



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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February 14, 2022

James M. Cummings, Sheriff
Barnstable County Correctional Facility
6000 Sheriff's Place
Bourne, MA 02532 (electronic copy)

Re: Facility Inspection - Barnstable County Correctional Facility, Bourne

Dear Sheriff Cummings:

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 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 Barnstable County Correctional Facility on February 7, 2022 accompanied by Lieutenant Ken Shaffer. Violations noted during the inspection are listed below including 26 repeat violations:

Should you have any questions, please don't hesitate to contact me.

Sincerely,

Patrick Wallace
Environmental Health Inspector, CSP, BEH

cc: Margret R. Cooke, Commissioner, DPH
Nalina Narain, Director, BEH
Steven Hughes, Director, CSP, BEH
Marylou Sudders, 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)
Robert Ahonen, Superintendent (electronic copy)
Lieutenant Kenneth R. Shaffer, Policies Procedures and Compliance, EHSO (electronic copy)
Terri Guarino, RS, Health Agent, Bourne Board of Health (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)

Entrance

Male Bathroom

No Violations Noted

Female Bathroom

No Violations Noted

Administration Area

Staff Break Room

105 CMR 451.200

Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty

105 CMR 451.200

Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, single-use utensils left uncovered and open to contamination

Fitness Room

Unable to Inspect – Not in Use

Female Locker Room

No Violations Noted

Male Locker Room

No Violations Noted

House 1

Triage

No Violations Noted

Pod A

Main Area

105 CMR 451.126

Hot Water: Hot water temperature 68°F at handwash sink

Staff Bathroom

No Violations Noted

Interview Room

No Violations Noted

Storage

No Violations Noted

Showers – 1st Floor

105 CMR 451.123*

Maintenance: Soap scum on walls in shower # 2

Day Room Shower – 1st Floor

No Violations Noted

Janitor's Closet – 1st Floor

No Violations Noted

Showers – 2nd Floor
105 CMR 451.123

Maintenance: Soap scum on walls in shower # 3

Janitor's Closet – 2nd Floor

Unable to Inspect – Locked

Cells
105 CMR 451.321*

Cell Size: Inadequate floor space in cells, cells double bunked

Recreation Area

No Violations Noted

Pod B

Main Area

No Violations Noted

Storage Room

No Violations Noted

Staff Bathroom

No Violations Noted

Multi-Use Room

No Violations Noted

Interview Room

No Violations Noted

Showers
105 CMR 451.123*

Maintenance: Soap scum on floor outside showers

Janitor's Closet

No Violations Noted

Cells
105 CMR 451.321*

Cell Size: Inadequate floor space in cells, cells double bunked

Recreation Area

No Violations Noted

Pod B/C Bubble

Staff Bathroom

No Violations Noted

Pod C

Unable to Inspect – Quarantine/Isolation Unit

House 2

Main Hallway

Triage Room

No Violations Noted

Pod D

Unable to Inspect – Quarantine/Isolation Unit

D/E Corridor

Staff Bubble

No Violations Noted

Staff Bathroom

No Violations Noted

Triage

No Violations Noted

Storage

No Violations Noted

Pod E

Main Area

105 CMR 451.126

Hot Water: Hot water temperature 105°F at handwash sink

Storage Room

No Violations Noted

Shower – 1st Floor

No Violations Noted

Day Room Shower

No Violations Noted

Janitor's Closet – 1st Floor

No Violations Noted

Showers – 2nd Floor

No Violations Noted

Janitor's Closet – 2nd Floor

No Violations Noted

Cells

105 CMR 451.321*

Cell Size: Inadequate floor space in cells, cells double banded

Recreation Area

No Violations Noted

Pod F

Main Area

No Violations Noted

Storage

No Violations Noted

<i>Shower</i> 105 CMR 451.123	Maintenance: Soap scum on floor
<i>Janitor's Closet</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.103	Mattresses: Mattress damaged in cell # 3
<i>Recreation Area</i>	No Violations Noted
F/G Bubble	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
Pod G	
<i>Main Area</i>	No Violations Noted
<i>Storage Closet</i>	No Violations Noted
<i>Shower – 1st Floor</i> 105 CMR 451.123*	Maintenance: Floor dirty in shower # 1
<i>Janitor's Closet – 1st Floor</i>	No Violations Noted
<i>Shower – 2nd Floor</i>	No Violations Noted
<i>Janitor's Closet – 2nd Floor</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double bunked
<i>Recreation Area</i>	No Violations Noted
Pod H	
<i>Main Area</i>	No Violations Noted
<i>Shower – 1st Floor</i>	No Violations Noted
<i>Janitor's Closet – 1st Floor</i>	No Violations Noted

Shower – 2nd Floor

No Violations Noted

Janitor's Closet – 2nd Floor

No Violations Noted

Cells

105 CMR 451.321*

Cell Size: Inadequate floor space in cells, cells double bunked

Recreation Area

No Violations Noted

Chapel

No Violations Noted

House 3

Main Hallway

Triage Room

No Violations Noted

PRC Corridor

No Violations Noted

Pod J

Main Area

105 CMR 451.200*

Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty

Staff Bathroom

No Violations Noted

Storage Closet

No Violations Noted

Showers – 1st Floor

No Violations Noted

Janitor's Closet – 1st Floor

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, faucet leaking at slop sink

