

The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Environmental Health

Community Sanitation Program

5 Randolph Street, Canton, MA 02021

MARYLOU SUDDERS

Secretary

MONICA BHAREL, MD, MPH Commissioner

Tel: 617-624-6000

www.mass.gov/dph

Phone: 781-828-7700 Fax: 781-828-7703

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| CHARLES D. BAKER  Governor  KARYN E. POLITO  Lieutenant Governor |

December 15, 2016

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 December 7, 2016 accompanied by Lieutenant Ken Shaffer. Violations noted during the inspection are listed below including 17 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 910F

*Showers – 1st Floor*

105 CMR 451.123 Maintenance: Walls dirty in shower # 2

*Janitor’s Closet – 1st Floor*

No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Wall vent dusty in shower # 1-3

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1-3

*Janitor’s Closet – 2nd Floor*

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

*Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in all cells

105 CMR 451.353\* Interior Maintenance: Wall surface damaged in cell # A20

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # A34

*Storage*

No Violations Noted

*Staff Bathroom*

No Violations Noted

*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

*Recreation Area*

No Violations Noted

*Showers*

No Violations Noted

*Janitor’s Closet*

No Violations Noted

*Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in all cells

105 CMR 451.140 Adequate Ventilation: Inadequate ventilation, wall vent blocked in cell # 8

**Pod C**

*Main Area*

No Violations Noted

*Staff 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 # 3

105 CMR 451.123 Maintenance: Walls dirty in shower # 2

*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

105 CMR 451.353 Interior Maintenance: Light not working properly in cell # C29

105 CMR 451.353 Interior Maintenance: Floor paint damaged in all cells

*Recreation Area*

No Violations Noted

**House 2**

**Main Hallway**

*Triage Room*

No Violations Noted

**Pod D – Closed**

*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\* Cell Size: Inadequate floor space in all cells

*Storage Room*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod E**

*Main Area*

No Violations Noted

*Showers – 1st Floor*

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 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*

105 CMR 451.353 Interior Maintenance: Wet mop stored in sink

*Cells*

No Violations Noted

*Recreation Area*

No Violations Noted

**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*

No Violations Noted

*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*

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\* 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*

105 CMR 451.200 Food Storage, Preparation and Service: Food storage not in compliance with   
105 CMR 590.000, door gaskets damaged on white refrigerator

105 CMR 451.200 Food Storage, Preparation and Service: Food preparation not in compliance with   
105 CMR 590.000, interior of coffee-maker dirty

*Storage Closet*

No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123 Maintenance: Soap scum on floor in shower # 1-3

*Janitor’s Closet – 1st Floor*

No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 2

*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 K**

*Main Area*

No Violations Noted

*Storage Closet*

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 # 1-3

*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*

105 CMR 451.200 Food Storage, Preparation and Service: Food storage not in compliance with   
105 CMR 590.000, no functioning thermometer in white refrigerator

*Staff Bathroom*

No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 3

*Janitor’s Closet – 1st Floor*

No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1-3

*Janitor’s Closet – 2nd 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

*Recreation Area*

No Violations Noted

**Pod M**

*Main Area*

No Violations Noted

*Staff Bathroom*

No Violations Noted

*Storage Closet*

No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123 Maintenance: Soap scum on walls 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**

*Ice Machine*

No Violations Noted

*Handwash Sink (near Ice Machine)*

No Violations Noted

*Chemical Closet # SV123*

FC 7-101.11 Poisonous or Toxic Materials; Original Containers: Cleaning chemicals not labeled properly, original manufactures label missing

*Tool Room # SV119*

No Violations Noted

*Walk-In Freezer*

FC 6-501.12(A) Maintenance and Operation; Cleaning: Facility not cleaned properly, ice build-up   
on walls

FC 4-501.11(B) Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, door gaskets damaged

*Cooler # 1*

No Violations Noted

*Cooler # 2*

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

*2-Bay Sink Area*

No Violations Noted

*Prep Area*

No Violations Noted

*True Cooler*

No Violations Noted

*True Warming Units*

No Violations Noted

*Tool Closet # SV 129*

No Violations Noted

*Dishwashing Area*

No Violations Noted

*Staff Bathroom # 121*

No Violations Noted

*Inmate Bathroom # 122*

105 CMR 451.123 Maintenance: Ceiling vent dusty

*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

**H.S.U.**

*Inmate Bathroom # 138*

105 CMR 451.123 Maintenance: Ceiling vent dusty

*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 # 130*

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

*Mental Health # 122*

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*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 990F

*Holding Cells # 1-3*

No Violations Noted

*Janitor’s Closet # 132*

No Violations Noted

*Triage # 128*

No Violations Noted

*Male Staff Bathroom # 127*

105 CMR 451.123 Maintenance: Light out

*Search Showers # 123 and 124*

105 CMR 451.353 Interior Maintenance: Wall paint peeling in cell # 123

*Male Release Dressout # 122*

No Violations Noted

*Female Release Dressout # 121*

No Violations Noted

*Female Staff Bathroom # 119*

No Violations Noted

*Male Inmate Bathroom # 134*

105 CMR 451.123 Maintenance: Ceiling vent dusty

*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

**Observations and Recommendations**

1. The inmate population was 359 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,

Nicholas Gale

Environmental Health Inspector, CSP, BEH

cc: Jan Sullivan, Acting Director, BEH

Steven Hughes, Director, CSP, BEH

Timothy Miley, Director of Government Affairs

Marylou Sudders, Secretary, Executive Office of Health and Human Services

Thomas Turco, Commissioner, DOC

John Rogozenski, 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

Jennifer Gaffney, Director, Policy Development and Compliance Unit