



The Commonwealth of Massachusetts  
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 Bureau of Environmental Health  
 Community Sanitation Program  
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May 7, 2019

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 April 24, 2019 accompanied by Lieutenant Ken Shaffer. 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 451.126\*

Hot Water: Hot water temperature recorded at 78<sup>0</sup>F

*Staff Bathroom*

No Violations Noted

*Storage*

No Violations Noted

*Showers – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Floor dirty in shower # 1

*Day Room Shower – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Debris on floor

*Janitor's Closet – 1<sup>st</sup> Floor*

105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

*Showers – 2<sup>nd</sup> Floor*

No Violations Noted

*Janitor's Closet – 2<sup>nd</sup> Floor*

105 CMR 451.353

Interior Maintenance: Wet mop stored in sink

*Cells*

105 CMR 451.321\*

105 CMR 451.353

Cell Size: Inadequate floor space in all cells

Interior Maintenance: Ceiling dirty in cell # 27 and 29

*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: Drain flies observed in shower # 1 and the 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*

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, handwash sink push button leaks when pressed

### *Storage*

No Violations Noted

### *Multi-Use Room*

No Violations Noted

### *Interview Room*

No Violations Noted

### *Janitor's Closet – 1<sup>st</sup> Floor*

No Violations Noted

### *Showers – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Floor dirty in shower # 1

105 CMR 451.123\*

Maintenance: Floor dirty in shower # 2

105 CMR 451.123

Maintenance: Drain flies observed in shower # 3

### *Day Room Shower – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Floor dirty

### *Showers – 2<sup>nd</sup> Floor*

105 CMR 451.123

Maintenance: Soap scum on floor in shower # 3

### *Janitor's Closet – 2<sup>nd</sup> Floor*

105 CMR 451.353

Interior Maintenance: Wet mop stored in sink

### *Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

105 CMR 451.353

Interior Maintenance: Wall paint damaged in cell # 22 and 31

### *Recreation Area*

No Violations Noted

## **House 2**

### **Main Hallway**

#### *Triage Room*

Unable to Inspect – Locked

### **Pod D – Closed**

105 CMR 451.350

Structural Maintenance: Exterior ground water entering through wall/floor in cell # 4

### *Main Area*

No Violations Noted

<i>Storage Room</i>	No Violations Noted
<i>Shower – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Janitor’s Closet – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Shower – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Janitor’s Closet – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in all cells
<i>Recreation Area</i>	No Violations Noted
<b>Pod E</b>	
<i>Main Area</i>	No Violations Noted
<i>Showers – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Janitor’s Closet – 1<sup>st</sup> Floor</i> 105 CMR 451.353*	Interior Maintenance: Unlabeled chemical bottle
<i>Showers – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Janitor’s Closet – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in all cells
<i>Storage Room</i>	No Violations Noted
<i>Recreation Area</i>	No Violations Noted
<b>Pod F</b>	
<i>Main Area</i>	No Violations Noted
<i>Shower</i>	No Violations Noted

<i>Janitor's Closet</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.353	Interior Maintenance: Ceiling dirty in cell # 11
<i>Recreation Area</i>	No Violations Noted
<b>Pod G</b>	
<i>Main Area</i>	No Violations Noted
<i>Shower – 1<sup>st</sup> Floor</i>	Unable to Inspect – In Use
<i>Janitor's Closet – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Shower – 2<sup>nd</sup> Floor</i> 105 CMR 451.123 105 CMR 451.123	Maintenance: Debris on floor Maintenance: Ceiling dirty
<i>Janitor's Closet – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in all cells
<i>Storage Closet</i>	No Violations Noted
<i>Recreation Area</i>	No Violations Noted
<b>Pod H</b>	
<i>Main Area</i>	No Violations Noted
<i>Shower – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Janitor's Closet – 1<sup>st</sup> Floor</i>	Unable to Inspect – Locked
<i>Shower – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Janitor's Closet – 2<sup>nd</sup> Floor</i>	Unable to Inspect – Locked
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in all cells

*Recreation Area*

No Violations Noted

**House 3**

**Main Hallway**

*Triage Room*

Unable to Inspect – Locked

**Pod J**

*Main Area*

No Violations Noted

*Staff Bathroom*

No Violations Noted

*Storage Closet*

No Violations Noted

*Showers – 1<sup>st</sup> Floor*

105 CMR 451.123\*  
105 CMR 451.123

Maintenance: Soap scum on walls in handicapped shower  
Maintenance: Drain flies observed in shower # 1

*Janitor's Closet – 1<sup>st</sup> Floor*

No Violations Noted

*Showers – 2<sup>nd</sup> Floor*

No Violations Noted

*Janitor's Closet – 2<sup>nd</sup> 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 – 1<sup>st</sup> Floor*

105 CMR 451.123\*

Maintenance: Soap scum on floor in shower # 3

*Janitor's Closet – 1<sup>st</sup> Floor*

No Violations Noted

*Showers – 2<sup>nd</sup> Floor*  
105 CMR 451.123

Maintenance: Drain flies observed in shower # 1, 2, and 3

*Janitor's Closet – 2<sup>nd</sup> Floor*

No Violations Noted

*Cells*  
105 CMR 451.321\*  
105 CMR 451.353\*

Cell Size: Inadequate floor space in all cells  
Interior Maintenance: Ceiling dirty in cell # 36

