



The Commonwealth of Massachusetts  
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Bureau of Environmental Health  
Community Sanitation Program  
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December 12, 2018

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; I conducted an inspection of the Barnstable County Correctional Facility on November 28, 2018 accompanied by Krista Kerr, Administrative Assistant to Compliance. Violations noted during the inspection are listed below including 21 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 90°F

<i>Staff Bathroom</i>	No Violations Noted
<i>Storage</i>	No Violations Noted
<i>Showers – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Day Room Shower – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Janitor’s Closet – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Showers – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Janitor’s Closet – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in all cells
<i>Recreation Area</i>	No Violations Noted
<b>Pod B</b>	
<i>Main Area</i> 105 CMR 451.126*	Hot Water: Hot water temperature recorded at 84 <sup>0</sup> F
<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> 105 CMR 451.123* 105 CMR 451.123* 105 CMR 451.123 105 CMR 451.126	Maintenance: Soap scum on walls in handicapped shower Maintenance: Soap scum on floor in handicapped shower Maintenance: Soap scum on walls in shower # 1 Hot Water: Hot water temperature recorded at 76 <sup>0</sup> F in shower # 3
<i>Janitor’s Closet</i> 105 CMR 451.353	Interior Maintenance: Wall paint damaged
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in all cells

*Recreation Area*

No Violations Noted

**Pod C**

*Main Area*

No Violations Noted

*Staff Bathroom*

No Violations Noted

*Storage*

105 CMR 451.350

Structural Maintenance: Exterior ground water entering inside through wall/floor

*Multi-Use Room*

No Violations Noted

*Interview Room*

No Violations Noted

*Janitor's Closet – 1<sup>st</sup> Floor*

105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

*Showers – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Floor dirty in shower # 2 and 3

*Day Room Shower – 1<sup>st</sup> Floor*

No Violations Noted

*Showers – 2<sup>nd</sup> Floor*

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1, 2, and 3

*Janitor's Closet – 2<sup>nd</sup> Floor*

No Violations Noted

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

*Recreation Area*

No Violations Noted

**House 2**

**Main Hallway**

*Triage Room*

Unable to Inspect – Locked

**Pod D – Closed**

*Main Area*

No Violations Noted

*Storage Room*

No Violations Noted

<i>Shower – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Janitor's Closet – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Shower – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Janitor's Closet – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in all cells
<i>Recreation Area</i>	No Violations Noted
<b>Pod E</b>	
<i>Main Area</i>	No Violations Noted
<i>Showers – 1<sup>st</sup> Floor</i> 105 CMR 451.130*	Plumbing: Plumbing not maintained in good repair, day room shower leaking
<i>Janitor's Closet – 1<sup>st</sup> Floor</i> 105 CMR 451.353*	Interior Maintenance: Unlabeled chemical bottle
<i>Showers – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Janitor's Closet – 2<sup>nd</sup> Floor</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in all cells
<i>Storage Room</i>	No Violations Noted
<i>Recreation Area</i>	No Violations Noted
<b>Pod F</b>	
<i>Main Area</i>	No Violations Noted
<i>Showers</i>	No Violations Noted
<i>Janitor's Closet</i>	No Violations Noted

<i>Cells</i>	
105 CMR 451.353	Interior Maintenance: Wall paint damaged in cell # 2
105 CMR 451.353	Interior Maintenance: Ceiling paint damaged in cell # 3, 8, and 11
105 CMR 451.350	Structural Maintenance: Exterior ground water entering through wall/floor in cell # 7

<i>Recreation Area</i>	
105 CMR 451.353	Interior Maintenance: Standing water underneath garage door window

**Pod G**

<i>Main Area</i>	No Violations Noted
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<i>Shower – 1<sup>st</sup> Floor</i>	No Violations Noted
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<i>Janitor’s Closet – 1<sup>st</sup> Floor</i>	No Violations Noted
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<i>Shower – 2<sup>nd</sup> Floor</i>	
105 CMR 451.123	Maintenance: Floor dirty, debris around floor drain

<i>Janitor’s Closet – 2<sup>nd</sup> Floor</i>	No Violations Noted
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<i>Cells</i>	
105 CMR 451.321*	Cell Size: Inadequate floor space in all cells
105 CMR 451.353	Interior Maintenance: Wall paint damaged in cell # 11

<i>Storage Closet</i>	No Violations Noted
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<i>Recreation Area</i>	No Violations Noted
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**Pod H**

<i>Main Area</i>	
105 CMR 451.200	Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty

<i>Shower – 1<sup>st</sup> Floor</i>	No Violations Noted
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<i>Janitor’s Closet – 1<sup>st</sup> Floor</i>	Unable to Inspect – Locked
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<i>Shower – 2<sup>nd</sup> Floor</i>	No Violations Noted
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<i>Janitor’s Closet – 2<sup>nd</sup> Floor</i>	Unable to Inspect – Locked
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<i>Cells</i>	
105 CMR 451.321*	Cell Size: Inadequate floor space in all cells
105 CMR 451.353	Interior Maintenance: Wall paint damaged in cell # 4

*Recreation Area*

No Violations Noted

**House 3**

**Main Hallway**

*Triage Room*

Unable to Inspect – Locked

**Pod J**

*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

*Storage Closet*

No Violations Noted

*Showers – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Soap scum on walls in handicapped shower

