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 VII); 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 2, 2021 accompanied by Lieutenant Ken Shaffer. Violations noted during the inspection are listed below including 28 repeat violations:

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

Sincerely,

Nicholas Gale
Environmental Analyst, CSP, BEH

cc: Margret R. Cooke, Acting Commissioner, DPH
    Nalina Narain, 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)
    Terrence Reidy, Secretary, EOPSS (electronic copy)
    Timothy Gotovich, Director, Policy Development and Compliance Unit (electronic copy)
    Robert Ahonen, Superintendent (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

**Administration Area**

*Staff Break Room*  
No Violations Noted

*Fitness Room*  
No Violations Noted

*Female Locker Room*  
No Violations Noted

*Male Locker Room*  
No Violations Noted

**House 1**

105 CMR 451.353  
Interior Maintenance: Ceiling tiles water stained in main hallway

**Triage**  
No Violations Noted

**Pod A**  
Empty – No Inmates Housed

*Main Area*  
No Violations Noted

*Staff Bathroom*  
No Violations Noted

*Interview Room*  
No Violations Noted

*Storage*  
No Violations Noted

*Showers – 1st Floor*  
105 CMR 451.123  
Maintenance: Soap scum on walls in shower #1, 2, and 3

105 CMR 451.123  
Maintenance: Wall tile grout dirty in shower #1 and 2

*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
No Violations Noted

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

Recreation Area
No Violations Noted

Pod B
Empty – No Inmates Housed

Main Area
No Violations Noted

Storage Room
No Violations Noted

Staff Bathroom
No Violations Noted

Multi-Use Room
No Violations Noted

Interview Room
No Violations Noted

Showers
105 CMR 451.123 Maintenance: Soap scum on floor outside showers

Janitor’s Closet
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

Recreation Area
No Violations Noted

Pod B/C Bubble

Staff Bathroom
No Violations Noted

Pod C
Empty – No Inmates Housed

Main Area
No Violations Noted

Staff Bathroom
No Violations Noted

Storage
No Violations Noted
Multi-Use Room
No Violations Noted

Interview Room
No Violations Noted

Janitor’s Closet – 1st Floor
No Violations Noted

Showers – 1st Floor
105 CMR 451.123  Maintenance: Soap scum on walls in shower # 1, 2, and 3

Day Room Shower – 1st Floor
No Violations Noted

Showers – 2nd Floor
105 CMR 451.123*  Maintenance: Soap scum on walls in shower # 1, 2, and 3
105 CMR 451.123*  Maintenance: Soap scum on floor in shower # 1 and 2
105 CMR 451.123  Maintenance: Orange staining on floor in shower # 1, 2, and 3

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 # 21 and 23

Recreation Area
No Violations Noted

House 2

Main Hallway

Triage Room
No Violations Noted

Pod D

Main Area
No Violations Noted

Storage Room
No Violations Noted

Shower – 1st Floor
105 CMR 451.123  Maintenance: Floor coving damaged

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

D/E Corridor

Staff Bubble
No Violations Noted

Staff Bathroom
No Violations Noted

Triage
No Violations Noted

Storage
No Violations Noted

Pod E

Main Area
No Violations Noted

Storage Room
No Violations Noted

Shower – 1st Floor
No Violations Noted

Day Room Shower
No Violations Noted

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 F

Main Area
No Violations Noted

Storage
No Violations Noted
Shower
105 CMR 451.123  Maintenance: Debris on the floor

Janitor’s Closet
105 CMR 451.353  Interior Maintenance: Wet mop stored upside-down

Cells
No Violations Noted

Recreation Area
No Violations Noted

F/G Bubble
No Violations Noted

Staff Bathroom
No Violations Noted

Pod G

Main Area
No Violations Noted

Storage Closet
No Violations Noted

Shower – 1st Floor
105 CMR 451.123  Maintenance: Floor dirty in shower # 1

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 upside down
105 CMR 451.130*  Plumbing: Plumbing not maintained in good repair, slop sink faucet leaking

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 # 7
105 CMR 451.103  Mattresses: Mattress damaged in cell # 4

