



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: 617-356-5387

MAURA T. HEALEY  
 Governor  
 KIMBERLEY DRISCOLL  
 Lieutenant Governor

KATHLEEN E. WALSH  
 Secretary  
 MARGRET R. COOKE  
 Commissioner  
 Tel: 617-624-6000  
 www.mass.gov/dph

April 6, 2023

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 5, 2023 accompanied by Lieutenant James Stewart and Lieutenant Andrew Mitzan, Environmental Health and Safety Officer. Violations noted during the inspection are listed below including 46 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  
 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)  
 Timothy Gotovich, Director, Policy Development and Compliance Unit (electronic copy)  
 Steven Souza, 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

**(4<sup>th</sup> Floor)**

**4 Alley**

*Cells*

No Violations Noted

**8 Alley**

*Shower*

105 CMR 451.123\*

Maintenance: Door frame rusted

*Cells*

105 CMR 451.130\*

Plumbing: Plumbing not maintained in good repair, handwash sink not draining properly in cell # 122

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 # 165 and 169

105 CMR 451.353

Interior Maintenance: Wall paint damaged in cell # 171

*Slop Sink*

No Violations Noted

**16 Alley**

*Cells*

105 CMR 451.353\*

Interior Maintenance: Wall surface damaged in cell # 213 and 219

105 CMR 451.353

Interior Maintenance: Wall paint damaged in cell # 217

**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: Shower casing missing bolts and not secured

*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

Interior Maintenance: Ceiling dirty in cell # 1 and 5, possible mold/mildew  
Interior Maintenance: Ceiling paint damaged in cell # 5 and 6  
Interior Maintenance: Wall paint damaged in cell # 5  
Interior Maintenance: Ceiling dirty in cell # 2 and 6, possible mold/mildew  
Interior Maintenance: Ceiling paint damaged in cell # 2, 3, 4, and 6  
Interior Maintenance: Floor paint damaged in cell # 3

**(3<sup>rd</sup> Floor)**

**3 Alley**

*Cells*

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

Interior Maintenance: Wall paint damaged in cell # 33, 34, and 44  
Interior Maintenance: Ceiling paint damaged in cell # 44  
Mattresses: Mattress damaged in cell # 35 and 41  
Mattresses: Mattress damaged in cell # 33 and 43  
Interior Maintenance: Ceiling paint damaged in cell # 46

**7 Alley**

*Showers*

Unable to Inspect – Both Showers Off-line

*Cells*

No Violations Noted

**11 Alley**

*Showers*

Unable to Inspect – Both Showers Off-line

*Cells*

105 CMR 451.353\*

Interior Maintenance: Wall surface damaged in cell # 164

**15 Alley**

*Cells*

No Violations Noted

**Plant 3**

*Showers*

105 CMR 451.123\*  
105 CMR 451.130

Maintenance: Ceiling dirty in shower # 1 and 2  
Plumbing: Plumbing not maintained in good repair, shower control leaking in shower # 2

*Cells*

105 CMR 451.353

Interior Maintenance: Ceiling dirty in cell # 1, possible mold/mildew

**(2<sup>nd</sup> Floor)**

**Classroom**

No Violations Noted

**Library**

No Violations Noted

**Health Services**

*Female Staff Bathroom*

No Violations Noted

*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\*

Interior Maintenance: Ceiling surface damaged in cell # 189

**10 Alley**

*Showers*

Unable to Inspect – Both Showers Off-line

*Cells*

105 CMR 451.353

Interior Maintenance: Ceiling paint damaged in cell # 147

**6 Alley**

*Shower*

105 CMR 451.123\*

105 CMR 451.123\*

105 CMR 451.123\*

Maintenance: Ceiling surface damaged outside showers

Maintenance: Ceiling surface dirty outside showers, possible mold/mildew

Maintenance: Bolts rusted and damaged on shower frame

*Cells*

105 CMR 451.353\*

Interior Maintenance: Ceiling paint damaged in cell # 82 and 83

105 CMR 451.353

Interior Maintenance: Wall paint damaged in cell # 94

**2 Alley**

*Property Storage*

No Violations Noted

*Cells*

105 CMR 451.353\*  
105 CMR 451.353  
105 CMR 451.103

Interior Maintenance: Ceiling dirty in cell # 28  
Interior Maintenance: Ceiling dirty in cell # 20  
Mattresses: Mattress damaged in cell # 21 and 23

**(1<sup>st</sup> Floor)**

*Janitorial Supply Room*

No Violations Noted

*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

Interior Maintenance: Ceiling paint damaged in cell # 10  
Mattresses: Mattress damaged in cell # 10

**5 Alley**

105 CMR 451.353\*

Interior Maintenance: Floor surface damaged in hallway

*Showers*

105 CMR 451.123\*

Maintenance: Ceiling dirty in shower # 1 and 2

*Cells*

105 CMR 451.353\*

Interior Maintenance: Ceiling surface damaged in cell # 73

**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

Maintenance: Ceiling dirty outside showers, possible mold/mildew

*Cells*

105 CMR 451.353\*

Interior Maintenance: Ceiling paint damaged in cell # 138

105 CMR 451.353

Interior Maintenance: Wall paint damaged in cell # 129

105 CMR 451.103

Mattresses: Mattress damaged in cell # 133

**13 Alley**

*Slop Sink – Maintenance Closet*

No Violations Noted

*Showers*

Unable to Inspect – In Use

*Cells*

No Violations Noted

**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**

*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)*

No Violations Noted

*Handwash Sink (near 3-Compartment sink)*

No Violations Noted

*3-Compartment Sink*

FC 5-205.15(B)

**Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, water leaking from behind sink unit**

*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*

No Violations Noted

*Dining Area*

No Violations Noted

*Freezer*

Unable to Inspect – Under Repair

*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/floor throughout shower area

105 CMR 451.123

Maintenance: Ceiling vent dusty

*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*

105 CMR 451.353\*

Interior Maintenance: Floor surface left unfinished in cell # 3

*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 113 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](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

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