*Janitor's Closet – 1<sup>st</sup> Floor*

No Violations Noted

*Showers – 2<sup>nd</sup> Floor*

No Violations Noted

*Janitor's Closet – 2<sup>nd</sup> Floor*

No Violations Noted

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

*Recreation Area*

No Violations Noted

**Pod K**

*Main Area*

No Violations Noted

*Staff Bathroom*

No Violations Noted

*Storage Closet*

No Violations Noted

*Showers – 1<sup>st</sup> Floor*

105 CMR 451.123\*

105 CMR 451.123\*

Maintenance: Wall tiles damaged in handicapped shower  
Maintenance: Soap scum on floor in shower # 2 and 3

*Janitor's Closet – 1<sup>st</sup> Floor*

No Violations Noted

*Showers – 2<sup>nd</sup> Floor*

No Violations Noted

*Janitor's Closet – 2<sup>nd</sup> Floor*

No Violations Noted

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

105 CMR 451.353

Interior Maintenance: Ceiling dirty in cell # 36

*Recreation Area*

No Violations Noted

**Pod L**

105 CMR 451.350

Structural Maintenance: Exterior ground water entering through wall/floor in all 1<sup>st</sup> floor cells

*Main Area*

No Violations Noted

*Staff Bathroom*

No Violations Noted

*Storage*

No Violations Noted

*Showers – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Interior of door stained in shower # 1

105 CMR 451.123

Maintenance: Floor dirty in shower # 3

*Janitor's Closet – 1<sup>st</sup> Floor*

No Violations Noted

*Showers – 2<sup>nd</sup> Floor*

105 CMR 451.123

Maintenance: Soap scum on floor in shower # 3

*Janitor's Closet – 2<sup>nd</sup> Floor*

No Violations Noted

*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 – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Drain flies observed in shower # 3

*Janitor's Closet – 1<sup>st</sup> Floor*

No Violations Noted

*Showers – 2<sup>nd</sup> Floor*

105 CMR 451.123

Maintenance: Drain flies observed in shower # 1 and 3

*Janitor's Closet – 2<sup>nd</sup> 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**

FC 2-401.11

Hygienic Practices Food Contamination Prevention: Food service personnel eating in an inappropriate area

FC 4-501.11(B)

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, gaskets damaged inside True refrigerator

**Kitchen**

*Pots and Pans Storage*

No Violations Noted

*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

*Walk-In Freezer*

No Violations Noted



<i>Cooler # 1</i>	No Violations Noted
<i>Cooler # 2</i>	No Violations Noted
<i>2-Compartment Sink Area</i>	No Violations Noted
<i>Prep Area</i>	No Violations Noted
<i>True Cooler</i> FC 4-204.112(A)*	Design and Construction, Functionality: No functioning thermometer in refrigerator unit
<i>True Warming Units</i>	No Violations Noted
<i>Tool Closet # SV 129</i>	No Violations Noted
<i>Dishwashing Area</i> FC 5-205.15(B)	Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking
<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
<b>Warehouse</b>	
<i>Bathroom</i>	No Violations Noted
<b><u>Laundry</u></b> 105 CMR 451.353	Interior Maintenance: One washing machine out-of-order
<i>Inmate Bathroom</i>	No Violations Noted
<i>Office</i>	No Violations Noted
<i>Storage</i>	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*

No Violations Noted

*Inmate Bathroom # PR116*

No Violations Noted

**H.S.U.**

105 CMR 451.200\*

Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, no functioning thermometer in grey refrigerator

*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

*Storage # 127*

No Violations Noted

*Conference Room # 125*

No Violations Noted

<i>Dental Suite # 124</i>	No Violations Noted
<i>Storage # 123</i>	No Violations Noted
<i>Mental Health # 122</i>	No Violations Noted
<i>Cell # HL134</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
<b><u>Booking/Intake</u></b>	
<i>Count Office # IN116</i>	No Violations Noted
<i>Records # IN111</i>	No Violations Noted
<i>Officer's Area</i>	No Violations Noted
<i>Holding Cells # 1-3</i>	No Violations Noted
<i>Janitor's Closet # 132</i>	No Violations Noted
<i>Triage # 128</i>	Unable to Inspect – Locked
<i>Male Staff Bathroom # 127</i> 105 CMR 451.123	Maintenance: Ceiling tiles water stained outside bathroom
<i>Search Showers # 123 and 124</i> 105 CMR 451.123	Maintenance: Floor dirty in shower # 123 and 124
<i>Male Release Dressout # 122</i>	No Violations Noted
<i>Female Release Dressout # 121</i>	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 373 at the time of inspection.
2. At the time of inspection:
  - a. 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;
  - b. The Department observed that the hot water temperature in House 1 takes an excessive amount of time to come within compliance. Inmates complained that all sinks and showers must be run for a long period of time before water reaches minimum requirements. The Department recommends looking into this matter further so that hot water is achieved within a more appropriate time frame;
  - c. The Department also observed ground water entering through the walls and/or the floor from the outside of the building into cells where inmates are housed. The Department recommends improving methods of drainage or waterproofing to ensure exterior ground water does not enter the building; and
  - d. There were no inmates housed in Pod D because it was closed. The Department observed all cells to be double-bunked and the potential for overcrowded cells exists if inmates were to be housed in this Pod at a later date.
3. Hot water temperature range for handwash sinks is 110°F to 130°F.
4. Hot water temperature range for showers is 100°F to 112°F.

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 "Retail Food". Then under "Regulations" click "2013 Food Code Merged with 105 CMR 590 and 2013 Food Code"

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 Processing". Then under "Regulations" 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

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, Acting Commissioner, DOC (electronic copy)  
Thomas Turco, Secretary, EOPSS (electronic copy)  
Nelson Alves, Director, Policy Development and Compliance Unit (electronic copy)  
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Clerk, Massachusetts Senate