

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

MARGRET R. COOKE Commissioner

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| CHARLES D. BAKERGovernorKARYN E. POLITOLieutenant Governor  |

May 2, 2022

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 April 21, 2022 accompanied by Lieutenant Andrew Mitzan, Environmental Health and Safety Officer. Violations noted during the inspection are listed below including 20 repeat violations:

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

 Sincerely,

 

 Patrick Wallace

 Environmental Health Inspector, CSP, BEH

cc: Margret R. Cooke, Commissioner, DPH

Nalina Narain, 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)

Terrence Reidy, Secretary, EOPSS (electronic copy)

Timothy Gotovich, 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 (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 451.353\* Interior Maintenance: Wall surface damaged in cell # 55

105 CMR 451.353\* Interior Maintenance: Floor surface damaged in cell # 53

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 52

**8 Alley**

*Shower*

 No Violations Noted

*Cells*

105 CMR 451.353 Interior Maintenance: Floor surface damaged in cell # 122

**12 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall surface damaged in cell # 165

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 169, 172, and 176

*Slop Sink*

 No Violations Noted

**16 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall surface damaged in cell # 219 and 220

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 213 and 215

105 CMR 451.353 Interior Maintenance: Strong odor present in cell # 223 and 224

**Plant 4**

*Showers*

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

105 CMR 451.123\* Maintenance: Floor surface damaged outside showers

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

*Cells*

 No Violations Noted

**(3rd Floor)**

**3 Alley**

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall paint damaged in cell # 33

105 CMR 451.353 Interior Maintenance: Wall paint damaged in cell # 34 and 44

105 CMR 451.103 Mattresses: Mattress damaged in cell # 39, 42, and 44

105 CMR 451.353 Interior Maintenance: Strong odor present in cell # 33

**7 Alley**

*Showers*

 Unable to Inspect – Both Showers Off-line

*Cells*

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 109

105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 100

105 CMR 451.353 Interior Maintenance: Strong odor present in cell # 98, 102, and 107

**11 Alley**

*Showers*

 Unable to Inspect – Both Showers Off-line

*Cells*

105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 157

**15 Alley**

*Cells*

105 CMR 451.353 Interior Maintenance: Strong odor present in cell # 212

**Plant 3**

*Showers*

105 CMR 451.123\* Maintenance: Floor surface damaged outside showers

105 CMR 451.123 Maintenance: Ceiling surface damaged outside showers

105 CMR 451.123 Maintenance: Ceiling dirty in shower # 2

*Cells*

 No Violations Noted

**(2nd Floor)**

**Classroom**

 No Violations Noted

**Library**

 No Violations Noted

**Health Services**

*Female Staff Bathroom*

 No Violations Noted

*Copy Room*

105 CMR 451.353\* Interior Maintenance: Mold observed on the ceiling and walls

105 CMR 451.353 Interior Maintenance: Wall paint damaged

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged

*Nurse’s Station*

105 CMR 451.353 Interior Maintenance: Ceiling surface water damaged

*Offices*

 No Violations Noted

*Exam Room*

105 CMR 451.353 Interior Maintenance: Upholstery damaged on examination table

**14 Alley**

*Showers*

 Unable to Inspect – Both Showers Off-line

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling surface damaged in cell # 199

105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 189

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 199

**10 Alley**

*Showers*

 Unable to Inspect – Both Showers Off-line

*Cells*

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 145

**6 Alley**

*Shower*

105 CMR 451.123 Maintenance: Ceiling surface damaged outside showers

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall surface damaged in cell # 89

