



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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May 25, 2018

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

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 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 Barnstable County Correctional Facility on April 20, 2018 accompanied by Captain Scott Hennessey. Violations noted during the inspection are listed below including 20 repeat violations:

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

Entrance

Male Bathroom

No Violations Noted

Female Bathroom

No Violations Noted

House 1

Triage

No Violations Noted

Pod A

Main Area

105 CMR 451.353* Interior Maintenance: Ceiling tiles water damaged

Staff Bathroom

No Violations Noted

Storage

105 CMR 451.123

Maintenance: Soap scum on floor in the lockup shower

Showers – 1st Floor

No Violations Noted

Janitor's Closet – 1st Floor

105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

Showers – 2nd Floor

No Violations Noted

Janitor's Closet – 2nd Floor

105 CMR 451.344

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

Cells

105 CMR 451.321*

Cell Size: Inadequate floor space in all cells

105 CMR 451.353

Interior Maintenance: Wall paint damaged in cell # 32

Recreation Area

No Violations Noted

Pod B

Main Area

105 CMR 451.126

Hot Water: Hot water temperature recorded at 72°F

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 walls in handicapped shower

105 CMR 451.123*

Maintenance: Soap scum on floor in handicapped shower

Janitor's Closet

No Violations Noted

Cells

105 CMR 451.321*

Cell Size: Inadequate floor space in all cells

Recreation Area

No Violations Noted

Pod C

Main Area

No Violations Noted

Staff Bathroom

No Violations Noted

Multi-Use Room

No Violations Noted

Interview Room

105 CMR 451.353

Interior Maintenance: Ceiling surface damaged

Janitor's Closet – 1st Floor

105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

Showers – 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 all cells

Recreation Area

No Violations Noted

House 2

Main Hallway

Triage Room

105 CMR 205.103(B)

Examinations: Handwash sink not equipped with non-hand operated controls

Pod D – Closed

Main Area

No Violations Noted

Storage Room

No Violations Noted

Shower – 1st Floor

105 CMR 451.123

Maintenance: Soap scum on floor in shower

Janitor's Closet – 1st Floor

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 all cells

Recreation Area

No Violations Noted

Pod E

Main Area

No Violations Noted

Showers – 1st Floor

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, day room shower leaking

Janitor's Closet – 1st Floor

105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

Showers – 2nd Floor

105 CMR 451.123

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

Janitor's Closet – 2nd Floor

No Violations Noted

Cells

105 CMR 451.321*

Cell Size: Inadequate floor space in all cells

Storage Room

No Violations Noted

Recreation Area

No Violations Noted

Pod F

Main Area

No Violations Noted

Showers

No Violations Noted

Janitor's Closet

No Violations Noted

Cells

No Violations Noted

Recreation Area

105 CMR 451.353

Interior Maintenance: Standing water underneath garage door window

Pod G

Main Area

No Violations Noted

Shower – 1st Floor

No Violations Noted

Janitor's Closet – 1st Floor

105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

Shower – 2nd Floor
105 CMR 451.123*

Maintenance: Soap scum on floor

Janitor's Closet – 2nd Floor

No Violations Noted

Cells
105 CMR 451.321*

Cell Size: Inadequate floor space in all cells

Storage Closet

No Violations Noted

Recreation Area

No Violations Noted

Pod H

Main Area

No Violations Noted

Shower – 1st Floor
105 CMR 451.130
105 CMR 451.123

Plumbing: Plumbing not maintained in good repair, shower leaking
Maintenance: Soap scum on floor in shower

Janitor's Closet – 1st Floor
105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

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 all cells

Recreation Area

No Violations Noted

House 3

Main Hallway

Triage Room

No Violations Noted

Pod J

Main Area

No Violations Noted

Staff Bathroom

No Violations Noted

Storage Closet

No Violations Noted

Showers – 1st Floor

Unable to Inspect – In Use

Janitor's Closet – 1st Floor
105 CMR 451.350*

Structural Maintenance: Water leaking from shower into closet

Showers – 2nd Floor

No Violations Noted

Janitor's Closet – 2nd Floor
105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

Cells
105 CMR 451.321*

Cell Size: Inadequate floor space in all cells

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*
105 CMR 451.123

Maintenance: Wall tiles damaged in handicapped shower
Maintenance: Soap scum on floor in shower # 2, 3, and the handicapped shower

Janitor's Closet – 1st Floor

No Violations Noted

Showers – 2nd Floor
105 CMR 451.123

Maintenance: Exterior of doors stained in shower # 1, 2, and 3

Janitor's Closet – 2nd Floor

No Violations Noted

Cells
105 CMR 451.321*

Cell Size: Inadequate floor space in all cells

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

Maintenance: Exterior of doors stained in shower # 1, 2, and 3

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

No Violations Noted

Cells

105 CMR 451.321*

Cell Size: Inadequate floor space in all cells

Recreation Area

No Violations Noted

Pod M

Main Area

105 CMR 451.200

Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, no functioning thermometer in refrigerator

