

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

Phone: 781-828-7700

Fax: 781-828-7703

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| CHARLES D. BAKERGovernorKARYN E. POLITOLieutenant Governor  |

MARYLOU SUDDERS

Secretary

MARGRET R. COOKE Commissioner

**Tel: 617-624-6000**

**www.mass.gov/dph**

October 3, 2022

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 September 22, 2022 accompanied by Krista Kerr, Administration. Violations noted during the inspection are listed below including 44 repeat violations:

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

 Sincerely,

 Patrick Wallace

 Environmental Health Inspector, CSP, BEH

cc: Margret R. Cooke, 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)

Lieutenant Kenneth R. Shaffer, Policies Procedures and Compliance, 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

**Administration Area**

*Staff Break Room*

105 CMR 451.200\* Food Storage, Preparation and Service: Food storage not in compliance with

 105 CMR 590.000, single-use utensils left uncovered and open to contamination

*Fitness Room*

105 CMR 451.350 Structural Maintenance: Ceiling leaking

105 CMR 451.353 Interior Maintenance: Ceiling tiles water damaged

*Female Locker Room*

105 CMR 451.350 Structural Maintenance: Ceiling leaking

*Male Locker Room*

 No Violations Noted

**House 1**

**Triage**

105 CMR 451.126 Hot Water: Hot water temperature 70°F at handwash sink

**Pod A**

 Unable to Inspect – Quarantine/Isolation Unit

**Pod B**

*Main Area*

105 CMR 451.126 Hot Water: Hot water temperature 70°F at handwash sink

*Storage Room*

 No Violations Noted

*Staff Bathroom*

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, faucet leaking at handwash sink

*Multi-Use Room*

 No Violations Noted

*Interview Room*

 No Violations Noted

*Showers*

105 CMR 451.123\* Maintenance: Soap scum on floor outside showers

105 CMR 451.123 Maintenance: Floor dirty in shower # 1

*Janitor’s Closet*

105 CMR 451.353 Interior Maintenance: Wet mop stored in slop sink

*Cells*

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

*Recreation Area*

 No Violations Noted

**Pod B/C Bubble**

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

**Pod C**

*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

*Lower Showers*

105 CMR 451.123 Maintenance: Floor dirty in shower # 1, 2, and 3

*Upper Showers*

105 CMR 451.123 Maintenance: Floor dirty in shower # 1, 2, and 3

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

*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

**House 2**

**Main Hallway**

*Triage Room*

 No Violations Noted

**Pod D**

 Unable to Inspect – Quarantine/Isolation Unit

**D/E Corridor**

*Staff Bubble*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Triage*

105 CMR 451.353 Interior Maintenance: Upholstery damaged on examination table

*Storage*

 Unable to Inspect – Locked

**Pod E**

*Main Area*

105 CMR 451.126\* Hot Water: Hot water temperature 100°F at handwash sink

*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: Door paint damaged

*Janitor’s Closet*

105 CMR 451.353 Interior Maintenance: Lock hardware damaged

*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*

105 CMR 451.353 Interior Maintenance: Wet mop stored upside down

*Shower – 2nd Floor*

105 CMR 451.123 Maintenance: Floor dirty

*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 451.130 Plumbing: Plumbing not maintained in good repair, faucet running continuously in

 cell # G08

*Recreation Area*

 No Violations Noted

**Pod H**

*Main Area*

 No Violations Noted

*Shower – 1st Floor*

105 CMR 451.123 Maintenance: Floor dirty

*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

*Recreation Area*

 No Violations Noted

**Chapel**

 No Violations Noted

**House 3**

**Main Hallway**

*Triage Room*

105 CMR 451.126 Hot Water: Hot water temperature 70°F at handwash sink

*PRC Corridor*

 No Violations Noted

**Pod J**

*Main Area*

105 CMR 451.126 Hot Water: Hot water temperature 90°F at handwash sink

105 CMR 451.200 Food Storage, Preparation and Service: Food storage not in compliance with

 105 CMR 590.000, no functioning thermometer in refrigerator

*Staff Bathroom*

 No Violations Noted

*Storage Closet*

 No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123 Maintenance: Floor dirty in shower # 1, 2, and 3

105 CMR 451.123 Maintenance: Walls dirty in shower # 1, 2, and 3

105 CMR 451.123 Maintenance: Ceiling dirty in shower # 3

105 CMR 451.123 Maintenance: Bench dirty in shower # 3, possible mold/mildew

*Janitor’s Closet – 1st Floor*

 No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Wall tile grout dirty in shower # 1, 2, and 3

105 CMR 451.123 Maintenance: Floor dirty in shower # 1, 2, and 3

*Janitor’s Closet – 2nd Floor*

105 CMR 451.353\* Interior Maintenance: Ceiling vent dusty

*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*

105 CMR 451.126 Hot Water: Hot water temperature 70°F at handwash sink

*Staff Bathroom*

 No Violations Noted

*Storage Closet*

 No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123\* Maintenance: Floor dirty in shower # 2

