



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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November 9, 2021

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 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 – 1<sup>st</sup> 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 – 1<sup>st</sup> Floor* No Violations Noted

*Janitor's Closet – 1<sup>st</sup> Floor* 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 cells, cells double banded
<i>Recreation Area</i>	No Violations Noted
<b>Pod B</b>	<b>Empty – No Inmates Housed</b>
<i>Main Area</i>	No Violations Noted
<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	Maintenance: Soap scum on floor outside showers
<i>Janitor’s Closet</i> 105 CMR 451.353	Interior Maintenance: Wet mop stored in bucket
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double banded
<i>Recreation Area</i>	No Violations Noted
<b>Pod B/C Bubble</b>	
<i>Staff Bathroom</i>	No Violations Noted
<b>Pod C</b>	<b>Empty – No Inmates Housed</b>
<i>Main Area</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<i>Storage</i>	No Violations Noted

*Multi-Use Room*

No Violations Noted

*Interview Room*

No Violations Noted

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

No Violations Noted

*Showers – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1, 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

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 – 2<sup>nd</sup> Floor*

No Violations Noted

*Cells*

105 CMR 451.321\*

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

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 – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Floor coving damaged

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

No Violations Noted

*Shower – 2<sup>nd</sup> Floor*

No Violations Noted

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

No Violations Noted

<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double banded
<i>Recreation Area</i>	No Violations Noted
<b>D/E Corridor</b>	
<i>Staff Bubble</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<i>Triage</i>	No Violations Noted
<i>Storage</i>	No Violations Noted
<b>Pod E</b>	
<i>Main Area</i>	No Violations Noted
<i>Storage Room</i>	No Violations Noted
<i>Shower – 1<sup>st</sup> Floor</i>	No Violations Noted
<i>Day Room Shower</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 cells, cells double banded
<i>Recreation Area</i>	No Violations Noted
<b>Pod F</b>	
<i>Main Area</i>	No Violations Noted
<i>Storage</i>	No Violations Noted

<i>Shower</i> 105 CMR 451.123	Maintenance: Debris on the floor
<i>Janitor's Closet</i> 105 CMR 451.353	Interior Maintenance: Wet mop stored upside-down
<i>Cells</i>	No Violations Noted
<i>Recreation Area</i>	No Violations Noted
<b>F/G Bubble</b>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<b>Pod G</b>	
<i>Main Area</i>	No Violations Noted
<i>Storage Closet</i>	No Violations Noted
<i>Shower – 1<sup>st</sup> Floor</i> 105 CMR 451.123	Maintenance: Floor dirty in shower # 1
<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> 105 CMR 451.353* 105 CMR 451.130*	Interior Maintenance: Wet mop stored upside down Plumbing: Plumbing not maintained in good repair, slop sink faucet leaking
<i>Cells</i> 105 CMR 451.321* 105 CMR 451.353* 105 CMR 451.103	Cell Size: Inadequate floor space in cells, cells double bunked Interior Maintenance: Ceiling dirty in cell # 7 Mattresses: Mattress damaged in cell # 4
<i>Recreation Area</i>	No Violations Noted
<b>Pod H – Closed (No Inmates Housed)</b>	
<i>Main Area</i> 105 CMR 451.353	Interior Maintenance: Unlabeled chemical bottle
<i>Shower – 1<sup>st</sup> Floor</i>	No Violations Noted

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

No Violations Noted

*Shower – 2<sup>nd</sup> Floor*

No Violations Noted

*Janitor's Closet – 2<sup>nd</sup> 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 – 1<sup>st</sup> Floor*

No Violations Noted

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

No Violations Noted

*Showers – 2<sup>nd</sup> 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 – 2<sup>nd</sup> 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 – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Wall stained in shower # 1

105 CMR 451.123

Maintenance: Floor dirty in shower # 2

*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 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 – 1<sup>st</sup> Floor*

105 CMR 451.123

Maintenance: Floor dirty in shower # 1

*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



<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double bunked
<i>Recreation Area</i> 105 CMR 451.344	Illumination in Habitable Areas: Lights not functioning properly, light out
<b>Pod M</b>	
<i>Main Area</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<i>Storage Closet</i>	No Violations Noted
<i>Showers – 1<sup>st</sup> Floor</i> 105 CMR 451.123 105 CMR 451.123	Maintenance: Floor dirty in shower # 1 Maintenance: Wall tile grout moldy in shower # 1
<i>Janitor’s Closet – 1<sup>st</sup> Floor</i> 105 CMR 451.353 105 CMR 451.353	Interior Maintenance: Wet mop stored in slop sink Interior Maintenance: Unlabeled chemical bottle
<i>Showers – 2<sup>nd</sup> Floor</i> 105 CMR 451.123 105 CMR 451.123 105 CMR 451.123	Maintenance: Soap scum on walls in shower # 1 and 3 Maintenance: Orange staining on floor in shower # 2 and 3 Maintenance: Wall tile grout moldy in shower # 3
<i>Janitor’s Closet – 2<sup>nd</sup> Floor</i>	Unable to Inspect – Lock Not Working
<i>Cells</i> 105 CMR 451.321* 105 CMR 451.353	Cell Size: Inadequate floor space in cells, cells double bunked Interior Maintenance: Light shield dirty in cell # 15, 28, and 32
<i>Recreation Area</i>	No Violations Noted
<b><u>Food Service</u></b>	
<i>Male Staff Bathroom</i>	No Violations Noted
<i>Female Staff Bathroom</i>	No Violations Noted
<b>Staff Dining</b>	
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 in 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 <sup>Pf</sup>
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
<b>Kitchen</b>	
<i>Staff Bathroom # 121</i>	
	No Violations Noted
<i>Inmate Bathroom # 122</i>	
105 CMR 451.123	Maintenance: Floor dirty
105 CMR 451.123	Maintenance: Ceiling dirty
<i>Pots and Pans Storage</i>	
FC 6-501.12(A)*	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, drying racks dirty
<i>Handwash Sink (near Pots and Pans Storage)</i>	
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
<i>Ice Machine</i>	
FC 4-602.11(E)(4)(b)*	Cleaning of Equipment and Utensils, Frequency: Accumulation of soil/mold observed on interior surfaces of ice machine
<i>Handwash Sink (near Ice Machine)</i>	
	No Violations Noted
<i>Chemical Closet # SV123</i>	
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
<i>Tool Room # SV119</i>	
	No Violations Noted
<i>Handwash Sink (near # SV124)</i>	
	No Violations Noted
<i>Spice Rack</i>	
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
<i>Walk-In Freezer</i>	
	No Violations Noted
<i>Cooler # 1</i>	
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<sup>Pf</sup>, 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<sup>Pf</sup>

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<sup>Pf</sup>

*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

<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> 105 CMR 451.344	Illumination in Habitable Areas: Light not functioning properly, light out
<i>Exam Room # 128</i>	No Violations Noted
<i>Medical Records # 127</i>	No Violations Noted
<i>Conference Room # 125</i>	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>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
<b><u>Booking/Intake</u></b>	
<i>Holding Cells 112-114</i>	No Violations Noted
<i>Count Office # IN116</i>	No Violations Noted
<i>Records # IN111</i>	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*  
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

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](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 Analyst, CSP, BEH