



DEVAL L. PATRICK
GOVERNOR

JOHN W. POLANOWICZ
SECRETARY

CHERYL BARTLETT, RN
COMMISSIONER

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
Telephone: 781 828-8046
Facsimile: 781 828-7703
Nicholas.Gale@state.ma.us

May 9, 2014

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; 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 May 1, 2014 accompanied by Lieutenant Kenneth Shaffer. Violations noted during the inspection are listed below including 118 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

Pod A

Main Area

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

Showers – 1st Floor

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

105 CMR 451.123* Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 2

105 CMR 451.123* Maintenance: Ceiling damaged, pitted 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 # 1-3

105 CMR 451.123*

Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 1-3

105 CMR 451.123*

Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-3

105 CMR 451.123*

Maintenance: Ceiling damaged, pitted 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

105 CMR 451.353

Interior Maintenance: Wall paint peeling

Pod B

Main Area

No Violations Noted

Showers

105 CMR 451.123*

Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 1-4

105 CMR 451.123*

Maintenance: Floor damaged, tiles missing in shower # 3

Janitor's Closet

No Violations Noted

Cells

105 CMR 451.321

Cell Size: Inadequate floor space in all cells

Storage Room

105 CMR 451.350*

Structural Maintenance: Wall cracked

Officer's Bathroom

No Violations Noted

Recreation Area

No Violations Noted

Pod C

Main Area

105 CMR 451.110(A)

Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

105 CMR 451.126

Hot Water: Hot water temperature recorded at 86⁰F at handwash sink

Showers – 1st Floor

105 CMR 451.123*

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

105 CMR 451.123*

Maintenance: Floor damaged, cement floor dividers not easily cleanable 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 # 1-3

105 CMR 451.123*

Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 1-3

105 CMR 451.123*

Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-3

Janitor's Closet – 2nd Floor

No Violations Noted

Cells

105 CMR 451.353*

Interior Maintenance: Wall paint peeling in cell # 28

Recreation Area

105 CMR 451.353

Interior Maintenance: Wall paint peeling

House 2

Pod D

Main Area

105 CMR 451.110(A)

Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

FC 4-601.11(A)

Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, interior of coffee-maker dirty

Shower – 1st Floor

No Violations Noted

Janitor's Closet – 1st Floor

105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

Shower – 2nd Floor

105 CMR 451.123*

Maintenance: Soap scum on walls in shower

105 CMR 451.123*

Maintenance: Floor damaged, cement floor divider not easily cleanable

105 CMR 451.123*

Maintenance: Floor damaged, cement floor not easily cleanable

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

<i>Showers – 1st Floor</i> 105 CMR 451.123*	Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 2
<i>Janitor's Closet – 1st Floor</i>	Unable to Inspect – No Access
<i>Showers – 2nd Floor</i> 105 CMR 451.123*	Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 1-2
105 CMR 451.123*	Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-2
<i>Cells</i> 105 CMR 451.321	Cell Size: Inadequate floor space in all cells
<i>Recreation Area</i>	No Violations Noted
Pod F	
<i>Main Area</i> 105 CMR 451.353*	Interior Maintenance: Officer's countertop damaged
<i>Showers</i>	Unable to Inspect – In Use
<i>Janitor's Closet</i>	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Recreation Area</i>	No Violations Noted
Pod G	
<i>Main Area</i>	No Violations Noted
<i>Shower – 1st Floor</i> 105 CMR 451.123*	Maintenance: Ceiling dirty
<i>Janitor's Closet – 1st Floor</i>	No Violations Noted
<i>Shower – 2nd Floor</i> 105 CMR 451.123*	Maintenance: Soap scum on walls in shower
105 CMR 451.123*	Maintenance: Floor damaged, cement floor not easily cleanable
<i>Janitor's Closet – 2nd Floor</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321	Cell Size: Inadequate floor space in all cells

Recreation Area

No Violations Noted

Pod H

Main Area

No Violations Noted

Shower – 1st Floor

105 CMR 451.123*

Maintenance: Soap scum on walls in shower

105 CMR 451.123*

Maintenance: Floor tiles damaged

Janitor's Closet – 1st Floor

No Violations Noted

Shower – 2nd Floor

105 CMR 451.123*

Maintenance: Soap scum on walls in shower

105 CMR 451.123*

Maintenance: Floor damaged, cement floor not easily cleanable

105 CMR 451.123*

Maintenance: Floor tiles damaged

Janitor's Closet – 2nd Floor

No Violations Noted

Cells

105 CMR 451.321

Cell Size: Inadequate floor space in all cells

Recreation Area

105 CMR 451.353

Interior Maintenance: Wall paint peeling

105 CMR 451.353

Interior Maintenance: Floor paint peeling

House 3

Main Hallway

Triage Room

No Violations Noted

Pod J

Main Area

FC 4-602.12(B)*

Cleaning of Equipment and Utensils; Frequency: Interior of microwave oven dirty

FC 4-601.11(A)*

Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, interior of coffee-maker dirty