Showers – 2nd Floor

105 CMR 451.123

Maintenance: Wall tile grout dirty in shower # 1, 2, and 3

Janitor's Closet – 2nd Floor

105 CMR 451.353*

Interior Maintenance: Wall paint damaged

Cells

105 CMR 451.321*

Cell Size: Inadequate floor space in cells, cells double bunked

105 CMR 451.353*

Interior Maintenance: Wall surface damaged near door in cell # 24

105 CMR 451.353*

Interior Maintenance: Wall surface damaged near door in cell # 30

105 CMR 451.353

Interior Maintenance: Door hardware damaged in cell # 34

Recreation Area

No Violations Noted

Pod K

Main Area

No Violations Noted

Staff Bathroom

No Violations Noted

Storage Closet

No Violations Noted

Showers – 1st Floor

105 CMR 451.123*

Maintenance: Floor dirty in shower # 2

Janitor's Closet – 1st Floor

No Violations Noted

Showers – 2nd Floor

No Violations Noted

Janitor's Closet – 2nd Floor

No Violations Noted

Cells

105 CMR 451.321*

105 CMR 451.103

105 CMR 451.353

Cell Size: Inadequate floor space in cells, cells double bunked

Mattresses: Mattress damaged in cell # 3

Interior Maintenance: Wall paint damaged in cell # 27

Recreation Area

No Violations Noted

Pod L

Main Area

No Violations Noted

Staff Bathroom

No Violations Noted

Storage

No Violations Noted

Showers – 1st Floor

105 CMR 451.123

105 CMR 451.123

Maintenance: Floor dirty in shower # 3

Maintenance: Floor epoxy damaged in shower # 1

Janitor's Closet – 1st Floor

No Violations Noted

Showers – 2nd Floor

105 CMR 451.123	Maintenance: Soap scum on floor in shower # 1, 2, and 3
<i>Janitor's Closet – 2nd Floor</i>	
105 CMR 451.353	Interior Maintenance: Unlabeled chemical bottle observed
<i>Cells</i>	
105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double bunked
105 CMR 451.353	Interior Maintenance: Water pooling on floor in cell # 12
<i>Recreation Area</i>	
105 CMR 451.353	Interior Maintenance: Wall paint damaged
Pod M	
<i>Main Area</i>	
105 CMR 451.353	Interior Maintenance: Floor tiles missing under handwash sink
<i>Staff Bathroom</i>	
	No Violations Noted
<i>Storage Closet</i>	
	No Violations Noted
<i>Showers – 1st Floor</i>	
105 CMR 451.123*	Maintenance: Floor dirty in shower # 1
105 CMR 451.123*	Maintenance: Wall tile grout moldy in shower # 1
<i>Janitor's Closet – 1st Floor</i>	
105 CMR 451.353	Interior Maintenance: Wet mop stored upside down
<i>Showers – 2nd Floor</i>	
105 CMR 451.123	Maintenance: Floor dirty in shower # 1, 2, and 3
105 CMR 451.123	Maintenance: Wall tile grout dirty in shower # 1, 2, and 3
<i>Janitor's Closet – 2nd Floor</i>	
	No Violations Noted
<i>Cells</i>	
105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double bunked
105 CMR 451.353	Interior Maintenance: Wall paint damaged in cell # 7
105 CMR 451.353	Interior Maintenance: Water pooling on floor in cell # 11
<i>Recreation Area</i>	
	No Violations Noted

Food Service

<i>Male Staff Bathroom</i>	No Violations Noted
<i>Female Staff Bathroom</i>	No Violations Noted

Staff Dining

No Violations Noted

Kitchen

FC 6-501.12(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty throughout

FC 6-501.114(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Non-functional equipment not repaired or removed from premises, non-functional cooler left outside electrical closet # SV124

Staff Bathroom # 121

No Violations Noted

Inmate Bathroom # 122

FC 5-205.15(B) Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, hot water not working at handwash sink

Pots and Pans Storage

FC 6-501.12(A)* Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, drying racks dirty

Handwash Sink (near Pots and Pans Storage)

No Violations Noted

Ice Machine

No Violations Noted

Handwash Sink (near Ice Machine)

No Violations Noted

Chemical Closet # SV123

No Violations Noted

Tool Room # SV119

No Violations Noted

Handwash Sink (near # SV124)

FC 5-205.15(B) Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, faucet leaking

Spice Rack

FC 6-501.12(A)* Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, appearance of flour residue covering the exterior of food containers while stored on rack

FC 6-501.12(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, rack dirty

FC 6-501.12(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty under rack

FC 3-202.15 Sources, Specifications; Specifications for Receiving: Food packages not in good condition^{Pf}