105 CMR 451.123 Maintenance: Floor dirty in shower # 1 and 3

105 CMR 451.123 Maintenance: Soap scum on bench in shower # 3

*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: Unlabeled chemical bottle

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: Wall paint damaged in cell # 27

*Recreation Area*

 No Violations Noted

**Pod L**

*Main Area*

105 CMR 451.126 Hot Water: Hot water temperature 95°F at handwash sink

*Staff Bathroom*

 No Violations Noted

*Storage*

 No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123\* Maintenance: Floor dirty in shower # 3

105 CMR 451.123\* Maintenance: Floor epoxy damaged in shower # 1

105 CMR 451.123 Maintenance: Floor dirty in shower # 1

105 CMR 451.123 Maintenance: Walls dirty in shower # 3

105 CMR 451.123 Maintenance: Ceiling dirty in shower # 3

105 CMR 451.123 Maintenance: Bench dirty in shower # 3

105 CMR 451.130 Hot Water: Shower water temperature 90°F in shower # 1

*Janitor’s Closet – 1st Floor*

 No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Soap scum on floor in shower # 1, 2, and 3

105 CMR 451.123 Maintenance: Floor dirty in shower # 1, 2, and 3

*Janitor’s Closet – 2nd Floor*

105 CMR 451.353 Interior Maintenance: Light out

*Cells*

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

105 CMR 451.353 Interior Maintenance: Floor surface damaged in cell # 30

*Recreation Area*

105 CMR 451.353\* Interior Maintenance: Wall paint damaged

**Pod M**

*Main Area*

105 CMR 451.353\* Interior Maintenance: Floor tiles missing under handwash sink

105 CMR 451.126 Hot Water: Hot water temperature 80°F at handwash sink

*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

105 CMR 451.123 Maintenance: Water pooling on floor outside showers

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

105 CMR 451.123 Maintenance: Floor dirty in shower # 2 and 3

105 CMR 451.123 Maintenance: Wall tile grout dirty in shower # 1, 2, and 3

105 CMR 451.123 Maintenance: Bench dirty in shower # 1, possible mold/mildew

105 CMR 451.123 Maintenance: Walls dirty in shower # 1, possible mold/mildew

*Janitor’s Closet – 1st Floor*

 No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Floor dirty in shower # 1, 2, and 3

105 CMR 451.123\* Maintenance: Wall tile grout dirty 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 # 7

*Recreation Area*

105 CMR 451.353 Interior Maintenance: Wall paint damaged

**Food Service**

The following Food Code violations listed in **BOLD** were observed to be corrected on-site.

*Male Staff Bathroom*

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

*Female Staff Bathroom*

 Unable to Inspect – In Use

**Staff Dining**

 No Violations Noted

**Kitchen**

*Staff Bathroom # 121*

 No Violations Noted

*Inmate Bathroom # 122*

FC 6-501.11 Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not in good repair, door hardware damaged

*Pots and Pans Storage*

 No Violations Noted

*Handwash Sink (near Pots and Pans Storage)*

 No Violations Noted

*Ice Machine*

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

*Overnight Box Refrigerator*

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

*Tool Room # SV119*

 No Violations Noted

*Handwash Sink (near # SV124)*

 No Violations Noted

*Spice Rack*

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

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

*Walk-In Freezer*

FC 6-501.12(A)\* Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, ice build-up observed on ceiling

FC 6-501.12(A) Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, ice build-up observed on floor

*Cooler # 1*

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, ceiling dirty

*Cooler # 2*

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

*2-Compartment Sink Area*

No Violations Noted

*Prep Area*

FC 6-501.11\* Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not in good repair, can opener dirty

*Oven Area*

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

*Kettle Area*

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 6-501.12(A)\* Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, exterior of kettles dirty

*Maxx Cold Refrigerator*

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

*True Warming Units*

 No Violations Noted

*Tool Closet # SV 129*

 No Violations Noted

*Dry Storage # SV126*

 No Violations Noted

*Dry Storage # SV125*

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

*Inmate Break Area*

 No Violations Noted

*Dishwashing Area*

 No Violations Noted

*Loading Dock*

No Violations Noted

**Warehouse**

105 CMR 451.350 Structural Maintenance: Area not rodent and weathertight, gaps observed at bottom of garage door

*Maintenance Area*

No Violations Noted

*Bathroom*

 No Violations Noted

**Laundry**

*Inmate Bathroom*

 No Violations Noted

*Office*

105 CMR 451.353 Interior Maintenance: Unlabeled chemical bottle

*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**

*Classrooms*

No Violations Noted

*Library*

 No Violations Noted

*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*

 Unable to Inspect – Locked

*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*

 Unable to Inspect – Locked

*Mental Health # 122*

105 CMR 451.353 Interior Maintenance: Ceiling tiles water stained

*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

*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

*Inmate Bathroom # 159*

 No Violations Noted

**Observations and Recommendations**

1. The inmate population was 172 at the time of inspection.
2. Pod A and Pod D were the COVID-19 quarantine/isolation areas. There were 2 inmates housed in Pod A and

1 inmate housed in Pod D.

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,

 

 Patrick Wallace

 Environmental Health Inspector, CSP, BEH