*Recreation Area*

No Violations Noted

## **Pod L**

*Main Area*

No Violations Noted

*Staff Bathroom*

No Violations Noted

*Storage*

No Violations Noted

*Showers – 1<sup>st</sup> Floor*

No Violations Noted

*Janitor's Closet – 1<sup>st</sup> Floor*

No Violations Noted

*Showers – 2<sup>nd</sup> Floor*

No Violations Noted

*Janitor's Closet – 2<sup>nd</sup> 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*

No Violations Noted

*Staff Bathroom*

No Violations Noted

*Storage Closet*

No Violations Noted

*Showers – 1<sup>st</sup> Floor*

No Violations Noted

*Janitor's Closet – 1<sup>st</sup> Floor*

No Violations Noted

*Showers – 2<sup>nd</sup> Floor*

No Violations Noted

*Janitor's Closet – 2<sup>nd</sup> 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 2-401.11\*

Hygienic Practices Food Contamination Prevention: Food service personnel eating in an inappropriate area

FC 4-501.11(B)\*

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, gaskets damaged inside True refrigerator

FC 3-304.15(A)

Preventing Contamination from Utensils: Inappropriate use of single-use gloves, cook touching multiple food items and nonfood-contact surfaces without changing gloves

FC 4-602.11(E)(4)(b)

Cleaning of Equipment and Utensils, Frequency: Beverage dispensing nozzles dirty

**Kitchen**

*Pots and Pans Storage*

FC 4-901.11(A)

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

*Ice Machine*

FC 3-304.12(A)

Preventing Contamination from Utensils: Ice scoop not stored properly

*Handwash Sink (near Ice Machine)*

No Violations Noted

*Chemical Closet # SV123*

FC 6-501.11

Maintenance and Operation; Repairing: Facility not in good repair, drain cover not secured in slop sink

*Tool Room # SV119*

No Violations Noted

*Walk-In Freezer*

FC 3-304.12(A)

Preventing Contamination from Utensils: Service utensils handle stored below the food and container line, scoop stored in flour container outside walk-in freezer

*Cooler # 1*

No Violations Noted



*Cooler # 2*

No Violations Noted

*2-Compartment Sink Area*

FC 2-401.11

Hygienic Practices Food Contamination Prevention: Food service personnel eating in an inappropriate area

FC 4-601.11(A)

Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, knives attached to 2-Compartment sink stored dirty

*Prep Area*

FC 4-501.11(B)

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, interior of oven doors dirty

*True Cooler*

FC 4-204.112(A)\*

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

FC 4-501.11(B)

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, refrigerator gaskets damaged

*True Warming Units*

No Violations Noted

*Tool Closet # SV 129*

No Violations Noted

*Dishwashing Area*

No Violations Noted

*Staff Bathroom # 121*

105 CMR 451.123

Maintenance: Unlabeled chemical bottle stored in bathroom

*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**

*Inmate Bathroom*

No Violations Noted

*Office*

No Violations Noted

<i>Storage</i>	No Violations Noted
<b><u>Visiting</u></b>	No Violations Noted
<b><u>Programs</u></b>	
<i>Female Bathroom # PR127</i>	No Violations Noted
<i>Male Bathroom # PR126</i>	No Violations Noted
<i>Offices</i>	No Violations Noted
<b><u>Education</u></b>	
<i>Inmate Bathroom # PR117</i>	No Violations Noted
<i>Inmate Bathroom # PR116</i>	No Violations Noted
<b><u>H.S.U.</u></b>	
<i>Inmate Bathroom # 138</i>	No Violations Noted
<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>	No Violations Noted
<i>Storage # 123</i> 105 CMR 451.353	Interior Maintenance: Ceiling tiles water damaged
<i>Mental Health # 122</i> 105 CMR 451.353	Interior Maintenance: Ceiling tiles water damaged
<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>	No Violations Noted
<i>Male Staff Bathroom # 111</i>	No Violations Noted
<b><u>Booking/Intake</u></b>	
<i>Count Office # IN116</i>	No Violations Noted
<i>Records # IN111</i>	No Violations Noted
<i>Officer's Area</i>	No Violations Noted
<i>Holding Cells # 135 - 137</i>	No Violations Noted
<i>Janitor's Closet # 132</i> 105 CMR 451.353	Interior Maintenance: Wet mop stored in sink
<i>Triage # 128</i>	Unable to Inspect – Locked
<i>Male Staff Bathroom # 127</i>	No Violations Noted
<i>Search Showers # 123 and 124</i>	No Violations Noted
<i>Male Release Dressout # 122</i>	No Violations Noted
<i>Female Release Dressout # 121</i>	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*  
No Violations Noted

**Observations and Recommendations**

1. The inmate population was 316 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. There were no inmates housed in Pod D because it was closed. The Department observed all cells to be double-bunked and the potential for overcrowded cells exists if inmates were to be housed in this Pod at a later date.

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 or download a copy, please visit the Food Protection website at [www.mass.gov/dph/fpp](http://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](http://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,



Nicholas Gale  
Environmental Health Inspector, CSP, BEH

cc: Monica Bharel, MD, MPH, Commissioner, DPH  
Jana Ferguson, 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)  
Thomas Turco, Secretary, EOPSS (electronic copy)  
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Terri Guarino, RS, Health Agent, Bourne Board of Health (electronic copy)  
Clerk, Massachusetts House of Representatives  
Clerk, Massachusetts Senate