

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

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

May 15, 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: 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 April 24, 2015 accompanied by Deputy Ken Shaffer. Violations noted during the inspection are listed below including 26 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*

105 CMR 451.353 Interior Maintenance: Ceiling damaged around vent

**Pod A**

*Main Area*

No Violations Noted

*Showers – 1st Floor*

Unable to Inspect – In Use

*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 cell # A1-A36

*Storage*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod B**

*Main Area*

No Violations Noted

*Showers*

105 CMR 451.123\* Maintenance: Ceiling tiles rusted outside shower # 4

105 CMR 451.123 Maintenance: Mold on ceiling in shower # 4

*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

*Storage Room*

No Violations Noted

*Officer’s Bathroom*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod C**

*Main Area*

No Violations Noted

*Officer’s Bathroom*

No Violations Noted

*Janitor’s Closet – 1st Floor*

No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123\* Maintenance: Mold on ceiling in shower # 1-3

*Showers – 2nd Floor*

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1 and 2

*Janitor’s Closet – 2nd Floor*

No Violations Noted

*Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in cell # C1-C32

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

*Storage Room*

105 CMR 451.353\* Interior Maintenance: Water damage on ceiling

*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*

105 CMR 451.123 Maintenance: Soap scum on doors in shower # 1 and 2

*Janitor’s Closet – 2nd Floor*

No Violations Noted

*Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in cell # E1-E24

*Storage Room*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod F**

*Main Area*

No Violations Noted

*Showers*

Unable to Inspect – In Use

*Janitor’s Closet*

105 CMR 451.353\* Interior Maintenance: Wet mop stored in bucket

*Cells*

105 CMR 451.353 Interior Maintenance: Ceiling dirty in cell # 5

105 CMR 451.353 Interior Maintenance: Wall dirty in cell # 7

*Recreation Area*

No Violations Noted

**Pod G**

*Main Area*

No Violations Noted

*Shower – 1st Floor*

105 CMR 451.123 Maintenance: Mold on ceiling

105 CMR 451.123 Maintenance: Soap scum on seat in shower

*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

105 CMR 451.140 Adequate Ventilation: Inadequate ventilation, wall vent blocked in cell # 4

*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: Wet mop stored in bucket

*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 4-601.11(A)\* Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, interior of coffee-maker dirty

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

*Showers – 1st Floor*

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

*Janitor’s Closet – 1st Floor*

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Mold on ceiling in shower # 1 and 2

*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 cell # J1-J36

*Storage Closet*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod K**

*Main Area*

No Violations Noted

*Showers – 1st Floor*

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

*Janitor’s Closet – 1st Floor*

105 CMR 451.353 Interior Maintenance: Wet mop stored in sink

*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 cell # K1-K36

105 CMR 451.353\* Interior Maintenance: Wall paint peeling in cell # 12 and 26

105 CMR 451.353 Interior Maintenance: Wall paint peeling in cell # 31

*Recreation Area*

No Violations Noted

**Pod L**

*Main Area*

No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123 Maintenance: Mold on ceiling in shower # 3

*Janitor’s Closet – 1st Floor*

105 CMR 451.353\* Interior Maintenance: Wet mop stored in bucket

*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 # L1-L36

*Recreation Area*

No Violations Noted

**Pod M**

*Main Area*

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*

105 CMR 451.123\* Maintenance: Soap scum on walls in showers # 1 and 3

*Janitor’s Closet – 2nd Floor*

No Violations Noted

*Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in cell # M1-M36

*Officer’s Bathroom*

No Violations Noted

*Storage Closet*

No Violations Noted

*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

*Ice Machine*

FC 4-602.11(E)(4)(b)\* Cleaning of Equipment and Utensils, Frequency: Interior surfaces of ice machine dirty

*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

FC 5-501.16(C) Refuse, Recyclables, and Returnables; Numbers and Capacities: No conveniently located waste receptacle at handwashing sink

*Chemical Closet – SV123*

No Violations Noted

*Tool Room – SV119*

No Violations Noted

*Walk-In Freezer*

No Violations Noted

*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 # 2*

No Violations Noted

*Dishwashing Area*

FC 4-701.10 Sanitization of Equipment and Utensils, Objective: Food contact surfaces not properly sanitized, not testing sanitizing solution before use

*Staff Bathroom # 121*

No Violations Noted

*Inmate Bathroom*

FC 6-201.16(A) Design, Construction, and Installation; Cleanability: Wall paint peeling

*Dry Storage # 1*

No Violations Noted

*Dry Storage # 2*

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

*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.

*Lab # 135*

No Violations Noted

*Male Staff Bathroom # 111*

No Violations Noted

*Female Staff Bathroom # 113*

No Violations Noted

*Janitor’s Closet # 133*

No Violations Noted

*Biohazard Closet # 132*

No Violations Noted

*Exam Room # 136*

No Violations Noted

*Exam Room # 128*

No Violations Noted

*Storage # 127*

No Violations Noted

*Conference Room # 125*

No Violations Noted

*Cell # HL134*

No Violations Noted

*Dental Suite # 124*

No Violations Noted

*Medical Cart Storage*

No Violations Noted

*Equipment Storage # 115*

No Violations Noted

*Inmate Bathroom # 138*

No Violations Noted

Booking/Intake

*Officer’s Area*

No Violations Noted

*Holding Cells*

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*

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

Education Area

*Inmate Bathroom # 116*

No Violations Noted

*Inmate Bathroom # 117*

No Violations Noted

*Male Staff Bathroom*

No Violations Noted

*Female Staff Bathroom*

No Violations Noted

**Observations and Recommendations**

1. The inmate population was 402 at the time of inspection.
2. The Department recommends having sanitizer testing equipment readily available in the kitchen in order to properly test the sanitizing solution after mixing and before use.

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](http://www.cfsan.fda.gov/~dms/fc99-toc.html)”.

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: Suzanne K. Condon, Associate Commissioner, 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, EOPS