105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 81

105 CMR 451.353\* Interior Maintenance: Ceiling dirty in cell # 89

105 CMR 451.353\* Interior Maintenance: Wall dirty in cell # 89

105 CMR 451.353 Interior Maintenance: Wall left unfinished in cell # 92

105 CMR 451.117 Toilet Fixtures: Toilet fixtures dirty in cell # 95

**2 Alley**

*Property Storage*

 No Violations Noted

*Cells*

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 18 and 32

105 CMR 451.103 Mattresses: Mattress damaged in cell # 19, 22, 25, 27, 28, 30, and 32

**(1st Floor)**

*Janitorial Supply Room*

 No Violations Noted

*Main Property*

105 CMR 451.353 Interior Maintenance: Ceiling dirty, possible mold/mildew

*Staff Bathroom*

105 CMR 451.123 Maintenance: Toilet seat missing

**1 Alley**

*Property Storage*

 No Violations Noted

*Cells*

105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 11

**5 Alley**

105 CMR 451.353 Interior Maintenance: Floor surface damaged in hallway

*Showers*

105 CMR 451.123 Maintenance: Wall paint damaged outside showers

*Cells*

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 74

105 CMR 451.353 Interior Maintenance: Strong odor present in cell # 65

**9 Alley**

105 CMR 451.353 Interior Maintenance: Floor surface damaged in hallway

105 CMR 451.360 Protective Measures: Building not protected against infestation, door to exterior not rodent/weather tight

*Barbershop*

105 CMR 451.353 Interior Maintenance: Upholstery damaged on chair

*Showers*

 No Violations Noted

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling surface damaged in cell # 133

105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 129

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 129

**13 Alley**

105 CMR 451.353 Interior Maintenance: Wall paint damaged in hallway

*Slop Sink – Maintenance Closet*

 No Violations Noted

*Showers*

 Unable to Inspect – In Use

*Cells*

105 CMR 451.353\* Interior Maintenance: Ceiling surface damaged in cell # 183

**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 vermin proof

**FC 4-903.11(A)(3) Protection of Clean Items, Storing: Single-Use Items not stored at least 6 inches above the floor, boxes of cups stored on floor**

*Ice Machine*

FC 4-501.11(A) Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, paint damaged on exterior of ice machine

*Cooler # 1*

 No Violations Noted

*Mop Closet*

 No Violations Noted

*Kitchen Office*

No Violations Noted

*Handwash Sink (across from ovens)*

 No Violations Noted

*Handwash Sink (near 3-Compartment sink)*

**FC 5-501.16(C)\* Refuse, Recyclables, and Returnables; Facilities on the Premises: No trash provided at handwash sink**

*3-Compartment Sink*

 No Violations Noted

*Warewash Machine Area* Warewash MachineNot Operational

FC 6-201.16(A) Design, Construction, and Installation; Cleanability: Wall/Ceiling covering not in good repair, wall surface damaged near warewash machine

FC 6-101.11(A)(1) Materials for Construction and Repair; Indoor Areas: Floor surface not smooth and easily cleanable, floor surface damaged near warewash machine

*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*

FC 6-202.15(A)(3) Design, Construction, and Installation; Functionality: Rear exterior door not vermin proof

FC 6-501.12(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, ceiling dirty, possible mold/mildew

*Freezer*

FC 4-501.11(A) Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, paint damaged on exterior of freezer

*Inmate Bathroom*

FC 6-501.11 Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not in good repair, ceiling paint damaged

**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: Grout surrounding bottom tiles dirty in all showers

105 CMR 451.123\* Maintenance: Floor damaged in shower # 4

105 CMR 451.123 Maintenance: Paper towel dispenser rusted

*Janitor’s Closet*

 No Violations Noted

**Laundry Room**

105 CMR 451.353 Interior Maintenance: Floor surface damaged

105 CMR 451.353 Interior Maintenance: Laundry carts damaged

**Intake**

*Inmate Bathroom B-1*

 No Violations Noted

*Inmate Bathroom B-2*

 No Violations Noted

*Holding Cells*

105 CMR 451.353 Interior Maintenance: Floor tiles damaged in holding cell # 1 and 2

105 CMR 451.353 Interior Maintenance: Floor surface left unfinished in cell # 3

105 CMR 451.350 Structural Maintenance: Window cracked in cell # 2

*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 100 at the time of inspection.
2. The third tier, which includes 3, 7, 11, and 15 Alleys, was empty and not housing inmates.
3. At the time of inspection:
	1. The kitchen was not fully operational. All food is prepared and transferred daily from the Bristol County Jail & House of Correction.
	2. The CSP was informed all kitchen cooking and serving items are pre-washed at this location prior to retuning 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](http://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](http://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](http://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, BEH