

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 12, 2015

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 28, 2015 accompanied by Lieutenant Andrew Mitzan, EHSO. Violations noted during the inspection are listed below including 46 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

(\* indicates conditions documented on previous inspection reports)

**MAIN BUILDING**

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

**4 Alley**

No Violations Noted

**8 Alley**

105 CMR 451.350  
 105 CMR 451.353  
 105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 115  
 Interior Maintenance: Wall left unfinished in cell # 127  
 Structural Maintenance: Floor damaged in cell # 127

**12 Alley**

105 CMR 451.353\*  
 105 CMR 451.353

Interior Maintenance: Wall paint peeling in cell # 165  
 Interior Maintenance: Wall paint peeling in cell # 176

**16 Alley**

105 CMR 451.353

Interior Maintenance: Wall paint peeling in cell # 219 and 220

## **Plant 4**

### *Bathroom*

105 CMR 451.123\*  
105 CMR 451.123\*  
105 CMR 451.123\*

Maintenance: Ceiling paint peeling in shower area  
Maintenance: Floor paint peeling in shower area  
Maintenance: Shower curtain missing in shower # 1

### *Cells*

105 CMR 451.353

Interior Maintenance: Ceiling paint peeling in cell # 3 and 5

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

### **3 Alley**

105 CMR 451.350  
105 CMR 451.350  
105 CMR 451.353\*

Structural Maintenance: Wall damaged around toilet in cell # 33, 43, and 46  
Structural Maintenance: Floor damaged around toilet in cell # 48  
Interior Maintenance: Ceiling paint peeling in cell # 46

### **7 Alley**

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

Interior Maintenance: Ceiling paint peeling in cell # 99, 105, and 106  
Interior Maintenance: Ceiling paint peeling in cell # 101 and 110  
Structural Maintenance: Wall damaged in cell # 100 and 108  
Structural Maintenance: Wall damaged in cell # 101 and 107

### **11 Alley**

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 159

### **15 Alley**

No Violations Noted

## **Plant 3**

### *Bathroom*

105 CMR 451.123  
105 CMR 451.123

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

### *Cells*

105 CMR 451.353\*

Interior Maintenance: Ceiling paint peeling in cell # 1, 2, 3, 4, and 10

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

### **Health Services**

#### *Female Staff Bathroom*

105 CMR 451.126

Hot Water: Hot water temperature recorded at 69<sup>0</sup>F

#### *Copy Room*

105 CMR 451.353\*

Interior Maintenance: Ceiling paint peeling

#### *Nurse's Station*

No Violations Noted

#### *Offices*

105 CMR 451.353\*

Interior Maintenance: Ceiling paint peeling

#### *Exam Room*

105 CMR 451.353\*

Interior Maintenance: Ceiling paint peeling

**14 Alley**

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

Interior Maintenance: Ceiling paint peeling in cell # 192, 195, 196, and 200  
Interior Maintenance: Wall paint peeling in cell # 200  
Interior Maintenance: Wall paint peeling in cell # 195

**10 Alley**

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 149

**6 Alley**

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

Structural Maintenance: Wall damaged in cell # 82 and 92  
Structural Maintenance: Wall damaged in cell # 85 and 86  
Interior Maintenance: Ceiling paint peeling in cell # 85, 92, and 93  
Interior Maintenance: Ceiling paint peeling in cell # 84, 90, and 94

**2 Alley**

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

Structural Maintenance: Wall damaged in cell # 19  
Structural Maintenance: Wall damaged in cell # 20  
Structural Maintenance: Ceiling damaged in cell # 17

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

**1 Alley**

105 CMR 451.353  
105 CMR 451.350\*  
105 CMR 451.350

Interior Maintenance: Wall paint peeling in cell # 9  
Structural Maintenance: Wall damaged in cell # 6 and 7  
Structural Maintenance: Wall damaged in cell # 4

**5 Alley**

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

Interior Maintenance: Wall paint peeling in cell # 73 and 75  
Interior Maintenance: Ceiling paint peeling in cell # 65  
Interior Maintenance: Ceiling paint peeling in cell # 73 and 75

**9 Alley**

*Cells*

105 CMR 451.350\*  
105 CMR 451.350\*

Structural Maintenance: Wall damaged in cell # 136  
Structural Maintenance: Ceiling damaged in cell # 136

*Barbershop*

No Violations Noted

**13 Alley**

*Property*

No Violations Noted

*Male Staff Bathroom*

No Violations Noted

*Cells*

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 184

*Slop Sink – Maintenance Closet*

No Violations Noted

**KITCHEN**

*Cooler # 1*

Unable to Inspect – No Access

*Mop Closet*

No Violations Noted

*Dishwashing Machine Area*

FC 6-201.11\*

Design, Construction and Installation: Floor not easily cleanable, floor damaged under warewashing machine

FC 6-202.15(A)(2)

Design, Construction, and Installation; Functionality: Outer door not weather and vermin tight

*Kitchen Office*

Unable to Inspect – No Access

*Dry Storage*

FC 6-201.16(A)\*

Design, Construction, and Installation; Cleanability: Walls not easily cleanable, paint peeling

*Dining Area*

No Violations Noted

*Freezer*

Unable to Inspect – No Access

*Milk Cooler*

Unable to Inspect – No Access

**DAY ROOM**

105 CMR 451.353\*

Interior Maintenance: Wall paint peeling

105 CMR 451.350\*

Structural Maintenance: Wall damaged near television

105 CMR 451.353

Interior Maintenance: Pipe insulation damaged at entrance

*Bathroom*

105 CMR 451.121(A)\*

Unable to Fully Inspect – Showers in Use

105 CMR 451.119\*

Privacy: No privacy partition in between showers

Bathing Facilities: Inadequate shower to inmate ratio, 6 showers to 193 inmates

*Mop Closet*

105 CMR 451.353\*

Interior Maintenance: Exposed wires

105 CMR 451.350

Structural Maintenance: Ceiling damaged

**LAUNDRY ROOM**

No Violations Noted

**ADMINISTRATION AREA**

**Intake**

*Inmate Bathroom*

105 CMR 451.123\*

Maintenance: Wall damaged in inmate bathroom # 1

*Female Bathroom*

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*

No Violations Noted

*Staff Break Room*

FC 4-903.11(A)(2)\*

Protection of Clean Items, Storing: Single-service items not protected from contamination, utensils left uncovered

FC 4-602.12(B)

Cleaning of Equipment and Utensils; Frequency: Interior of microwave oven dirty

**Observations and Recommendations**

1. The inmate population was 193 at the time of inspection.
2. At the time of inspection:
  - a. All inmates were showering in the Day Room. The only showers used within the main facility are inside the Plant blocks; and
  - b. The kitchen was not in use. The food is prepared and transferred from the Bristol County House of Correction.

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.

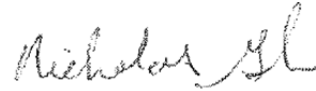
To review the specific regulatory requirements please visit our website at [www.mass.gov/dph/dcs](http://www.mass.gov/dph/dcs) and click on "Correctional Facilities" (available in both PDF and RTF formats).

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: Suzanne K. Condon, Associate Commissioner, Director, BEH  
Steven Hughes, Director, CSP, BEH  
Jay Youmans, Director of Government Affairs  
Marylou Sudders, Secretary, Executive Office of Health and Human Services  
Carol Higgins O'Brien, 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, EOPS