



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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 Lieutenant Governor

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 Secretary

MONICA BHAREL, MD, MPH
 Commissioner

Tel: 617-624-6000
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May 28, 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 May 19, 2021 accompanied by Lieutenant Ken Shaffer. Violations noted during the inspection are listed below including 17 repeat violations:

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

Sincerely,

Nicholas Gale
 Environmental Analyst, CSP, BEH

cc: Monica Bharel, MD, MPH, Commissioner, DPH (electronic copy)
 Jan Sullivan, Acting Director, BEH (electronic copy)
 Steven Hughes, Director, CSP, BEH (electronic copy)
 Marylou Sudders, Secretary, Executive Office of Health and Human Services (electronic copy)
 Carol A. Mici, Commissioner, DOC (electronic copy)
 Thomas Turco, Secretary, EOPSS (electronic copy)
 Timothy Gotovich, Director, Policy Development and Compliance Unit (electronic copy)
 Robert Ahonen, Superintendent (electronic copy)
 Deputy Brian Chapman, 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

House 1

Triage
No Violations Noted

Pod A

Main Area
No Violations Noted

Staff Bathroom
No Violations Noted

Interview Room
No Violations Noted

Storage
No Violations Noted

Showers – 1st Floor
Unable to Inspect Shower # 2 – In Use
No Violations Noted

Day Room Shower – 1st Floor
No Violations Noted

Janitor’s Closet – 1st Floor
No Violations Noted

Showers – 2nd Floor
105 CMR 451.123
Maintenance: Soap scum on walls in shower # 2

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

Pod B - Closed (No Inmates Housed)

Main Area
105 CMR 451.126*
Hot Water: Hot water temperature recorded at 86°F in common area sink

<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>	No Violations Noted
<i>Janitor's Closet</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double bunked
<i>Recreation Area</i>	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
<i>Staff Bathroom</i>	No Violations Noted
Pod C	
<i>Main Area</i> 105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, instant hot water faucet leaking at common sink
<i>Staff Bathroom</i> 105 CMR 451.124 105 CMR 451.126	Water Supply: Insufficient hot water supply in quantity and pressure at handwash sink Hot Water: Hot water temperature recorded at 85°F
<i>Storage</i>	No Violations Noted
<i>Multi-Use Room</i>	No Violations Noted
<i>Interview Room</i>	No Violations Noted
<i>Janitor's Closet – 1st Floor</i>	No Violations Noted
<i>Showers – 1st Floor</i> 105 CMR 451.123	Maintenance: Soap scum on the floor outside all showers

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

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, 23, 24, and 27

105 CMR 451.353

Interior Maintenance: Wall vent blocked in cell # 15

Recreation Area

No Violations Noted

House 2

Main Hallway

Triage Room

No Violations Noted

Pod D – Closed (No Inmates Housed)

Main Area

No Violations Noted

Storage Room

No Violations Noted

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 in bucket

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

<i>Staff Bathroom</i>	No Violations Noted
<i>Triage</i>	No Violations Noted
<i>Storage</i>	No Violations Noted
Pod E	
<i>Main Area</i>	No Violations Noted
<i>Storage Room</i>	No Violations Noted
<i>Shower – 1st Floor</i>	No Violations Noted
<i>Day Room Shower</i>	No Violations Noted
<i>Janitor’s Closet – 1st Floor</i>	No Violations Noted
<i>Showers – 2nd Floor</i>	No Violations Noted
<i>Janitor’s Closet – 2nd Floor</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double bunked
<i>Recreation Area</i>	No Violations Noted
Pod F	
<i>Main Area</i>	No Violations Noted
<i>Shower</i>	No Violations Noted
<i>Janitor’s Closet</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.103	Mattresses: Mattress damaged in cell # 8 and 10
<i>Recreation Area</i>	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

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

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

Recreation Area

No Violations Noted

Pod H – Closed (No Inmates Housed)

Main Area

No Violations Noted

Shower – 1st Floor

105 CMR 451.123

Maintenance: Soap scum on floor in shower

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

House 3

Main Hallway

Triage Room

No Violations Noted

Pod J

Main Area

No Violations Noted

Staff Bathroom

No Violations Noted

Storage Closet

105 CMR 451.103

Mattresses: Mattress damaged

Showers – 1st Floor

No Violations Noted

Janitor's Closet – 1st Floor

105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

Showers – 2nd Floor

105 CMR 451.123

Maintenance: Soap scum on walls 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 surface damaged near door in cell # 24

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*

105 CMR 451.123

Maintenance: Soap scum on walls in handicapped shower
Maintenance: Debris on shower floor

Janitor's Closet – 1st Floor

No Violations Noted

<i>Showers – 2nd Floor</i>	No Violations Noted
<i>Janitor’s Closet – 2nd Floor</i> 105 CMR 451.353*	Interior Maintenance: Wet mop stored upside down
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double bunked
<i>Recreation Area</i>	No Violations Noted
Pod L	
<i>Main Area</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<i>Storage</i>	No Violations Noted
<i>Showers – 1st Floor</i>	No Violations Noted
<i>Janitor’s Closet – 1st Floor</i>	No Violations Noted
<i>Showers – 2nd Floor</i> 105 CMR 451.123	Maintenance: Soap scum on walls in shower # 3
<i>Janitor’s Closet – 2nd Floor</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.321*	Cell Size: Inadequate floor space in cells, cells double bunked
<i>Recreation Area</i>	No Violations Noted
Pod M	
<i>Main Area</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<i>Storage Closet</i>	No Violations Noted
<i>Showers – 1st Floor</i> 105 CMR 451.123	Maintenance: Soap scum on walls in shower # 1, 2, and 3

