



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: 781-828-7700 Fax: 781-828-7703

CHARLES D. BAKER
 Governor

KARYN E. POLITO
 Lieutenant Governor

MARYLOU SUDDERS
 Secretary

MONICA BHAREL, MD, MPH
 Commissioner

Tel: 617-624-6000
 www.mass.gov/dph

July 2, 2018

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 June 13, 2018 accompanied by Lieutenant Andrew Mitzan, Environmental Health and Safety Officer. Violations noted during the inspection are listed below including 73 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
- 105 CMR 451.353* Interior Maintenance: Floor surface damaged in cell # 62
- 105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 49 and 61

8 Alley

Shower

- 105 CMR 451.123* Maintenance: Floor paint damaged outside shower
- 105 CMR 451.123* Maintenance: Soap scum on walls in shower

Cells

- 105 CMR 451.353* Interior Maintenance: Floor paint damaged in all cells
- 105 CMR 451.353* Interior Maintenance: Wall surface damaged in cell # 116, 122, 124, 127, and 128
- 105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 126

12 Alley

Cells

105 CMR 451.353* Interior Maintenance: Wall surface damaged around toilet in cell # 165, 166, and 168

Slop Sink

No Violations Noted

16 Alley

Cells

No Violations Noted

Plant 4

Bathroom

105 CMR 451.123 Maintenance: Ceiling rusted in shower area
105 CMR 451.123* Maintenance: Soap scum on walls in shower # 2
105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1
105 CMR 451.123 Maintenance: Shower curtain dirty in shower # 1 and 2

Cells

No Violations Noted

(3rd Floor)

3 Alley

Cells

105 CMR 451.353* Interior Maintenance: Wall surface damaged around toilet in cell # 43 and 44
105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 37
105 CMR 451.353* Interior Maintenance: Floor paint damaged in cell # 39 and 41
105 CMR 451.353* Interior Maintenance: Ceiling paint damaged in cell # 44 and 46
105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 45

7 Alley

Cells

105 CMR 451.353* Interior Maintenance: Ceiling paint damaged in cell # 98, 99, 108, 109, and 110
105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 106
105 CMR 451.353* Interior Maintenance: Wall surface damaged around toilet in cell # 97 and 110
105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 107
105 CMR 451.353* Interior Maintenance: Wall paint damaged in cell # 98

Showers

105 CMR 451.123 Unable to Fully Inspect – Both Showers Offline
Maintenance: Ceiling surface damaged outside showers

11 Alley

Cells

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 153, 154, 155, and 156
105 CMR 451.353* Interior Maintenance: Wall damaged around toilet in cell # 157 and 161
105 CMR 451.353 Interior Maintenance: Wall damaged around toilet in cell # 159 and 160
105 CMR 451.353* Interior Maintenance: Floor paint damaged in cell # 161, 162, and 163

Showers

105 CMR 451.123

Maintenance: Showers # 1 and 2 dirty

15 Alley

Cells

105 CMR 451.353*
105 CMR 451.353
105 CMR 451.353*
105 CMR 451.353
105 CMR 451.353*

Interior Maintenance: Wall damaged around toilet in cell # 208 and 209
Interior Maintenance: Wall damaged around toilet in cell # 212
Interior Maintenance: Wall paint damaged in cell # 204
Interior Maintenance: Wall paint damaged in cell # 206
Interior Maintenance: Floor paint damaged in cell # 206, 209, and 210

Plant 3

Bathroom

105 CMR 451.123*
105 CMR 451.123
105 CMR 451.123

Maintenance: Ceiling paint damaged outside showers
Maintenance: Curtains dirty in shower # 1 and 2
Maintenance: Soap scum on walls in shower # 1 and 2

Cells

105 CMR 451.353*
105 CMR 451.353

Interior Maintenance: Ceiling paint damaged in cell # 2 and 8
Interior Maintenance: Ceiling paint damaged in cell # 4

(2nd Floor)

