



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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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
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15 Alley

Cells

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

Interior Maintenance: Mold observed on the ceiling and walls
Interior Maintenance: Wall paint damaged
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*
105 CMR 451.353
105 CMR 451.353

Interior Maintenance: Ceiling surface damaged in cell # 199
Interior Maintenance: Ceiling surface damaged in cell # 189
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*
105 CMR 451.353
105 CMR 451.353*
105 CMR 451.353*
105 CMR 451.353
105 CMR 451.117

Interior Maintenance: Wall surface damaged in cell # 89
Interior Maintenance: Ceiling surface damaged in cell # 81
Interior Maintenance: Ceiling dirty in cell # 89
Interior Maintenance: Wall dirty in cell # 89
Interior Maintenance: Wall left unfinished in cell # 92
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

FC 6-201.16(A)

Warewash Machine Not Operational

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
<i>Dining Area</i>	
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
<i>Freezer</i>	
	FC 4-501.11(A) Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, paint damaged on exterior of freezer
<i>Inmate Bathroom</i>	
FC 6-501.11	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not in good repair, ceiling paint damaged
<u>Day Room</u>	
105 CMR 451.353	Interior Maintenance: Threshold damaged at entrance
<i>Main Area</i>	
105 CMR 451.353	Interior Maintenance: Floor surface damaged
105 CMR 451.353	Interior Maintenance: Wall paint damaged
<i>Showers</i>	
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
<i>Janitor's Closet</i>	
	No Violations Noted
<u>Laundry Room</u>	
105 CMR 451.353	Interior Maintenance: Floor surface damaged
105 CMR 451.353	Interior Maintenance: Laundry carts damaged
<u>Intake</u>	
<i>Inmate Bathroom B-1</i>	
	No Violations Noted
<i>Inmate Bathroom B-2</i>	
	No Violations Noted
<i>Holding Cells</i>	
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
<i>Vehicle Trap</i>	
	No Violations Noted
<i>Staff Break Room with Lockers</i>	
	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:
 - a. The kitchen was not fully operational. All food is prepared and transferred daily from the Bristol County Jail & House of Correction.
 - b. 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 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, BEH