



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 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 91°F

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*

105 CMR 451.123

Maintenance: Wall vent dusty in shower # 1-3

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*

105 CMR 451.353*

105 CMR 451.353

Cell Size: Inadequate floor space in all cells

Interior Maintenance: Wall surface damaged in cell # A20

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*

105 CMR 451.140

Cell Size: Inadequate floor space in all cells

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*

105 CMR 451.123

Maintenance: Mold on ceiling outside shower # 3

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*

105 CMR 451.353

105 CMR 451.353

Cell Size: Inadequate floor space in all cells

Interior Maintenance: Light not working properly in cell # C29

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
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Janitor's Closet – 1st Floor

No Violations Noted

Showers – 2nd Floor

105 CMR 451.123	Maintenance: Soap scum on walls in shower # 2
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Janitor's Closet – 2nd Floor

No Violations Noted

Cells

105 CMR 451.321*	Cell Size: Inadequate floor space in all cells
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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
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Janitor's Closet – 2nd Floor

No Violations Noted

Cells

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

<i>Inmate Bathroom # 122</i>	
105 CMR 451.123	Maintenance: Ceiling vent dusty
<i>Dry Storage # SV126</i>	No Violations Noted
<i>Dry Storage # SV125</i>	No Violations Noted
<i>Loading Dock</i>	No Violations Noted
Warehouse	
<i>Bathroom</i>	No Violations Noted
<u>Laundry</u>	No Violations Noted
<i>Inmate Bathroom</i>	No Violations Noted
<i>Office</i>	No Violations Noted
<i>Storage</i>	No Violations Noted
<u>Visiting</u>	No Violations Noted
<u>H.S.U.</u>	
<i>Inmate Bathroom # 138</i>	
105 CMR 451.123	Maintenance: Ceiling vent dusty
<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

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 99°F

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 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,

A handwritten signature in black 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
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