



The Commonwealth of Massachusetts
 Executive Office of Health and Human Services
 Department of Public Health
 Bureau of Climate and Environmental Health
 Community Sanitation Program
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 ROBERT GOLDSTEIN, MD, PhD
 Commissioner
 Tel: 617-624-6000
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November 17, 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 November 7, 2023 accompanied by Lieutenant Andrew Mitzan, Environmental Health and Safety Officer. Violations noted during the inspection are listed below including 53 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)
- 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

(4th Floor)

4 Alley

Cells

No Violations Noted

8 Alley

Shower

105 CMR 451.123*
105 CMR 451.130

Maintenance: Door frame rusted
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*
105 CMR 451.353
105 CMR 451.353

Interior Maintenance: Wall paint damaged in cell # 217
Interior Maintenance: Wall paint damaged in cell # 223
Interior Maintenance: Ceiling paint damaged in cell # 223

Plant 4

105 CMR 451.353*

Interior Maintenance: Floor paint damaged in common area

Showers

105 CMR 451.123*
105 CMR 451.123*
105 CMR 451.123

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

Cells

105 CMR 451.353* Interior Maintenance: Ceiling dirty, possible mold/mildew in cell # 1, 2, 5, and 6
105 CMR 451.353* Interior Maintenance: Ceiling paint damaged in cell # 2, 3, 5, and 6
105 CMR 451.353* Interior Maintenance: Wall paint damaged in cell # 5
105 CMR 451.353* Interior Maintenance: Floor paint damaged in cell # 3
105 CMR 451.353 Interior Maintenance: Ceiling dirty, possible mold/mildew in cell # 3 and 7
105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 7
105 CMR 451.353 Interior Maintenance: Floor paint damaged in cell # 4
105 CMR 451.353 Interior Maintenance: Walls dirty in cell # 2 and 3
105 CMR 451.353 Interior Maintenance: Wall paint damaged in cell # 3

(3rd Floor)

3 Alley

Cells

105 CMR 451.353* Interior Maintenance: Wall paint damaged in cell # 34
105 CMR 451.103* Mattresses: Mattress damaged in cell # 33, 35, 41, and 43
105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 34
105 CMR 451.353 Interior Maintenance: Ceiling water damaged in cell # 43
105 CMR 451.353 Interior Maintenance: Walls dirty, possible mold/mildew in cell # 48

7 Alley

Showers

Unable to Inspect – Both Showers Off-line

Cells

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 107
105 CMR 451.353 Interior Maintenance: Floor dirty in cell # 108

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

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 203

Plant 3

Showers

105 CMR 451.130* Plumbing: Plumbing not maintained in good repair, shower control leaking in shower # 2
105 CMR 451.123 Maintenance: Curtain dirty in shower # 2
105 CMR 451.123 Maintenance: Floor paint damaged outside showers
105 CMR 451.123 Maintenance: Ceiling dirty outside showers

Cells

105 CMR 451.353* Interior Maintenance: Ceiling dirty, possible mold/mildew in cell # 1
105 CMR 451.353 Interior Maintenance: Ceiling dirty, possible mold/mildew in cell # 5
105 CMR 451.353 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

No Violations Noted

Copy Room

No Violations Noted

Nurse's Station

No Violations Noted

Offices

No Violations Noted

Exam Room

105 CMR 480.500(B) Procedures; Records; Record-Keeping Log: Generator did not maintain a record-keeping log for waste sent off-site for treatment, log missing entry for 2 recent pickups