Staff Bathroom

No Violations Noted

Storage Closet

No Violations Noted

Showers – 1st Floor

105 CMR 451.123*

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1

Maintenance: Soap scum on floor in shower # 1

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 all cells

Recreation Area

No Violations Noted

Food Service

Male Staff Bathroom

No Violations Noted

Female Staff Bathroom

No Violations Noted

Staff Dining

FC 5-205.11(B)

Plumbing System, Operations and Maintenance: Handwashing sink used for an unapproved purpose, trash stored in handwash sink

Kitchen

Pots and Pans Storage

FC 4-903.11(B)(1)

Protection of Clean Items, Storing: Pots, pans, and cutting boards not stored in a self-draining position

FC 4-901.11(A)

Protection of Clean Items, Drying: Clean and sanitized equipment not allowed to air dry fully

Ice Machine

No Violations Noted

Handwash Sink (near Ice Machine)

No Violations Noted

Chemical Closet # SV123

FC 6-501.12(A)

Maintenance and Operation; Cleaning: Facility not cleaned properly, standing water on floor under rack

Tool Room # SV119

No Violations Noted

Walk-In Freezer

FC 6-501.11

Maintenance and Operation; Repairing: Facility not in good repair, 1 fan out-of-order

Cooler # 1

No Violations Noted

Cooler # 2

No Violations Noted

2-Compartment Sink Area

No Violations Noted

Prep Area

No Violations Noted

True Cooler

FC 4-204.112(A)

Design and Construction, Functionality: No functioning thermometer in refrigerator unit

True Warming Units

FC 4-501.11(B)

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, warmer gaskets damaged in warmer # 1 and 2

Tool Closet # SV 129

No Violations Noted

Dishwashing Area

FC 6-501.12(A)

Maintenance and Operation; Cleaning: Facility not cleaned properly, floor dirty under warewash machine

Staff Bathroom # 121

No Violations Noted

Inmate Bathroom # 122

No Violations Noted

Dry Storage # SV126

No Violations Noted

Dry Storage # SV125

No Violations Noted

Loading Dock

No Violations Noted

Warehouse

Bathroom

No Violations Noted

Laundry

No Violations Noted

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

105 CMR 451.353

Interior Maintenance: Ceiling dirty

Offices

No Violations Noted

Education

Inmate Bathroom # PR117

105 CMR 451.353

Interior Maintenance: Ceiling vent dusty

Inmate Bathroom # PR116

No Violations Noted

H.S.U.

105 CMR 451.200	Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, no functioning thermometer in grey refrigerator
<i>Inmate Bathroom # 138</i>	Unable to Inspect - Locked
<i>Exam Room # 136</i>	No Violations Noted
<i>Lab # 135</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>	No Violations Noted
<i>Exam Room # 128</i>	No Violations Noted
<i>Storage # 127</i>	No Violations Noted
<i>Conference Room # 125</i>	No Violations Noted
<i>Dental Suite # 124</i> 105 CMR 451.110(A)	Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink
<i>Storage # 123</i>	No Violations Noted
<i>Mental Health # 122</i>	No Violations Noted
<i>Cell # HL134</i>	No Violations Noted
<i>Medical Cart Storage # 116</i>	No Violations Noted
<i>Equipment Storage # 115</i>	No Violations Noted
<i>Female Staff Bathroom # 113</i> 105 CMR 451.123*	Maintenance: Ceiling vent dusty

Male Staff Bathroom # 111

No Violations Noted

Booking/Intake

Officer's Area

No Violations Noted

Holding Cells # 1-3

No Violations Noted

Janitor's Closet # 132

No Violations Noted

Triage # 128

No Violations Noted

Male Staff Bathroom # 127

No Violations Noted

Search Showers # 123 and 124

No Violations Noted

Male Release Dressout # 122

No Violations Noted

Female Release Dressout # 121

No Violations Noted

Female Staff Bathroom # 119

No Violations Noted

Property # 118

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

Transportation Office

No Violations Noted

Cells

No Violations Noted

Print Shop

Staff Bathroom # 158

No Violations Noted

Inmate Bathroom # 159

Unable to Inspect – Locked

Observations and Recommendations

1. The inmate population was 306 at the time of inspection.
2. At the time of inspection:
 - a. 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; and
 - b. The Department observed that the hot water temperature in Pod B takes an excessive amount of time to come within compliance. Inmates complained that all sinks and showers must be run for a long period of time before water reaches minimum requirements. The Department recommends looking into this matter further so that hot water is achieved within a more appropriate time frame.
3. Hot water temperature range for handwash sinks is 110⁰F to 130⁰F.
4. Hot water temperature range for showers is 100⁰F to 112⁰F.

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
Ross Alper, Superintendent
Deputy Brian Chapman, EHSO
Ken Shaffer, Lieutenant
Terri Guarino, RS, Health Agent, Bourne Board of Health
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate
Daniel Bennett, Secretary, EOPSS
Nelson Alves, Director, Policy Development and Compliance Unit