Interior Maintenance: Ceiling paint damaged in cell # 203
Interior Maintenance: Ceiling paint damaged in cell # 202

Plant 3

105 CMR 451.353
105 CMR 451.353

Interior Maintenance: Floor paint damaged in common area
Interior Maintenance: Ceiling paint damaged in common area

Showers

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

Maintenance: Curtain dirty in shower # 2
Maintenance: Floor paint damaged outside showers
Maintenance: Ceiling dirty outside showers
Maintenance: Curtain damaged in shower # 1

Cells

105 CMR 451.353*
105 CMR 451.353*

Interior Maintenance: Ceiling dirty, possible mold/mildew in cell # 1 and 5
Interior Maintenance: Ceiling paint damaged in cell # 1 and 6

(2nd Floor)

Classroom

No Violations Noted

Library

No Violations Noted

Health Services

Female Staff Bathroom

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, insufficient hot water pressure at handwash sink

Copy Room

No Violations Noted

Nurse's Station

No Violations Noted

Offices

No Violations Noted

Exam Room

No Violations Noted

14 Alley

Showers

Unable to Inspect – Both Showers Off-line

Cells

105 CMR 451.353*
105 CMR 451.353

Interior Maintenance: Ceiling surface damaged in cell # 199
Interior Maintenance: Ceiling paint damaged in cell # 191

10 Alley

Showers

Unable to Inspect – Both Showers Off-line

Cells

105 CMR 451.353*
105 CMR 451.353*
105 CMR 451.353

Interior Maintenance: Ceiling paint damaged in cell # 147
Interior Maintenance: Ceiling dirty in cell # 147
Interior Maintenance: Ceiling surface damaged in cell # 152

6 Alley

Shower

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

Maintenance: Ceiling surface damaged outside showers
Maintenance: Ceiling surface dirty outside showers
Maintenance: Bolts rusted and damaged on shower frame
Maintenance: Floor paint damaged outside showers

Cells

105 CMR 451.353*
105 CMR 451.353*

Interior Maintenance: Ceiling paint damaged in cell # 83 and 85
Interior Maintenance: Ceiling water damaged in cell # 84

2 Alley

Property Storage

No Violations Noted

Cells

105 CMR 451.353*
105 CMR 451.103*
105 CMR 451.353*
105 CMR 451.353*
105 CMR 451.103
105 CMR 451.103
105 CMR 451.353
105 CMR 451.130

Interior Maintenance: Ceiling dirty in cell # 20
Mattresses: Mattress damaged in cell # 22 and 32
Interior Maintenance: Walls dirty in cell # 20, 21, and 26
Interior Maintenance: Floor dirty in cell # 26
Mattresses: Mattress damaged in cell # 25
Mattresses: Mattress dirty in cell # 21
Interior Maintenance: Walls dirty in cell # 23
Plumbing: Plumbing not maintained in good repair, toilet out-of-order in cell # 26

(1st Floor)

Janitorial Supply Room

Unable to Inspect – Locked

Main Property

No Violations Noted

Staff Bathroom

No Violations Noted

1 Alley

105 CMR 451.353*

Interior Maintenance: Floor surface damaged in hallway

Property Storage

No Violations Noted

Cells

105 CMR 451.353*
105 CMR 451.103*
105 CMR 451.103

Interior Maintenance: Ceiling paint damaged in cell # 10
Mattresses: Mattress damaged in cell # 5 and 16
Mattresses: Mattress damaged in cell # 7

5 Alley

105 CMR 451.353*
105 CMR 451.350

105 CMR 451.360

Interior Maintenance: Floor surface damaged in hallway
Structural Maintenance: Area not rodent and weathertight, large gap at bottom of fire exit door
Protective Measures: Rodents observed entering facility under fire exit door

Showers

No Violations Noted

Cells

105 CMR 451.353*

Interior Maintenance: Ceiling surface damaged in cell # 68

9 Alley

105 CMR 451.353*

Interior Maintenance: Floor surface damaged in hallway

Barbershop

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

Interior Maintenance: Upholstery damaged on chair
Interior Maintenance: Wall surface damaged
Interior Maintenance: Ceiling paint damaged

Showers

105 CMR 451.123*
105 CMR 451.123

Maintenance: Ceiling dirty outside showers
Maintenance: Floor paint damaged outside showers

Cells

105 CMR 451.353*

Interior Maintenance: Ceiling paint damaged in cell # 138

13 Alley

Slop Sink – Maintenance Closet

No Violations Noted

Showers

105 CMR 451.123*

Maintenance: Floor paint damaged outside showers

Cells

105 CMR 451.353

Interior Maintenance: Wall damaged in cell # 187

FOOD SERVICE

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

Main Area

FC 6-202.15(A)(3)*

Design, Construction, and Installation; Functionality: Main exterior door not tight-fitting

Ice Machine

FC 4-602.11(E)(4)(b)

Cleaning of Equipment and Utensils, Frequency: Accumulation of soil/mold observed on interior surfaces of ice machine

Cooler # 1

FC 4-501.11(B)

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair refrigerator gaskets dirty

FC 6-501.12(A)

Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, walls dirty

Mop Closet

FC 6-501.16

Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Wet mop stored upside down

Kitchen Office

No Violations Noted

Handwash Sink (across from ovens)

No Violations Noted

Handwash Sink (near 3-Compartment sink)

No Violations Noted

3-Compartment Sink

FC 4-501.11(A)

Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, Ecolab chemical dispenser not working appropriately

Warewash Machine Area

FC 4-501.11(A)*

Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, warewash machine out-of-order

Dry Storage

FC 6-501.12(A)

Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty

Dining Area

No Violations Noted

Freezer

FC 4-501.11(B)

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, door handle rusted

Inmate Bathroom

No Violations Noted

Day Room

105 CMR 451.353*

Interior Maintenance: Threshold damaged at entrance

Main Area

105 CMR 451.353*

Interior Maintenance: Floor surface damaged

105 CMR 451.353*

Interior Maintenance: Wall paint damaged

Showers

105 CMR 451.123*	Maintenance: Floor damaged in shower # 4
105 CMR 451.123*	Maintenance: Soap scum on walls and floor throughout shower area
105 CMR 451.123*	Maintenance: Floor paint damaged throughout shower area
105 CMR 451.123*	Maintenance: Walls dirty throughout shower area
105 CMR 451.123*	Maintenance: Floor dirty throughout shower area

Janitor's Closet

No Violations Noted

Laundry Room

No Violations Noted

Intake

Inmate Bathroom B-1

No Violations Noted

Inmate Bathroom B-2

No Violations Noted

Holding Cells

Unable to Inspect – In Use

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

Basement

Maintenance Area

No Violations Noted

Observations and Recommendations

1. The inmate population was 89 at the time of inspection.
2. At the time of inspection:
 - a. The kitchen was not fully operational. All food is prepared and transferred daily from the Bristol County Jail & House of Correction in North Dartmouth.
 - b. The CSP was informed all kitchen cooking and serving items are pre-washed at this location prior to returning to the House of Corrections in Dartmouth where they are put through the mechanical warewashing machine to be washed and sanitized. The CSP recommended any items that are used at this facility be washed, rinsed and sanitized in the 3-Compartment sink.

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,



Patrick Wallace
Environmental Health Inspector, CSP, BCEH