



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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December 10, 2015

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: Minimum Requirements for the Management of 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 November 23, 2015 accompanied by Deputy Ken Shaffer. Violations noted during the inspection are listed below including 18 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*

No Violations Noted

*Showers – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Floor surface damaged in shower # 2

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

105 CMR 451.353

Interior Maintenance: Wet mop stored in sink

*Showers – 2<sup>nd</sup> Floor*

105 CMR 451.123

Maintenance: Ceiling tiles rusted outside showers

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

No Violations Noted

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in cell # A1-A36

105 CMR 451.350

Structural Maintenance: Exterior water penetrating foundation in cell # 7 and 8

*Storage*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod B**

*Main Area*

105 CMR 451.126

Hot Water: Handwash sink hot water temperature recorded at 74<sup>0</sup>F

*Storage Room*

No Violations Noted

*Officer's Bathroom*

No Violations Noted

*Multi-Use Room*

No Violations Noted

*Interview Room*

No Violations Noted

*Recreation Area*

No Violations Noted

*Showers*

No Violations Noted

*Janitor's Closet*

105 CMR 451.353\*

Interior Maintenance: Vent dusty

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in cell # B1-B16

**Pod C**

*Main Area*

No Violations Noted

*Officer's Bathroom*

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: Mold on ceiling outside shower # 1-3

*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\*

105 CMR 451.353

Cell Size: Inadequate floor space in cell # C1-C32

Interior Maintenance: Wall paint peeling in cell # 24

*Recreation Area*

No Violations Noted

**House 2**

**Pod D**

*Main Area*

No Violations Noted

*Shower – 1<sup>st</sup> Floor*

No Violations Noted

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

No Violations Noted

*Shower – 2<sup>nd</sup> Floor*

No Violations Noted

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

No Violations Noted

*Cells*

105 CMR 451.321\*

105 CMR 451.350

Cell Size: Inadequate floor space in cell # D1-D12

Structural Maintenance: Exterior water penetrating foundation in cell # 4

*Storage Room*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod E***Main Area*

No Violations Noted

*Showers – 1<sup>st</sup> Floor*  
105 CMR 451.123

Maintenance: Floor dirty 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*

No Violations Noted

*Cells*  
105 CMR 451.321\*  
105 CMR 451.353Cell Size: Inadequate floor space in cell # E1-E24  
Interior Maintenance: Wall paint peeling in cell # 24*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*

No Violations Noted

**Pod G***Main Area*

No Violations Noted

*Shower – 1<sup>st</sup> Floor*

Unable to Inspect – In Use

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

No Violations Noted

*Shower – 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 cell # G1-G12

*Storage Closet*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod H**

*Main Area*

No Violations Noted

*Shower – 1<sup>st</sup> Floor*

No Violations Noted

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

No Violations Noted

*Shower – 2<sup>nd</sup> Floor*

No Violations Noted

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

105 CMR 451.353

Interior Maintenance: Light bulb out

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in cell # H1-H12

*Recreation Area*

No Violations Noted

**House 3**

**Main Hallway**

*Triage Room*

No Violations Noted

**Pod J**

*Main Area*

FC 4-204.112(A)\*

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

*Storage Closet*

No Violations Noted

*Showers – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 3

*Janitor's Closet – 1<sup>st</sup> Floor*  
105 CMR 451.350                      Structural Maintenance: Exterior water penetrating foundation in cell # 4

*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 cell # J1-J36

*Recreation Area*  
No Violations Noted

**Pod K**

*Main Area*  
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*  
105 CMR 451.123\*                      Maintenance: Soap scum on walls in shower # 2 and 3

*Janitor's Closet – 2<sup>nd</sup> Floor*  
No Violations Noted

*Cells*  
105 CMR 451.321\*                      Cell Size: Inadequate floor space in cell # K1-K36

*Recreation Area*  
No Violations Noted

**Pod L**

*Main Area*  
FC 4-204.112(A)                      Design and Construction, Functionality: No functioning thermometer in white refrigerator

*Officer's Bathroom*  
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: Floor dirty in shower # 2

