

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

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December 2, 2019

James M. Cummings, Sheriff

Barnstable County Correctional Facility

6000 Sheriff’s Place

Bourne, MA 02532 (electronic copy)

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 2013 Food Code; 105 CMR 500.000 Good Manufacturing Practices for Food; and 105 CMR 205.000 Minimum Standards Governing Medical Records and the Conduct of Physical Examinations in Correctional Facilities; the Department’s Community Sanitation Program (CSP) conducted an inspection of the Barnstable County Correctional Facility on November 20, 2019 accompanied by Lieutenant Ken Shaffer. Violations noted during the inspection are listed below including 17 repeat violations:

Should you have any questions, please don’t hesitate to contact me.

 Sincerely,

 

 Nicholas Gale

 Environmental Health Inspector, CSP, BEH

cc: Monica Bharel, MD, MPH, Commissioner, DPH

Jana Ferguson, Director, BEH

 Steven Hughes, Director, CSP, BEH

Marylou Sudders, Secretary, Executive Office of Health and Human Services (electronic copy)

 Carol A. Mici, Commissioner, DOC (electronic copy)

Thomas Turco, Secretary, EOPSS (electronic copy)

Nelson Alves, Director, Policy Development and Compliance Unit (electronic copy)

Ross Alper, Superintendent (electronic copy)

 Deputy Brian Chapman, EHSO (electronic copy)

Terri Guarino, RS, Health Agent, Bourne Board of Health (electronic copy)

 Clerk, Massachusetts House of Representatives (electronic copy)

 Clerk, Massachusetts Senate (electronic copy)

**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 830F

*Staff Bathroom*

105 CMR 451.123 Maintenance: Ceiling surface damaged

*Storage*

 No Violations Noted

*Showers – 1st Floor*

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

*Day Room Shower – 1st Floor*

 No Violations Noted

*Janitor’s Closet – 1st Floor*

 No Violations Noted

*Showers – 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 cells, cells double bunked

105 CMR 451.350 Structural Maintenance: Exterior ground water entering through wall/floor in cell # 7

105 CMR 451.353 Interior Maintenance: Wall surface damaged under window in cell # 25

*Recreation Area*

 No Violations Noted

**Pod B**

*Main Area*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 1050F in common area sink

*Storage Room*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Multi-Use Room*

 No Violations Noted

*Interview Room*

 No Violations Noted

*Showers*

 No Violations Noted

*Janitor’s Closet*

 No Violations Noted

*Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in cells, cells double bunked

*Recreation Area*

 No Violations Noted

**Pod C**

*Main Area*

 No Violations Noted

*Staff Bathroom*

105 CMR 451.124 Water Supply: Insufficient water supply in quantity and pressure at handwash sink

*Storage*

105 CMR 451.103 Mattresses: Several mattresses damaged

*Multi-Use Room*

 No Violations Noted

*Interview Room*

 No Violations Noted

*Janitor’s Closet – 1st Floor*

105 CMR 451.353 Interior Maintenance: Wet mop stored in sink

*Showers – 1st Floor*

105 CMR 451.123 Maintenance: Mold on ceiling outside showers

*Day Room Shower – 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 cells, cells double bunked

105 CMR 451.353 Interior Maintenance: Wall paint damaged in cell # 5

*Recreation Area*

 No Violations Noted

**House 2**

**Main Hallway**

*Triage Room*

Unable to Inspect – Locked

**Pod D – Closed (No Inmates Housed)**

*Main Area*

 No Violations Noted

*Storage Room*

 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 cells, cells double bunked

*Recreation Area*

 No Violations Noted

**Pod E**

*Main Area*

 No Violations Noted

*Shower – 1st Floor*

105 CMR 451.123 Maintenance: Soap scum on floor in Day Room shower

*Janitor’s Closet – 1st Floor*

 No Violations Noted

*Showers – 2nd Floor*

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

105 CMR 451.123 Maintenance: Soap scum on floor outside showers

*Janitor’s Closet – 2nd Floor*

 No Violations Noted

*Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in cells, cells double bunked

*Storage Room*

 No Violations Noted

*Recreation Area*

 No Violations Noted

**Pod F**

*Main Area*

 No Violations Noted

*Shower*

105 CMR 451.123 Maintenance: Drain flies observed

105 CMR 451.123 Maintenance: Dead drain flies on ceiling

*Janitor’s Closet*

 No Violations Noted

*Cells*

105 CMR 451.353 Interior Maintenance: Debris on light fixture in cell # 2, 3, 5, and 11

*Recreation Area*

 No Violations Noted

**Pod G**

*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: Unlabeled chemical bottle

*Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in cells, cells double bunked

*Storage Closet*

105 CMR 451.344 Illumination in Habitable Areas: Lights not functioning properly, multiple lights out

*Recreation Area*

 No Violations Noted

**Pod H**

*Main Area*

 No Violations Noted

*Shower – 1st Floor*

 No Violations Noted

*Janitor’s Closet – 1st Floor*

105 CMR 451.353 Interior Maintenance: Wet mop stored upside down

*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 cells, cells double bunked

*Recreation Area*

 No Violations Noted

**House 3**

**Main Hallway**

*Triage Room*

Unable to Inspect – Locked

**Pod J**

*Main Area*

 No Violations Noted

*Staff Bathroom*

 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*

 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 cells, cells double bunked

105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 24

*Recreation Area*

 No Violations Noted

**Pod K**

*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 handicapped shower

*Janitor’s Closet – 1st Floor*

 No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Drain flies observed in shower # 3

*Janitor’s Closet – 2nd Floor*

105 CMR 451.353 Interior Maintenance: Wet mop stored upside down

*Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in cells, cells double bunked

