



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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June 19, 2017

Thomas M. Hodgson, Sheriff  
 Bristol County Jail, Ash Street Facility  
 400 Faunce Corner Road  
 Dartmouth, MA 02747

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 1999 Food Code; 105 CMR 520.000 Labeling; and 105 CMR 205.000 Minimum Standards Governing Medical Records and the Conduct of Physical Examinations in Correctional Facilities; I conducted an inspection of the Bristol County Jail, Ash Street Facility on May 30, 2017 accompanied by Captain John Murphy. Violations noted during the inspection are listed below including 39 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

(\* indicates conditions documented on previous inspection reports)

**4 Alley**

*Cells*

105 CMR 451.353	Interior Maintenance: Floor paint damaged in cell # 55 and 60
105 CMR 451.103	Mattresses: Mattress damaged in cell # 49

**8 Alley**

*Shower*

105 CMR 451.123	Maintenance: Shower curtain dirty
105 CMR 451.123	Maintenance: Floor paint damaged outside shower
105 CMR 451.123	Maintenance: Soap scum on walls in shower
105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, shower leaking

*Cells*

No Violations Noted

## **12 Alley**

### *Cells*

105 CMR 451.353  
105 CMR 451.353  
105 CMR 451.353

Interior Maintenance: Floor paint damaged in cell # 116 and 127  
Interior Maintenance: Wall dirty on the side of toilet in cell # 122  
Interior Maintenance: Wall paint peeling in cell # 121 and 124

### *Slop Sink*

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, no hot water supplied to sink

## **16 Alley**

### *Cells*

105 CMR 451.353  
105 CMR 451.353

Interior Maintenance: Wall paint peeling in cell # 213  
Interior Maintenance: Floor paint damaged in cell # 217

## **Plant 4**

### *Bathroom*

105 CMR 451.123\*  
105 CMR 451.123

Maintenance: Ceiling paint peeling in shower area  
Maintenance: Soap scum on walls in shower # 2

### *Cells*

105 CMR 451.353\*  
105 CMR 451.353  
105 CMR 451.353

Interior Maintenance: Ceiling paint peeling in cell # 3  
Interior Maintenance: Ceiling paint peeling in cell # 4  
Interior Maintenance: Floor paint damaged in cell # 4

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

## **3 Alley**

### *Cells*

105 CMR 451.350\*  
105 CMR 451.350  
105 CMR 451.353\*  
105 CMR 451.353  
105 CMR 451.353

Structural Maintenance: Wall damaged around toilet in cell # 43 and 44  
Structural Maintenance: Wall damaged around toilet in cell # 33 and 35  
Interior Maintenance: Floor paint damaged in cell # 41  
Interior Maintenance: Floor paint damaged in cell # 43  
Interior Maintenance: Ceiling paint peeling in cell # 44

## **7 Alley**

### *Cells*

105 CMR 451.353  
105 CMR 451.350  
105 CMR 451.353

Interior Maintenance: Ceiling paint peeling in cell # 99, 108, and 109  
Structural Maintenance: Wall damaged around toilet in cell # 97, 103, and 106  
Interior Maintenance: Wall paint peeling in cell # 98 and 105

### *Showers*

Unable to Inspect – Showers Not Used

## **11 Alley**

### *Cells*

105 CMR 451.353  
105 CMR 451.350  
105 CMR 451.353

Interior Maintenance: Ceiling paint peeling in cell # 153  
Structural Maintenance: Wall damaged around toilet in cell # 161  
Interior Maintenance: Floor paint damaged in cell # 161, 162, and 163

*Showers*

Unable to Inspect – Showers Not Used

**15 Alley**

*Cells*

105 CMR 451.350\*  
105 CMR 451.350  
105 CMR 451.353  
105 CMR 451.353

Structural Maintenance: Wall damaged around toilet in cell # 208  
Structural Maintenance: Wall damaged around toilet in cell # 203, 207, 209, and 212  
Interior Maintenance: Floor paint damaged in cell # 209  
Interior Maintenance: Ceiling paint damaged in cell # 202