Recreation Area
No Violations Noted

Pod H – Closed (No Inmates Housed)

Main Area
105 CMR 451.353  Interior Maintenance: Unlabeled chemical bottle

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 upside-down

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
No Violations Noted

PRC Corridor
105 CMR 451.350
Structural Maintenance: Exterior door not rodent and weathertight

Pod J

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

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
105 CMR 451.123
Maintenance: Wall tile grout damaged in shower # 1 and 2
105 CMR 451.123
Maintenance: Wall tile grout moldy in shower # 2

Janitor’s Closet – 2nd Floor
105 CMR 451.353
Interior Maintenance: Wet mop stored upside-down
105 CMR 451.353
Interior Maintenance: Wall paint damaged

Cells
105 CMR 451.321*
Cell Size: Inadequate floor space in cells, cells double bunked
105 CMR 451.353*
Interior Maintenance: Wall surface damaged near door in cell # 24
105 CMR 451.353
Interior Maintenance: Wall surface damaged near door in cell # 30
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: Wall stained in shower # 1
105 CMR 451.123 Maintenance: Floor dirty in shower # 2

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
105 CMR 451.103 Mattresses: Mattress damaged in cell # 33

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: Floor dirty in shower # 1

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

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: Floor dirty in shower # 1
105 CMR 451.123  Maintenance: Wall tile grout moldy in shower # 1

Janitor’s Closet – 1st Floor
105 CMR 451.353  Interior Maintenance: Wet mop stored in slop sink
105 CMR 451.353  Interior Maintenance: Unlabeled chemical bottle

Showers – 2nd Floor
105 CMR 451.123  Maintenance: Soap scum on walls in shower # 1 and 3
105 CMR 451.123  Maintenance: Orange staining on floor in shower # 2 and 3
105 CMR 451.123  Maintenance: Wall tile grout moldy in shower # 3

Janitor’s Closet – 2nd Floor  Unable to Inspect – Lock Not Working

Cells
105 CMR 451.321*  Cell Size: Inadequate floor space in cells, cells double bunked
105 CMR 451.353  Interior Maintenance: Light shield dirty in cell # 15, 28, and 32

Recreation Area  No Violations Noted

Food Service
Male Staff Bathroom  No Violations Noted
Female Staff Bathroom  No Violations Noted

Staff Dining
FC 4-602.11(E)(4)(b)*  Cleaning of Equipment and Utensils, Frequency: Accumulation of soil/mold observed in the milk dispensing nozzles
FC 4-501.11(A)  Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, external temperature gauge not working properly on the Midnight Food Cooler
FC 4-501.11(B)  Maintenance and Operation, Equipment: Equipment components not maintained is a state of good repair, Midnight Food Cooler gaskets dirty
FC 3-501.17(A)  Limitation of Growth of Organisms of Public Health Concern, Temperature and Time Control: Refrigerated time/temperature control for safety food prepared on site not clearly marked indicating the date or day by which the food shall be consumed or discarded

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

**Kitchen**

*Staff Bathroom # 121*  No Violations Noted

*Inmate Bathroom # 122*  No Violations Noted

105 CMR 451.123  Maintenance: Floor dirty
105 CMR 451.123  Maintenance: Ceiling dirty

*Pots and Pans Storage*  No Violations Noted

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

*Handwash Sink (near Pots and Pans Storage)*  No Violations Noted

FC 5-205.15(B)*  Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, handwash sink faucet loose

FC 5-205.15(B)  Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, sink does not drain appropriately

*Ice Machine*  No Violations Noted

FC 4-602.11(E)(4)(b)*  Cleaning of Equipment and Utensils, Frequency: Accumulation of soil/mold observed on interior surfaces of ice machine

*Handwash Sink (near Ice Machine)*  No Violations Noted

*Chemical Closet # SV123*  No Violations Noted

FC 6-501.12(A)  Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, debris left in slop sink

*Tool Room # SV119*  No Violations Noted

*Handwash Sink (near # SV124)*  No Violations Noted

*Spice Rack*  No Violations Noted

FC 6-501.12(A)  Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, appearance of flour residue covering the exterior of food containers while stored on rack

