



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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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

105 CMR 451.353

Structural Maintenance: Ceiling leaking

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*

105 CMR 451.123

Maintenance: Soap scum on floor outside showers

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
105 CMR 451.123

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

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*
105 CMR 451.130

Cell Size: Inadequate floor space in cells, cells double bunked
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*

105 CMR 451.123

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

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*

105 CMR 451.353

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

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*

105 CMR 451.126

Interior Maintenance: Floor tiles missing under handwash sink

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*

105 CMR 451.123*

105 CMR 451.123

105 CMR 451.123

105 CMR 451.123

105 CMR 451.123

105 CMR 451.123

105 CMR 451.123

Maintenance: Floor dirty in shower # 1

Maintenance: Wall tile grout moldy in shower # 1

Maintenance: Water pooling on floor outside showers

Maintenance: Drain flies observed in shower # 1

Maintenance: Floor dirty in shower # 2 and 3

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

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

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

Janitor's Closet – 1st Floor

No Violations Noted

Showers – 2nd Floor

105 CMR 451.123*

105 CMR 451.123*

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

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

Janitor's Closet – 2nd Floor

No Violations Noted

Cells

105 CMR 451.321*

105 CMR 451.353*

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

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

<i>Walk-In Freezer</i> 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
<i>Cooler # 1</i> 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
<i>Cooler # 2</i> FC 6-501.12(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, racks dirty
<i>2-Compartment Sink Area</i>	No Violations Noted
<i>Prep Area</i> FC 6-501.11*	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not in good repair, can opener dirty
<i>Oven Area</i> FC 6-501.12(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty
<i>Kettle Area</i> 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
<i>Maxx Cold Refrigerator</i> FC 4-204.112(B)	Design and Construction, Functionality: Cold holding equipment not equipped with a permanently affixed temperature measuring device
<i>True Warming Units</i>	No Violations Noted
<i>Tool Closet # SV 129</i>	No Violations Noted
<i>Dry Storage # SV126</i>	No Violations Noted
<i>Dry Storage # SV125</i> FC 6-501.12(A)*	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, floor dirty
<i>Inmate Break Area</i>	No Violations Noted
<i>Dishwashing Area</i>	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

<i>Inmate Bathroom # 138</i>	No Violations Noted
<i>Exam Room # 136</i>	No Violations Noted
<i>Lab # 135</i>	No Violations Noted
<i>Watch Cell # 134</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>	Unable to Inspect – Locked
<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>	Unable to Inspect – Locked
<i>Mental Health # 122</i> 105 CMR 451.353	Interior Maintenance: Ceiling tiles water stained
<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

<i>Holding Cells 112-114</i>	No Violations Noted
<i>Count Office # IN116</i>	No Violations Noted
<i>Records # IN111</i>	No Violations Noted
<i>Property # 118</i>	No Violations Noted
<i>Male Release Dressout # 122</i>	No Violations Noted
<i>Female Release Dressout # 121</i>	No Violations Noted
<i>Search Showers # 123 and 124</i>	No Violations Noted
<i>Female Staff Bathroom # 119</i>	No Violations Noted
<i>Officer's Area</i>	No Violations Noted
<i>Janitor's Closet # 132</i>	No Violations Noted
<i>Triage # 128</i>	No Violations Noted
<i>Male Staff Bathroom # 127</i>	No Violations Noted
<i>Office # 125</i>	No Violations Noted
<i>Male Inmate Bathroom # 134</i>	No Violations Noted
<i>Female Inmate Bathroom # 151</i>	No Violations Noted
<i>Staff Bathroom # 145</i>	No Violations Noted
<i>Inmate Bathroom # 147</i>	No Violations Noted
<i>Holding Cells # 135 - 137</i>	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 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,



Patrick Wallace
Environmental Health Inspector, CSP, BEH