**Plant 3**

*Bathroom*

105 CMR 451.123\*

Maintenance: Ceiling paint peeling outside showers

*Cells*

105 CMR 451.353\*

Interior Maintenance: Ceiling paint peeling in cell # 2 and 8

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

**Health Services**

*Female Staff Bathroom*

105 CMR 451.123

Maintenance: Light switch plate damaged

*Copy Room*

No Violations Noted

*Nurse's Station*

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

*Offices*

105 CMR 451.353\*

Interior Maintenance: Ceiling paint peeling

*Exam Room*

105 CMR 451.353  
105 CMR 451.130

Interior Maintenance: Ceiling paint peeling  
Plumbing: Plumbing not maintained in good repair, handwash sink leaking

**14 Alley**

*Showers*

Unable to Inspect – Showers Not Used

*Cells*

105 CMR 451.353  
105 CMR 451.350

Interior Maintenance: Mold on ceiling in cell # 195  
Structural Maintenance: Wall damaged around toilet in cell # 189

**10 Alley**

*Showers*

Unable to Inspect – Showers Not Used

*Cells*

105 CMR 451.353

Interior Maintenance: Ceiling paint peeling in cell # 143, 144, and 147

## **6 Alley**

### *Showers*

Unable to Inspect – Showers Not Used

### *Cells*

105 CMR 451.350 Structural Maintenance: Wall damaged around toilet in cell # 84 and 86  
105 CMR 451.353\* Interior Maintenance: Ceiling paint peeling in cell # 85  
105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # 81  
105 CMR 451.353 Interior Maintenance: Wall paint peeling in cell # 81

## **2 Alley**

### *Cells*

105 CMR 451.353\* Interior Maintenance: Wall surface damaged in cell # 23  
105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 25  
105 CMR 451.353\* Interior Maintenance: Ceiling surface damaged in cell # 25  
105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # 18, 19, 20, 26, and 27  
105 CMR 451.353 Interior Maintenance: Ceiling dirty in cell # 27  
105 CMR 451.353 Interior Maintenance: Wall dirty in cell # 19

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

## **1 Alley**

### *Cells*

105 CMR 451.350\* Structural Maintenance: Wall damaged in cell # 4, 6, 7, and 10  
105 CMR 451.350\* Structural Maintenance: Wall damaged in cell # 3, 12, and 13  
105 CMR 451.350\* Structural Maintenance: Ceiling damaged in cell # 2 and 11  
105 CMR 451.103 Mattresses: Mattress damaged in cell # 1

## **5 Alley**

### *Cells*

105 CMR 451.350 Structural Maintenance: Wall damaged in cell # 70  
105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 69, 73, and 76  
105 CMR 451.353 Interior Maintenance: Ceiling surface damaged in cell # 73 and 76

### *Showers*

Unable to Inspect – Showers Not Used

## **9 Alley**

### *Cells*

105 CMR 451.350 Structural Maintenance: Wall damaged around toilet in cell # 133  
105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # 133

### *Showers*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1 and 2  
105 CMR 451.123\* Maintenance: Wall paint peeling outside showers  
105 CMR 451.130\* Plumbing: Plumbing not maintained in good repair, shower # 2 leaking  
105 CMR 451.123 Maintenance: Floor paint damaged outside showers

### *Barbershop*

No Violations Noted

### **13 Alley**

#### *Showers*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1 and 2  
105 CMR 451.123\* Maintenance: Floor drain cover missing in shower # 1  
105 CMR 451.123\* Maintenance: Wall paint peeling outside showers