105 CMR 451.353\* Interior Maintenance: Ceiling dirty in cell # 36

105 CMR 451.353 Interior Maintenance: Wall vent blocked in cell # 5

*Recreation Area*

 No Violations Noted

**Pod L**

*Main Area*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Storage*

 No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123 Maintenance: Soap scum on floor in handicapped shower

*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 cells, cells double bunked

*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: Drain flies observed in handicapped shower

*Janitor’s Closet – 1st Floor*

 No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123 Maintenance: Drain flies observed in shower # 1

*Janitor’s Closet – 2nd Floor*

 No Violations Noted

*Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in cells, cells double bunked

*Recreation Area*

 No Violations Noted

**Food Service**

*Male Staff Bathroom*

 No Violations Noted

*Female Staff Bathroom*

 No Violations Noted

**Staff Dining**

FC 4-501.11(B)\* Maintenance and Operation, Equipment: Equipment components not maintained is a state of good repair, True refrigerator gaskets damaged

FC 3-304.12(B) Protection from Contamination After Receiving; Preventing Contamination from Equipment, Utensils, and Linens: Utensil handle not stored above the food in the container, serving utensil handle stored inside tuna

FC 4-602.11(E)(4)(b) Cleaning of Equipment and Utensils, Frequency: Accumulation of soil/mold observed in the milk dispensing nozzles

FC 3-304.14(B)(1) Protection from Contamination After Receiving; Preventing Contamination from Equipment, Utensils, and Linens: Wet cloth not stored in sanitizer solution under counter

FC 6-301.12(A) Numbers and Capacity; Handwashing Sinks: No hand drying method available at handwashing sinkPf behind serving counter

**Kitchen**

*Pots and Pans Storage*

 No Violations Noted

*Handwash Sink (near Pots and Pans Storage)*

FC 6-301.12(A) Numbers and Capacity; Handwashing Sinks: No hand drying method available at handwashing sinkPf

*Ice Machine*

 No Violations Noted

*Handwash Sink (near Ice Machine)*

 No Violations Noted

*Chemical Closet # SV123*

 No Violations Noted

*Tool Room # SV119*

 No Violations Noted

*Powers Rolling Cooler*

FC 4-204.112(B) Design and Construction, Functionality: Cold holding equipment not equipped with a permanently affixed temperature measuring device

*Walk-In Freezer*

 No Violations Noted

*Cooler # 1*

 No Violations Noted

*Cooler # 2*

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

*2-Compartment Sink Area*

FC 4-601.11(A)\* Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, knives attached to 2-compartment sink stored dirty

*Prep Area*

FC 6-501.12(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, oven handles dirty

FC 3-501.13(A) Limitation of Growth of Organisms of Public Health Concern, Temperature and Time Control: Time/temperature control food for safety not thawed under refrigeration that maintains food at 41°F or less, frozen turkey observed thawing on counter

*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*

 No Violations Noted

*Dry Storage # SV126*

 No Violations Noted

*Dry Storage # SV125*

 No Violations Noted

*Loading Dock*

 No Violations Noted

**Warehouse**

*Bathroom*

 No Violations Noted

**Laundry**

*Inmate Bathroom*

 No Violations Noted

*Office*

 No Violations Noted

*Storage*

 No Violations Noted

**Visiting**

 No Violations Noted

**Programs**

*Female Bathroom # PR127*

 No Violations Noted

*Male Bathroom # PR126*

 No Violations Noted

*Offices*

 No Violations Noted

**Education**

*Inmate Bathroom # PR117*

Unable to Inspect – Locked

*Inmate Bathroom # PR116*

Unable to Inspect – Locked

**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 # 130*

 No Violations Noted

*Exam Room # 128*

 No Violations Noted

*Dental Suite # 124*

 No Violations Noted

*Storage # 123*

 No Violations Noted

*Mental Health # 122*

105 CMR 451.353\* Interior Maintenance: Ceiling tiles water damaged

*Cell # HL134*

 No Violations Noted

*Offices # 117*

 No Violations Noted

*Medical Cart Storage # 116*

 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**

*Count Office # IN116*

 No Violations Noted

*Records # IN111*

 No Violations Noted

*Officer’s Area*

 No Violations Noted

*Holding Cells # 135 - 137*

 No Violations Noted

*Janitor’s Closet # 132*

Unable to Inspect – Lock Broken

*Triage # 128*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 550F at handwash sink

*Male Staff Bathroom # 127*

 No Violations Noted

*Search Showers # 123 and 124*

105 CMR 451.353 Interior Maintenance: Ceiling vent dusty in search shower # 124

*Male Release Dressout # 122*

 No Violations Noted

*Female Release Dressout # 121*

 No Violations Noted

*Female Staff Bathroom # 119*

 No Violations Noted

*Property # 118*

 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

*Transportation Office*

 No Violations Noted

*Cells*

 No Violations Noted

**Print Shop**

*Staff Bathroom # 158*

 No Violations Noted

*Inmate Bathroom # 159*

 No Violations Noted

**Observations and Recommendations**

1. The inmate population was 281 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 or download a copy, please visit the Food Protection website at [www.mass.gov/dph/fpp](http://www.mass.gov/dph/fpp) and click on "Retail food". Then under DPH Regulations and FDA Code click "Merged Food Code" or "105 CMR 590.000 - State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments".

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 Program regulations”. Then under Food Processing click “105 CMR 500.000: Good Manufacturing Practices for Food”.

This inspection report is signed and certified under the pains and penalties of perjury.

 Sincerely,

 

 Nicholas Gale Environmental Health Inspector, CSP, BEH