

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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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

Jan Sullivan, Acting 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)

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 860F in common area sink

*Storage Room*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Multi-Use Room*

 No Violations Noted

*Interview Room*

 No Violations Noted

*Showers*

 No Violations Noted

*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

**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*

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, instant hot water faucet leaking at common sink

*Staff Bathroom*

105 CMR 451.124 Water Supply: Insufficient hot water supply in quantity and pressure at handwash sink

105 CMR 451.126 Hot Water: Hot water temperature recorded at 850F

*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 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

*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

*Shower*

 No Violations Noted

*Janitor’s Closet*

 No Violations Noted

*Cells*

105 CMR 451.103 Mattresses: Mattress damaged in cell # 8 and 10

*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*

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

105 CMR 451.353\* 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\* Maintenance: Soap scum on walls in handicapped shower

105 CMR 451.123 Maintenance: Debris on shower floor

*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: 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 L**

*Main Area*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Storage*

 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: Soap scum on walls in shower # 3

*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 M**

*Main Area*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Storage Closet*

 No Violations Noted

*Showers – 1st Floor*

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

105 CMR 451.103 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 accessiblePf, 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

*Chemical Closet # SV123*

FC 6-501.16 Maintenance and Operation: Premises, Structure, Attachments, and Fixtures - Methods; Wet mop stored in bucket

*Tool Room # SV119*

 No Violations Noted

*Powers Rolling Cooler*

FC 4-501.11(B) Maintenance and Operation, Equipment: Equipment components not maintained is a state of good repair, door gaskets damaged

*Handwash Sink (near # SV124)*

FC 5-205.15(B) Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, eye wash attachment loose

*Spice Rack*

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

*Walk-In Freezer*

 No Violations Noted

*Cooler # 1*

FC 4-501.11(B) Maintenance and Operation, Equipment: Equipment components not maintained is a state of good repair, refrigerator door gaskets damaged

*Cooler # 2*

 No Violations Noted

*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

*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

*Dishwashing Area*

**FC 4-501.112(A)(2) Maintenance and Operation, Equipment: Inadequate water temperature in the mechanical warewashing machinePf**

FC 5-205.15(B) Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, faucet on right loose at 3-compartment sink

*Staff Bathroom # 121*

 No Violations Noted

*Inmate Bathroom # 122*

 No Violations Noted

*Dry Storage # SV126*

 No Violations Noted

*Dry Storage # SV125*

 No Violations Noted

*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*

 No Violations Noted

*Offices*

 No Violations Noted

**Education**

*Inmate Bathroom # PR117*

 No Violations Noted

*Inmate Bathroom # PR116*

 No Violations Noted

**H.S.U.**

*Medical Waste*

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

*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*

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

*Storage Closet # 131*

 No Violations Noted

*Storage Closet # 130*

 No Violations Noted

*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**

*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 680F

*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:
	1. 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
	2. 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](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