#### *Cells*

105 CMR 451.353\* Interior Maintenance: Floor surface damaged outside cell # 186

#### *Property*

No Violations Noted

#### *Male Staff Bathroom*

No Violations Noted

#### *Slop Sink – Maintenance Closet*

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

### **KITCHEN**

#### *Main Area*

FC 4-903.11(A)(2)\* Protection of Clean Items, Storing: Single-service items not protected from contamination, utensils left uncovered near ovens  
FC 4-903.11(A)(2)\* Protection of Clean Items, Storing: Single-service items not protected from contamination, foam cups left uncovered  
FC 6-201.16(A)\* Design, Construction, and Installation; Cleanability: Ceiling covering not easily cleanable above vent hood  
FC 5-205.15(B) Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking near ice machine  
FC 5-205.15(B) Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, pipe leaking behind kettles  
FC 6-501.11 Maintenance and Operation; Repairing: Facility not in good repair, light out under vent hood

#### *Ice Machine*

No Violations Noted

#### *Cooler # 1*

FC 3-501.16(B)\* Limitation of Growth of Organisms, Temperature and Time Control: Refrigerator temperature recorded at 44°F

#### *Mop Closet*

No Violations Noted

#### *Kitchen Office*

No Violations Noted

#### *Handwash Sink (near 3-bay sink)*

No Violations Noted

#### *3-Bay Sink*

No Violations Noted

#### *Dishwashing Machine Area*

No Violations Noted

*Dry Storage*

No Violations Noted

*Dining Area*

No Violations Noted

*Freezer*

Unable to Inspect – No Access

*Milk Cooler*

Unable to Inspect – No Access

**DAY ROOM**

105 CMR 451.344

Illumination in Habitable Areas: Light not functioning properly, light out in phone area

*Bathroom*

105 CMR 451.123\*

Maintenance: Ceiling vent dusty

105 CMR 451.123\*

Maintenance: Soap scum on walls and floor in shower

105 CMR 451.123

Maintenance: Wall tiles damaged in shower

105 CMR 451.123

Maintenance: Floor dirty

*Mop Closet*

No Violations Noted

**LAUNDRY ROOM**

No Violations Noted

**ADMINISTRATION AREA**

**Intake**

*Inmate Bathroom B-1*

No Violations Noted

*Inmate Bathroom B-2*

No Violations Noted

*Holding Cells*

No Violations Noted

*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: Floor tiles damaged

105 CMR 451.123\*

Maintenance: Mold on ceiling

*Staff Break Room*

105 CMR 451.200

Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, utensils left uncovered

## Observations and Recommendations

1. The inmate population was 176 at the time of inspection.
2. At the time of inspection:
  - a. Inmates were showering in both the Day Room and on some of the tiers. The Department recommends all showers be cleaned daily and kept in good repair per 105 CMR 451.123;
  - b. The kitchen was not in use. The food is prepared and transferred from the Bristol County Jail & House of Correction; and
  - c. The Department recommended installing soap holders on the wall in the Day Room showers so inmates do not have to keep soap on the floor.

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 please visit the Food Protection website at [www.mass.gov/dph/fpp](http://www.mass.gov/dph/fpp) and click on "Food Protection Regulations". Then under "Retail" click "105 CMR 590.000 - State Sanitary Code Chapter X – Minimum Sanitation Standards for Food Establishments" and "1999 Food Code".

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 Regulations". Then under "General Food Regulations" click "105 CMR 520.000: Labeling."

This inspection report is signed and certified under the pains and penalties of perjury.

Sincerely,



Nicholas Gale  
Environmental Health Inspector, CSP, BEH

cc: Jan Sullivan, Acting Director, BEH  
Steven Hughes, Director, CSP, BEH  
Timothy Miley, Director of Government Affairs  
Marylou Sudders, Secretary, Executive Office of Health and Human Services  
Thomas Turco, Commissioner, DOC  
Steven Sousa, Superintendent  
Lieutenant Andrew Mitzan, EHSO  
Brenda Weis, PhD, MSPH, Health Director, New Bedford Health Department  
Clerk, Massachusetts House of Representatives  
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Daniel Bennett, Secretary, EOPSS  
Nelson Alves, Director, Policy Development and Compliance Unit