14 Alley

Showers

Unable to Inspect – Both Showers Off-line

Cells

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

10 Alley

Showers

Unable to Inspect – Both Showers Off-line

Cells

105 CMR 451.353*

Interior Maintenance: Ceiling paint damaged in cell # 147

105 CMR 451.353

Interior Maintenance: Ceiling dirty in cell # 147

6 Alley

Shower

105 CMR 451.123*

Maintenance: Ceiling surface damaged outside showers

105 CMR 451.123*

Maintenance: Ceiling surface dirty outside showers

105 CMR 451.123*

Maintenance: Bolts rusted and damaged on shower frame

Cells

105 CMR 451.353*

Interior Maintenance: Ceiling paint damaged in cell # 83

105 CMR 451.353*

Interior Maintenance: Wall paint damaged in cell # 94

105 CMR 451.353

Interior Maintenance: Ceiling paint damaged in cell # 85

105 CMR 451.353

Interior Maintenance: Ceiling water damaged in cell # 84

2 Alley

Property Storage

No Violations Noted

Cells

105 CMR 451.353*

Interior Maintenance: Ceiling dirty in cell # 20 and 28

105 CMR 451.353

Interior Maintenance: Ceiling dirty in cell # 29

105 CMR 451.103*

Mattresses: Mattress damaged in cell # 23

105 CMR 451.103

Mattresses: Mattress damaged in cell # 22, 26, 28, 29, and 32

105 CMR 451.353

Interior Maintenance: Walls dirty in cell # 20, 21, and 26

105 CMR 451.353

Interior Maintenance: Floor dirty in cell # 26

(1st Floor)

Janitorial Supply Room

Unable to Inspect – Locked

Main Property

Unable to Inspect – Locked

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 451.353

Interior Maintenance: Ceiling paint damaged in cell # 10
Mattresses: Mattress damaged in cell # 2, 5, and 16
Interior Maintenance: Wall paint damaged in cell # 9

5 Alley

105 CMR 451.353*

Interior Maintenance: Floor surface damaged in hallway

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*
105 CMR 451.353

Interior Maintenance: Upholstery damaged on chair
Interior Maintenance: Wall surface damaged
Interior Maintenance: Ceiling paint damaged
Interior Maintenance: Improper disinfectant used, Barbicide not available

Showers

105 CMR 451.123*

Maintenance: Ceiling dirty outside showers

Cells

105 CMR 451.353*
105 CMR 451.353

Interior Maintenance: Ceiling paint damaged in cell # 138
Interior Maintenance: Ceiling surface damaged in cell # 133

13 Alley

Slop Sink – Maintenance Closet

No Violations Noted

Showers

105 CMR 451.123

Maintenance: Floor paint damaged outside showers

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 tight-fitting

Ice Machine

FC 4-501.11(A)

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

<i>Cooler # 1</i>	No Violations Noted
<i>Mop Closet</i>	No Violations Noted
<i>Kitchen Office</i>	No Violations Noted
<i>Handwash Sink (across from ovens)</i>	No Violations Noted
<i>Handwash Sink (near 3-Compartment sink)</i>	No Violations Noted
<i>3-Compartment Sink</i> FC 4-501.11(A)	Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, Ecolab chemical dispenser leaking
<i>Warewash Machine Area</i> FC 4-501.11(A)	Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, warewash machine out-of-order
<i>Dry Storage</i>	No Violations Noted
<i>Dining Area</i>	No Violations Noted
<i>Freezer</i>	Unable to Inspect – Under Repair
<i>Inmate Bathroom</i>	No Violations Noted
<u>Day Room</u> 105 CMR 451.353*	Interior Maintenance: Threshold damaged at entrance
<i>Main Area</i> 105 CMR 451.353* 105 CMR 451.353*	Interior Maintenance: Floor surface damaged Interior Maintenance: Wall paint damaged
<i>Showers</i> 105 CMR 451.123* 105 CMR 451.123* 105 CMR 451.123 105 CMR 451.123 105 CMR 451.123 105 CMR 451.123	Maintenance: Floor damaged in shower # 4 Maintenance: Soap scum on walls and floor throughout shower area Maintenance: Floor paint damaged throughout shower area Maintenance: Partition paint damaged Maintenance: Walls dirty throughout shower area 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

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

105 CMR 451.123

Maintenance: Ceiling vent dusty

Staff Break Room

No Violations Noted

Basement

Maintenance Area

No Violations Noted

Observations and Recommendations

1. The inmate population was 119 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