105 CMR 451.110(A)

Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

Showers – 1st Floor

105 CMR 451.123*

Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1-3

105 CMR 451.123*

Maintenance: Ceiling damaged, pitted in shower # 1-3

Janitor's Closet – 1st Floor

105 CMR 451.353

Interior Maintenance: Floor tiles damaged outside of closet

Showers – 2nd Floor

105 CMR 451.123*

105 CMR 451.123*

105 CMR 451.123*

105 CMR 451.123*

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

Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1-3

Maintenance: Floor damaged, tiles missing outside showers

Maintenance: Ceiling dirty in shower # 1 and 2

Janitor's Closet – 2nd Floor

105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

Cells

No Violations Noted

Recreation Area

105 CMR 451.353

Interior Maintenance: Wall paint peeling

Pod K

Main Area

No Violations Noted

Showers – 1st Floor

105 CMR 451.123*

105 CMR 451.123*

105 CMR 451.123*

Maintenance: Floor damaged, tiles missing outside showers

Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1 and 2

Maintenance: Ceiling damaged, pitted in shower # 3

Janitor's Closet – 1st Floor

105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

Showers – 2nd Floor

105 CMR 451.123*

105 CMR 451.123*

105 CMR 451.123*

105 CMR 451.123*

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

Maintenance: Floor damaged, tiles missing outside showers

Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1-3

Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-3

Cells

105 CMR 451.353

Interior Maintenance: Wall paint peeling in cell # 12, 19, and 31

Recreation Area

105 CMR 451.353*

Interior Maintenance: Wall paint peeling

Pod L

Main Area

No Violations Noted

Showers – 1st Floor

105 CMR 451.123*

105 CMR 451.123*

105 CMR 451.123*

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

Maintenance: Floor damaged, tiles damaged outside showers

Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1 and 2

Janitor's Closet – 1st Floor

No Violations Noted

Showers – 2nd Floor

105 CMR 451.123*

105 CMR 451.123

Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-3

Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1-3

Janitor's Closet – 2nd Floor

No Violations Noted

Cells

105 CMR 451.321

105 CMR 451.350

Cell Size: Inadequate floor space in all cells

Structural Maintenance: Foundation leaking, water on floor in cell # 2, 8, 9, and 11

Recreation Area

No Violations Noted

Pod M

Main Area

105 CMR 451.110(A)

Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

Showers – 1st Floor

105 CMR 451.123*

105 CMR 451.123*

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

Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 2 and 3

Janitor's Closet – 1st Floor

No Violations Noted

Showers – 2nd Floor

105 CMR 451.123*

105 CMR 451.123*

Maintenance: Soap scum on walls in showers # 1-3

Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1-3

105 CMR 451.123

Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-3

Janitor's Closet – 2nd Floor

No Violations Noted

Cells

No Violations Noted

Officer's Bathroom

No Violations Noted

Recreation Area

No Violations Noted

Food Service

Men's Staff Bathroom

No Violations Noted

Women's Staff Bathroom

No Violations Noted

Staff Dining

FC 4-601.11(A)*

Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, juice machine nozzles dirty

FC 4-601.11(A)*

Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, interior of coffee-machine dirty

Ice Machine

FC 6-501.16

Maintenance and Operation; Cleaning: Wet mop stored in bucket

Handwash Sink (near Ice Machine)

No Violations Noted

Chemical Closet – SV123

No Violations Noted

Tool Room – SV119

No Violations Noted

Walk-In Freezer

No Violations Noted

Cooler # 1

FC 3-305.11(A)(2)*

Preventing Contamination from Premises: Food exposed to dust, fans in cooler dusty

Cooler # 2

No Violations Noted

2-Bay Sink Area

FC 5-205.15(B)*

Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, sink leaking

FC 3-304.14(B)(2)*

Preventing Contamination from Linens: Wet cloth not stored in sanitizer bucket

FC 4-501.114(C)(2)

Maintenance and Operation; Equipment: Quaternary ammonium solution greater than the manufacturers recommended concentration

Prep Area

No Violations Noted

True Cooler

No Violations Noted

True Warming Units

FC 4-501.11(B)*

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, gaskets damaged in warming unit # 1

FC 4-501.11(B)

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, gaskets damaged in warming unit # 2

FC 5-205.15(B)*

Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking near warming units

Tool Closet # 2

No Violations Noted

<i>Dishwashing Area</i>	Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, faucet loose at handwash sink
FC 5-205.15(B)*	
FC 5-205.15(B)*	Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, 3-bay sink pipes leaking
FC 5-205.15(B)	Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking
<i>Staff Bathroom</i>	No Violations Noted
<i>Inmate Bathroom</i>	No Violations Noted
<i>Dry Storage # 1</i>	No Violations Noted
<i>Dry Storage # 2</i>	No Violations Noted
<i>Loading Dock</i>	No Violations Noted
<u>Laundry</u>	No Violations Noted
<i>Inmate Bathroom</i>	No Violations Noted
<i>Office</i>	No Violations Noted
<u>H.S.U.</u>	
<i>Male Staff Bathroom</i>	No Violations Noted
<i>Female Staff Bathroom</i>	No Violations Noted
<i>Cell HL134</i>	No Violations Noted
<i>Dental Suite</i>	No Violations Noted
<i>Medical Cart Storage</i>	No Violations Noted
<i>Inmate Bathroom</i>	No Violations Noted

Booking/Intake

Officer's Area

No Violations Noted

Holding Cells

No Violations Noted

Male Staff Bathroom

No Violations Noted

Female Staff Bathroom

No Violations Noted

Male Inmate Bathroom

105 CMR 451.123

Maintenance: Floor baseboard missing

Female Inmate Bathroom

No Violations Noted

Dressing Room

No Violations Noted

Education Area

Inmate Bathroom # 116

105 CMR 451.123

Maintenance: Ceiling vent dusty

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 347 at the time of inspection.
2. At the time of inspection, the certificate from Radiation Control within HSU had expired. The Department recommended reaching out to Radiation Control for an updated certificate of compliance.
3. Pod E was empty at the time of inspection. The facility was upgrading the security system within the block.

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](#)".

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
John W. Polanowicz, Secretary, Executive Office of Health and Human Services
Luis S. Spencer, Commissioner, DOC
John Rogozenski, Superintendent
Ronald Parkinson, EHSO
Cynthia A. Coffin, RS, CHO, Health Agent, Bourne Board of Health
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate
Andrea Cabral, Secretary, EOPS