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 451.353
105 CMR 451.130

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

14 Alley

Showers

105 CMR 451.123

Unable to Fully Inspect – Both Showers Offline
Maintenance: Wall surface damaged in shower area

Cells

105 CMR 451.353*

Interior Maintenance: Ceiling paint damaged in cell # 192

10 Alley

Showers

105 CMR 451.123

Maintenance: Shower # 1 dirty

Cells
105 CMR 451.353* Interior Maintenance: Ceiling paint damaged in cell # 143, 144, 147, and 151
105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 148 and 149

6 Alley

Showers
105 CMR 451.123* Maintenance: Soap scum on walls in shower # 2
105 CMR 451.123 Maintenance: Floor surface damaged outside showers

Cells
105 CMR 451.353* Interior Maintenance: Wall damaged around toilet in cell # 81 and 82
105 CMR 451.353* Interior Maintenance: Wall damaged around toilet in cell # 86
105 CMR 451.353* Interior Maintenance: Ceiling paint damaged in cell # 85

2 Alley

Cells
105 CMR 451.353* Interior Maintenance: Wall paint damaged in cell # 27
105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 26
105 CMR 451.353* Interior Maintenance: Mold on ceiling in cell # 27
105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 20
105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 25 and 32

(1st Floor)

1 Alley

Cells
105 CMR 451.353* Interior Maintenance: Wall surface damaged in cell # 4
105 CMR 451.353* Interior Maintenance: Ceiling paint damaged in cell # 5

5 Alley

Cells
105 CMR 451.353* Interior Maintenance: Wall surface damaged in cell # 73
105 CMR 451.353 Interior Maintenance: Wall surface damaged around toilet in cell # 65, 69, 70, 71, 76, and 80
105 CMR 451.353* Interior Maintenance: Ceiling surface damaged in cell # 73
105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 70

Showers
105 CMR 451.123 Maintenance: Shower # 2 dirty

9 Alley

Cells
105 CMR 451.353* Interior Maintenance: Ceiling paint damaged in cell # 137 and 138
105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 136
105 CMR 451.353 Interior Maintenance: Wall paint damaged in cell # 136

Showers
105 CMR 451.123* Maintenance: Soap scum on walls in shower # 1 and 2
105 CMR 451.123 Maintenance: Floor paint damaged outside showers

Barbershop

No Violations Noted

13 Alley

Showers

105 CMR 451.123*
105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1 and 2
Maintenance: Curtains dirty in shower # 1 and 2

Cells

No Violations Noted

Property

Unable to Inspect – Locked

Male Staff Bathroom

Unable to Inspect – Locked

Slop Sink – Maintenance Closet

No Violations Noted

KITCHEN

Main Area

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, hot water out-of-order at handwash sink

FC 5-205.15(B)

Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, kettle # 3 leaking

FC 5-205.15(B)

Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, leak at pipe near main entrance

Ice Machine

No Violations Noted

Cooler # 1

Unable to Inspect – Locked

Mop Closet

No Violations Noted

Kitchen Office

No Violations Noted

Handwash Sink (near 3-Compartment sink)

No Violations Noted

3-Compartment Sink

FC 5-205.15(B)*

Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, left faucet leaking

Dishwashing Machine Area

No Violations Noted

Dry Storage No Violations Noted

Dining Area No Violations Noted

Freezer Unable to Inspect – Locked

Milk Cooler Unable to Inspect – Locked

DAY ROOM

Bathroom
105 CMR 451.123* Maintenance: Ceiling vent dusty
105 CMR 451.110(A)* Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

Mop Closet
105 CMR 451.353 Interior Maintenance: Ceiling paint damaged

LAUNDRY ROOM

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket inside chemical storage area

Intake

Inmate Bathroom B-1 No Violations Noted

Inmate Bathroom B-2 No Violations Noted

Holding Cells
105 CMR 451.353 Interior Maintenance: Ceiling vents dirty in holding cell area

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

Observations and Recommendations

1. The Inmate population was 147 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. At the time of inspection, 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: Jana Ferguson, Director, BEH
Steven Hughes, Director, CSP, BEH
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

