

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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 Commissioner

Tel: 617-624-6000
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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 – 1st Floor

105 CMR 451.123

Maintenance: Floor surface damaged in shower # 2

Janitor's Closet – 1st Floor
105 CMR 451.353

Interior Maintenance: Wet mop stored in sink

Showers – 2nd Floor
105 CMR 451.123

Maintenance: Ceiling tiles rusted outside showers

Janitor's Closet – 2nd Floor

No Violations Noted

Cells
105 CMR 451.321*
105 CMR 451.350

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

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 – 1st Floor

No Violations Noted

Showers – 1st Floor

105 CMR 451.123

Maintenance: Mold on ceiling outside shower # 1-3

Showers – 2nd Floor

No Violations Noted

Janitor's Closet – 2nd 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 – 1st Floor

No Violations Noted

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*

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 – 1st Floor
105 CMR 451.123

Maintenance: Floor dirty 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*
105 CMR 451.353

Cell 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 – 1st Floor

Unable to Inspect – In Use

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 cell # G1-G12

Storage Closet

No Violations Noted

Recreation Area

No Violations Noted

Pod H

Main Area

No Violations Noted

Shower – 1st Floor

No Violations Noted

Janitor's Closet – 1st Floor

No Violations Noted

Shower – 2nd Floor

No Violations Noted

Janitor's Closet – 2nd 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 – 1st Floor

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 3

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

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 cell # J1-J36

Recreation Area
No Violations Noted

Pod K

Main Area
No Violations Noted

Showers – 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 # 2 and 3

Janitor's Closet – 2nd 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 – 1st Floor
105 CMR 451.123 Maintenance: Soap scum on floor in shower # 3

Janitor's Closet – 1st Floor
No Violations Noted

Showers – 2nd Floor
105 CMR 451.123 Maintenance: Floor dirty in shower # 2

Janitor's Closet – 2nd 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 – 1st Floor

No Violations Noted

Janitor's Closet – 1st Floor

105 CMR 451.353*

Interior Maintenance: Slop sink leaking behind wall

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 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

<i>Handwash Sink (near Ice Machine)</i> FC 5-205.15(B)*	Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking
<i>Chemical Closet # SV123</i>	No Violations Noted
<i>Tool Room # SV119</i>	No Violations Noted
<i>Walk-In Freezer</i>	No Violations Noted
<i>Cooler # 1</i> FC 3-302.11(A)(4)	Preventing Food and Ingredient Contamination: Preventing cross contamination, rice not appropriately covered
<i>Cooler # 2</i> FC 3-302.11(A)(4)	Preventing Food and Ingredient Contamination: Preventing cross contamination, butter not appropriately covered
<i>2-Bay Sink Area</i>	No Violations Noted
<i>Prep Area</i>	No Violations Noted
<i>True Cooler</i> FC 3-302.11(A)(4)	Preventing Food and Ingredient Contamination: Preventing cross contamination, chicken not appropriately covered
<i>True Warming Units</i>	No Violations Noted
<i>Tool Closet # SV 129</i>	No Violations Noted
<i>Dishwashing Area</i> FC 5-205.15(B)	Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking
<i>Staff Bathroom # 121</i>	No Violations Noted
<i>Inmate Bathroom # 122</i>	No Violations Noted
<i>Dry Storage # SV 126</i>	No Violations Noted
<i>Dry Storage # SV 125</i>	No Violations Noted
<i>Loading Dock</i>	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

Cell # HL134 No Violations Noted

Medical Cart Storage 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

Officer's Area No Violations Noted

Holding Cells # 1-3 No Violations Noted

Janitor's Closet # 132 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

Male Staff Bathroom # 127 No Violations Noted

Female Staff Bathroom # 119
105 CMR 451.123 Maintenance: Floor dirty

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

Cells 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.

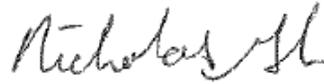
To review the specific regulatory requirements please visit our website at www.mass.gov/dph/dcs and click on "Correctional Facilities" (available in both PDF and RTF formats).

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: 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