



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 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 (electronic copy)
 Jana Ferguson, Director, BEH (electronic copy)
 Steven Hughes, Director, CSP, BEH (electronic copy)
 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*

105 CMR 451.350

105 CMR 451.353

Cell Size: Inadequate floor space in cells, cells double banded

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

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

<i>Storage Room</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<i>Multi-Use Room</i>	No Violations Noted
<i>Interview Room</i>	No Violations Noted
<i>Showers</i>	No Violations Noted
<i>Janitor's Closet</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double bunked
<i>Recreation Area</i>	No Violations Noted
Pod C	
<i>Main Area</i>	No Violations Noted
<i>Staff Bathroom</i> 105 CMR 451.124	Water Supply: Insufficient water supply in quantity and pressure at handwash sink
<i>Storage</i> 105 CMR 451.103	Mattresses: Several mattresses damaged
<i>Multi-Use Room</i>	No Violations Noted
<i>Interview Room</i>	No Violations Noted
<i>Janitor's Closet – 1st Floor</i> 105 CMR 451.353	Interior Maintenance: Wet mop stored in sink
<i>Showers – 1st Floor</i> 105 CMR 451.123	Maintenance: Mold on ceiling outside showers
<i>Day Room Shower – 1st Floor</i>	No Violations Noted
<i>Showers – 2nd Floor</i>	No Violations Noted
<i>Janitor's Closet – 2nd Floor</i>	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 banded

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*
105 CMR 451.353

Cell Size: Inadequate floor space in cells, cells double banded
Interior Maintenance: Wall surface damaged in cell # 24

<i>Recreation Area</i>	No Violations Noted
Pod K	
<i>Main Area</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<i>Storage Closet</i>	No Violations Noted
<i>Showers – 1st Floor</i> 105 CMR 451.123	Maintenance: Soap scum on walls in handicapped shower
<i>Janitor’s Closet – 1st Floor</i>	No Violations Noted
<i>Showers – 2nd Floor</i> 105 CMR 451.123*	Maintenance: Drain flies observed in shower # 3
<i>Janitor’s Closet – 2nd Floor</i> 105 CMR 451.353	Interior Maintenance: Wet mop stored upside down
<i>Cells</i> 105 CMR 451.321* 105 CMR 451.353* 105 CMR 451.353	Cell Size: Inadequate floor space in cells, cells double bunked Interior Maintenance: Ceiling dirty in cell # 36 Interior Maintenance: Wall vent blocked in cell # 5
<i>Recreation Area</i>	No Violations Noted
Pod L	
<i>Main Area</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<i>Storage</i>	No Violations Noted
<i>Showers – 1st Floor</i> 105 CMR 451.123	Maintenance: Soap scum on floor in handicapped shower
<i>Janitor’s Closet – 1st Floor</i>	No Violations Noted
<i>Showers – 2nd Floor</i>	No Violations Noted
<i>Janitor’s Closet – 2nd Floor</i>	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 sink^{PF} 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 sink^{Pf}

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 in 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

<i>Dishwashing Area</i>	No Violations Noted
<i>Staff Bathroom # 121</i>	No Violations Noted
<i>Inmate Bathroom # 122</i>	No Violations Noted
<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>	
<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>Programs</u>	
<i>Female Bathroom # PR127</i>	No Violations Noted
<i>Male Bathroom # PR126</i>	No Violations Noted
<i>Offices</i>	No Violations Noted
<u>Education</u>	
<i>Inmate Bathroom # PR117</i>	Unable to Inspect – Locked
<i>Inmate Bathroom # PR116</i>	Unable to Inspect – Locked

H.S.U.

<i>Inmate Bathroom # 138</i>	No Violations Noted
<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
<i>Exam Room # 128</i>	No Violations Noted
<i>Dental Suite # 124</i>	No Violations Noted
<i>Storage # 123</i>	No Violations Noted
<i>Mental Health # 122</i> 105 CMR 451.353*	Interior Maintenance: Ceiling tiles water damaged
<i>Cell # HL134</i>	No Violations Noted
<i>Offices # 117</i>	No Violations Noted
<i>Medical Cart Storage # 116</i>	No Violations Noted
<i>Equipment Storage # 115</i>	No Violations Noted
<i>Female Staff Bathroom # 113</i>	No Violations Noted
<i>Male Staff Bathroom # 111</i>	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 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 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 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