*Walk-In Freezer*  No Violations Noted

*Cooler # 1*  No Violations Noted

FC 3-302.11(A)(4)  Preventing Contamination after Receiving; Preventing Food and Ingredient Contamination: Food not appropriately covered, hot dogs left uncovered

FC 3-302.11(A)(4)  Preventing Contamination after Receiving; Preventing Food and Ingredient Contamination: Food not appropriately covered, prepared rice left uncovered
Cooler # 2
FC 6-501.12(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty
FC 6-501.12(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, cooler fans dirty

2-Compartment Sink Area
No Violations Noted

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 6-501.12(A)* Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, interior and exterior of oven doors dirty
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
FC 4-501.114(C)(2) Maintenance and Operation; Equipment: Quaternary ammonium compound (QAC) solution lower than the manufacturers recommended concentration
FC 6-501.12(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty under kettles and water boiling unit
FC 4-202.11(A)(2) Design and Construction; Cleanability: Multiuse food contact surface not free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections, kettle stirring utensil not easily cleanable

True Cooler
FC 6-501.114(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Non-functional equipment not repaired or removed from premises

True Warming Units
No Violations Noted

Tool Closet # SV 129
No Violations Noted

Dry Storage # SV126
No Violations Noted

Dry Storage # SV125
No Violations Noted

Inmate Break Area
No Violations Noted

Dishwashing Area
FC 4-501.112(A)(2) Maintenance and Operation, Equipment: Inadequate water temperature in the mechanical warewashing machine
FC 4-302.13 Numbers and Capacities, Utensils, Temperature Measuring Devices, and Testing Devices: No irreversible registering temperature measuring device readily accessible to measure the surface temperature of the utensil

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
105 CMR 451.123
Maintenance: Debris on floor

Offices
No Violations Noted

Education
105 CMR 451.353
Interior Maintenance: Ceiling tiles water damaged

Inmate Bathroom # PR117
No Violations Noted

Inmate Bathroom # PR116
No Violations Noted

H.S.U.

Medical Waste
No Violations Noted

Inmate Bathroom # 138
No Violations Noted

Exam Room # 136
No Violations Noted

Lab # 135
No Violations Noted

Watch Cell # 134
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
105 CMR 451.344  Illumination in Habitable Areas: Light not functioning properly, light out

Exam Room # 128  No Violations Noted

Medical Records # 127  No Violations Noted

Conference Room # 125  No Violations Noted

Dental Suite # 124  No Violations Noted

Storage # 123  No Violations Noted

Mental Health # 122  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

Holding Cells 112-114  No Violations Noted

Count Office # IN116  No Violations Noted

Records # IN111  No Violations Noted
Property # 118  No Violations Noted

Male Release Dressout # 122  No Violations Noted

Female Release Dressout # 121  No Violations Noted

Search Showers # 123 and 124  No Violations Noted

Female Staff Bathroom # 119  No Violations Noted

Officer’s Area  No Violations Noted

Janitor’s Closet # 132  No Violations Noted

Triage # 128  No Violations Noted

Male Staff Bathroom # 127  No Violations Noted

Office # 125  No Violations Noted

Male Inmate Bathroom # 134  No Violations Noted

Female Inmate Bathroom # 151  No Violations Noted

Staff Bathroom # 145  No Violations Noted
105 CMR 451.123  Maintenance: Ceiling vent dusty

Inmate Bathroom # 147  No Violations Noted

Holding Cells # 135 - 137  No Violations Noted

Transportation Office  No Violations Noted

Wood Shop  No Violations Noted

Print Shop

Staff Bathroom # 158  No Violations Noted
Observations and Recommendations

1. The inmate population was 182 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; and
   b. The warewash machine in the Kitchen did not reach the appropriate temperature to properly sanitize trays. As an interim measure, the CSP recommended that the Kitchen staff use disposable (or Styrofoam) trays until repairs can be made.

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 Analyst, CSP, BEH