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  Interior Maintenance: Floor paint damaged in cell # 116 and 127
105 CMR 451.353  Interior Maintenance: Wall dirty on the side of toilet in cell # 122
105 CMR 451.353  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  Interior Maintenance: Wall paint peeling in cell # 213
105 CMR 451.353  Interior Maintenance: Floor paint damaged in cell # 217

Plant 4

Bathroom
105 CMR 451.130*  Maintenance: Ceiling paint peeling in shower area
105 CMR 451.123  Maintenance: Soap scum on walls in shower # 2

Cells
105 CMR 451.353*  Interior Maintenance: Ceiling paint peeling in cell # 3
105 CMR 451.353  Interior Maintenance: Ceiling paint peeling in cell # 4
105 CMR 451.353  Interior Maintenance: Floor paint damaged in cell # 4

(3rd Floor)

3 Alley

Cells
105 CMR 451.350*  Structural Maintenance: Wall damaged around toilet in cell # 43 and 44
105 CMR 451.350  Structural Maintenance: Wall damaged around toilet in cell # 33 and 35
105 CMR 451.353*  Interior Maintenance: Floor paint damaged in cell # 41
105 CMR 451.353  Interior Maintenance: Floor paint damaged in cell # 43
105 CMR 451.353  Interior Maintenance: Ceiling paint peeling in cell # 44

7 Alley

Cells
105 CMR 451.350  Structural Maintenance: Wall damaged around toilet in cell # 97, 103, and 106
105 CMR 451.353  Interior Maintenance: Wall paint peeling in cell # 98 and 105

Showers
Unable to Inspect – Showers Not Used

11 Alley

Cells
105 CMR 451.353  Interior Maintenance: Ceiling paint peeling in cell # 153
105 CMR 451.350  Structural Maintenance: Wall damaged around toilet in cell # 161
105 CMR 451.353  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*  Structural Maintenance: Wall damaged around toilet in cell # 208  
105 CMR 451.350  Structural Maintenance: Wall damaged around toilet in cell # 203, 207, 209, and 212  
105 CMR 451.353  Interior Maintenance: Floor paint damaged in cell # 209  
105 CMR 451.353  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

(2nd 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  Interior Maintenance: Ceiling paint peeling  
105 CMR 451.130  Plumbing: Plumbing not maintained in good repair, handwash sink leaking

14 Alley

Showers  
Unable to Inspect - Showers Not Used

Cells  
105 CMR 451.353  Interior Maintenance: Mold on ceiling in cell # 195  
105 CMR 451.350  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

(1st 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 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 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 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
    Clerk, Massachusetts Senate
    Daniel Bennett, Secretary, EOPSS
    Nelson Alves, Director, Policy Development and Compliance Unit