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*
105 CMR 451.103

Cell Size: Inadequate floor space in cells, cells double bunked
Mattresses: Mattress damaged in cell # 10

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 6-501.12(A)

Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, ceiling and wall dirty above the frying unit

FC 5-205.11(A)

Plumbing System; Operations and Maintenance: Handwashing sink not accessible^{Pf}, table blocking handwash sink

FC 6-501.18

Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Handwash sink dirty

Kitchen

Pots and Pans Storage

FC 6-501.12(A)

Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, drying racks dirty

FC 4-901.11(A)

Protection of Clean Items; Drying: Cleaned, sanitized equipment and utensils not allowed to fully air dry, metal cooking equipment stored wet

FC 4-501.12

Maintenance and Operation; Equipment: Cutting surfaces damaged and no longer easily cleanable, several cutting boards no longer easily cleanable

Handwash Sink (near Pots and Pans Storage)

FC 6-501.18

Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Handwash sink dirty

FC 5-205.15(B)

Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, handwash sink faucet loose

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

<i>Chemical Closet # SV123</i> FC 6-501.16	Maintenance and Operation: Premises, Structure, Attachments, and Fixtures - Methods; Wet mop stored in bucket
<i>Tool Room # SV119</i>	No Violations Noted
<i>Powers Rolling Cooler</i> FC 4-501.11(B)	Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, door gaskets damaged
<i>Handwash Sink (near # SV124)</i> FC 5-205.15(B)	Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, eye wash attachment loose
<i>Spice Rack</i> FC 3-304.12(B)	Protection from Contamination After Receiving; Preventing Contamination from Equipment, Utensils, and Linens: Utensil handle not stored above the food in the container, scoop stored in flour
<i>Walk-In Freezer</i>	No Violations Noted
<i>Cooler # 1</i> FC 4-501.11(B)	Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, refrigerator door gaskets damaged
<i>Cooler # 2</i>	No Violations Noted
<i>2-Compartment Sink Area</i>	No Violations Noted
<i>Prep Area</i> FC 6-501.12(A)* FC 6-501.12(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, oven handles dirty Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, interior and exterior of oven doors dirty
<i>True Cooler</i> FC 6-501.114(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Non-functional equipment not repaired or removed from premises
<i>True Warming Units</i>	No Violations Noted
<i>Tool Closet # SV 129</i>	No Violations Noted
<i>Dishwashing Area</i> FC 4-501.112(A)(2) FC 5-205.15(B)	Maintenance and Operation, Equipment: Inadequate water temperature in the mechanical warewashing machine^{Pf} Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, faucet on right loose at 3-compartment sink

<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
Warehouse	
<i>Bathroom</i>	No Violations Noted
<u>Laundry</u>	
<i>Inmate Bathroom</i>	No Violations Noted
<i>Office</i>	No Violations Noted
<i>Storage</i>	No Violations Noted
<u>Visiting</u>	
	No Violations Noted
<u>Programs</u>	
<i>Female Bathroom # PR127</i>	No Violations Noted
<i>Male Bathroom # PR126</i>	No Violations Noted
<i>Offices</i>	No Violations Noted
<u>Education</u>	
<i>Inmate Bathroom # PR117</i>	No Violations Noted
<i>Inmate Bathroom # PR116</i>	No Violations Noted

H.S.U.

<i>Medical Waste</i> 105 CMR 480.425(A)	Tracking Medical or Biological Waste for Treatment: Generator did not confirm the shipment was received by the treatment facility within 30 days on an approved tracking form
<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> 105 CMR 451.344	Illumination in Habitable Areas: Light not functioning properly, light out
<i>Storage Closet # 131</i>	No Violations Noted
<i>Storage Closet # 130</i>	No Violations Noted
<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

Equipment Storage # 115
No Violations Noted

Female Staff Bathroom # 113
No Violations Noted

Male Staff Bathroom # 111
No Violations Noted

Booking/Intake

Count Office # IN116
No Violations Noted

Records # IN111
No Violations Noted

Officer's Area
No Violations Noted

Holding Cells # 135 - 137
No Violations Noted

Janitor's Closet # 132
No Violations Noted

Triage # 128
No Violations Noted

Male Staff Bathroom # 127
105 CMR 451.126 Hot Water: Hot water temperature recorded at 68°F

Office # 125
No Violations Noted

Search Showers # 123 and 124
No Violations Noted

Male Release Dressout # 122
No Violations Noted

Female Release Dressout # 121
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

Holding Cells 112-114 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 168 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 medical waste log book was missing the white return tracking forms with signature confirming the medical waste was processed. The H.S.U. staff was able to generate the missing forms and updated the medical waste log before the end of the inspection.

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,

A handwritten signature in blue ink that reads "Nicholas Gale". The signature is written in a cursive style with a large initial 'N' and a long, sweeping tail.

Nicholas Gale
Environmental Analyst, CSP, BEH