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

No Violations Noted

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in cell # L1-L36

*Recreation Area*

No Violations Noted

**Pod M**

*Main Area*

No Violations Noted

*Officer's 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*

105 CMR 451.353\*

Interior Maintenance: Slop sink leaking behind wall

*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 cell # M1-M36

*Recreation Area*

No Violations Noted

**Food Service**

*Male Staff Bathroom*

No Violations Noted

*Female Staff Bathroom*

No Violations Noted

**Staff Dining**

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

Protection of Clean Items, Storing: Single-service items not protected from contamination, utensils not stored with handles up

FC 6-201.11

Design, Construction and Installation: Floor not easily cleanable, tiles damaged in back corner

FC 6-501.12(A)

Maintenance and Operation; Cleaning: Facility not cleaned properly, interior of grill hood dirty

*Ice Machine*

No Violations Noted

*Handwash Sink (near Ice Machine)*

FC 5-205.15(B)\* Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking

*Chemical Closet # SV123*

No Violations Noted

*Tool Room # SV119*

No Violations Noted

*Walk-In Freezer*

No Violations Noted

*Cooler # 1*

FC 3-302.11(A)(4) Preventing Food and Ingredient Contamination: Preventing cross contamination, rice not appropriately covered

*Cooler # 2*

FC 3-302.11(A)(4) Preventing Food and Ingredient Contamination: Preventing cross contamination, butter not appropriately covered

*2-Bay Sink Area*

No Violations Noted

*Prep Area*

No Violations Noted

*True Cooler*

FC 3-302.11(A)(4) Preventing Food and Ingredient Contamination: Preventing cross contamination, chicken not appropriately covered

*True Warming Units*

No Violations Noted

*Tool Closet # SV 129*

No Violations Noted

*Dishwashing Area*

FC 5-205.15(B) Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking

*Staff Bathroom # 121*

No Violations Noted

*Inmate Bathroom # 122*

No Violations Noted

*Dry Storage # SV 126*

No Violations Noted

*Dry Storage # SV 125*

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

**H.S.U.***Inmate Bathroom # 138*

No Violations Noted

*Exam Room # 136*

No Violations Noted

*Lab # 135*

No Violations Noted

*Janitor's Closet # 133*

No Violations Noted

*Biohazard Closet # 132*

No Violations Noted

*Storage Closet # 131*

No Violations Noted

*Storage Closet # 132*

No Violations Noted

*Exam Room # 128*

No Violations Noted

*Storage # 127*

No Violations Noted

*Conference Room # 125*

No Violations Noted

*Dental Suite # 124*

No Violations Noted

<i>Cell # HL134</i>	No Violations Noted
<i>Medical Cart Storage</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>Officer's Area</i>	No Violations Noted
<i>Holding Cells # 1-3</i>	No Violations Noted
<i>Janitor's Closet # 132</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
<i>Male Staff Bathroom # 127</i>	No Violations Noted
<i>Female Staff Bathroom # 119</i> 105 CMR 451.123	Maintenance: Floor dirty
<i>Male Inmate Bathroom # 134</i>	No Violations Noted
<i>Female Inmate Bathroom # 151</i>	No Violations Noted
<i>Staff Bathroom # 145</i>	No Violations Noted
<i>Inmate Bathroom # 147</i>	No Violations Noted
<i>Cells</i>	No Violations Noted

**Education Area**

105 CMR 451.353 Interior Maintenance: Light out

*Inmate Bathroom # 116*

105 CMR 451.123 Maintenance: Floor dirty

*Inmate Bathroom # 117*

105 CMR 451.123 Maintenance: Mold on ceiling

*Male Staff Bathroom # 126*

No Violations Noted

*Female Staff Bathroom # 127*

No Violations Noted

**Observations and Recommendations**

1. The inmate population was 395 at the time of inspection.
2. 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](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,

A handwritten signature in dark ink, appearing to read "Nicholas Gale", with a stylized flourish at the end.

Nicholas Gale  
Environmental Health Inspector, CSP, BEH

cc: Jan Sullivan, Acting 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  
John Rogozenski, Superintendent  
Deputy Brian Chapman, EHSO  
Ken Shaffer, Lieutenant  
Cynthia A. Coffin, RS, CHO, Health Agent, Bourne Board of Health  
Clerk, Massachusetts House of Representatives  
Clerk, Massachusetts Senate  
Daniel Bennett, Secretary, EOPSS