<i>Walk-In Freezer</i> FC 6-501.12(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, ice build-up observed on ceiling
<i>Cooler # 1</i> FC 6-501.12(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty
<i>Cooler # 2</i> FC 6-501.12(A)*	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty
FC 6-501.12(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, ice build-up observed next to fans
<i>2-Compartment Sink Area</i> FC 4-501.114(C)(2)	Maintenance and Operation; Equipment: Quaternary ammonium compound (QAC) solution lower than the manufacturers recommended concentration
<i>Prep Area</i> FC 4-501.114(C)(2)	Maintenance and Operation; Equipment: Quaternary ammonium compound (QAC) solution lower than the manufacturers recommended concentration
FC 6-501.11	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not in good repair, can opener dirty
<i>Oven Area</i> FC 6-501.12(A)*	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, oven handles dirty
FC 6-501.12(A)*	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, interior and exterior of oven doors dirty
<i>Kettle Area</i> FC 6-501.12(A)*	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty under kettles and water boiling unit
FC 6-501.12(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, exterior of kettles dirty
FC 4-501.11(A)	Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, left side kettle out-of-order
<i>True Cooler</i> FC 6-501.114(A)*	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Non-functional equipment not repaired or removed from premises
<i>True Warming Units</i>	No Violations Noted
<i>Tool Closet # SV 129</i>	No Violations Noted
<i>Dry Storage # SV126</i> FC 6-501.12(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty
<i>Dry Storage # SV125</i> FC 6-501.12(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty

Inmate Break Area

No Violations Noted

Dishwashing Area

FC 4-302.13*

Numbers and Capacities, Utensils, Temperature Measuring Devices, and Testing Devices: No irreversible registering temperature measuring device readily accessible to measure the surface temperature of the utensil^{Pf}

FC 4-204.113

Design and Construction, Functionality: Warewashing machine missing an easily accessible and readable data plate

Loading Dock

No Violations Noted

Warehouse

Maintenance Area

No Violations Noted

Bathroom

No Violations Noted

Laundry

Inmate Bathroom

No Violations Noted

Office

No Violations Noted

Storage

No Violations Noted

Visiting

No Violations Noted

Programs

Female Bathroom # PR127

No Violations Noted

Male Bathroom # PR126

No Violations Noted

Offices

No Violations Noted

Education

Classrooms

	No Violations Noted
<i>Library</i>	No Violations Noted
<i>Inmate Bathroom # PR117</i>	No Violations Noted
<i>Inmate Bathroom # PR116</i>	No Violations Noted
<u>H.S.U.</u>	No Violations Noted
<i>Medical Waste</i>	No Violations Noted
<i>Inmate Bathroom # 138</i>	No Violations Noted
<i>Exam Room # 136</i>	No Violations Noted
<i>Lab # 135</i>	No Violations Noted
<i>Watch Cell # 134</i>	No Violations Noted
<i>Janitor's Closet # 133</i>	No Violations Noted
<i>Biohazard Closet # 132</i>	No Violations Noted
<i>Storage Closet # 131</i>	No Violations Noted
<i>Storage Closet # 130</i>	Unable to Inspect – Locked
<i>Exam Room # 128</i>	No Violations Noted
<i>Medical Records # 127</i>	No Violations Noted
<i>Conference Room # 125</i>	No Violations Noted
<i>Dental Suite # 124</i>	No Violations Noted
<i>Storage # 123</i>	Unable to Inspect – Locked
<i>Mental Health # 122</i>	

Unable to Inspect – Locked

Offices # 117

No Violations Noted

Medical Cart Storage # 116

No Violations Noted

Equipment Storage # 115

No Violations Noted

Female Staff Bathroom # 113

No Violations Noted

Male Staff Bathroom # 111

No Violations Noted

Booking/Intake

Holding Cells 112-114

No Violations Noted

Count Office # IN116

No Violations Noted

Records # IN111

No Violations Noted

Property # 118

No Violations Noted

Male Release Dressout # 122

No Violations Noted

Female Release Dressout # 121

No Violations Noted

Search Showers # 123 and 124

No Violations Noted

Female Staff Bathroom # 119

No Violations Noted

Officer's Area

No Violations Noted

Janitor's Closet # 132

105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle observed

Triage # 128

No Violations Noted

Male Staff Bathroom # 127

No Violations Noted

Office # 125

No Violations Noted

Male Inmate Bathroom # 134

No Violations Noted

Female Inmate Bathroom # 151

No Violations Noted

Staff Bathroom # 145

No Violations Noted

Inmate Bathroom # 147

No Violations Noted

Holding Cells # 135 - 137

No Violations Noted

Transportation Office

No Violations Noted

Wood Shop

No Violations Noted

Print Shop

Staff Bathroom # 158

No Violations Noted

Inmate Bathroom # 159

No Violations Noted

Observations and Recommendations

1. The inmate population was 173 at the time of inspection.
2. Pod C and Pod D were the COVID-19 quarantine/isolation areas. There were 11 inmates housed in Pod C and 1 inmate housed in Pod D.
3. At the time of inspection the Department recommended that all showers be identified with a numbering system. This will assist the Department and correctional employees to better recognize where issues exist.

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, BEH