



The Commonwealth of Massachusetts  
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May 10, 2017

James M. Cummings, Sheriff  
Barnstable County Correctional Facility  
6000 Sheriff's Place  
Bourne, MA 02532

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 1999 Food Code; 105 CMR 520.000 Labeling; and 105 CMR 205.000 Minimum Standards Governing Medical Records and the Conduct of Physical Examinations in Correctional Facilities; I conducted an inspection of the Barnstable County Correctional Facility on April 27, 2017 accompanied by Deputy Brian Chapman, EHSO and Krista Kerr, Administrative Assistant to Compliance. Violations noted during the inspection are listed below including 26 repeat violations:

**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*

105 CMR 451.123

Maintenance: Ceiling vent dusty

*Showers – 1<sup>st</sup> Floor*

No Violations Noted

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

105 CMR 451.353

Interior Maintenance: Wet mop stored in sink

*Showers – 2<sup>nd</sup> Floor*

105 CMR 451.123

Maintenance: Wall dirty in shower # 1 and 2

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

No Violations Noted

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

105 CMR 451.353

Interior Maintenance: Wall surface damaged in cell # 12, 13, 14, and 32

105 CMR 451.353

Interior Maintenance: Mold on ceiling in Day Room area

*Storage*

105 CMR 451.353

Interior Maintenance: Ceiling vent dusty

*Recreation Area*

No Violations Noted

**Pod B**

*Main Area*

No Violations Noted

*Storage Room*

No Violations Noted

*Staff Bathroom*

105 CMR 451.123

Maintenance: Wall paint peeling

*Multi-Use Room*

No Violations Noted

*Interview Room*

No Violations Noted

*Recreation Area*

No Violations Noted

*Showers*

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1

105 CMR 451.123

Maintenance: Floor dirty in shower # 1

*Janitor's Closet*

No Violations Noted

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

## **Pod C**

### *Main Area*

No Violations Noted

### *Staff Bathroom*

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: Mold on ceiling outside shower # 3

105 CMR 451.123

Maintenance: Mold on ceiling outside shower # 2

105 CMR 451.123

Maintenance: Walls dirty in shower # 1

### *Showers – 2<sup>nd</sup> Floor*

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 3

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

No Violations Noted

### *Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

105 CMR 451.353

Interior Maintenance: Floor paint damaged in all cells

105 CMR 451.353

Interior Maintenance: Wall surface damaged in cell # 12, 13, 14, 22, and 24

### *Recreation Area*

No Violations Noted

## **House 2**

### **Main Hallway**

### *Triage Room*

No Violations Noted

## **Pod D – Closed**

### *Main Area*

105 CMR 451.353

Interior Maintenance: Ceiling tiles missing

### *Shower – 1<sup>st</sup> Floor*

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*

No Violations Noted

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

*Storage Room*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod E**

*Main Area*

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*

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 all cells

*Storage Room*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod F**

*Main Area*

No Violations Noted

*Shower*

105 CMR 451.123

Maintenance: Mold on ceiling

*Janitor's Closet*

No Violations Noted

*Cells*

No Violations Noted

*Recreation Area*

No Violations Noted

## **Pod G**

### *Main Area*

No Violations Noted

### *Shower – 1<sup>st</sup> Floor*

No Violations Noted

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

No Violations Noted

### *Shower – 2<sup>nd</sup> Floor*

105 CMR 451.123

Maintenance: Soap scum on floor

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

No Violations Noted

### *Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

### *Storage Closet*

No Violations Noted

### *Recreation Area*

No Violations Noted

## **Pod H**

### *Main Area*

105 CMR 451.353

Interior Maintenance: Ceiling tiles missing

### *Shower – 1<sup>st</sup> Floor*

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*

No Violations Noted

### *Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

### *Recreation Area*

No Violations Noted

## **House 3**

### **Main Hallway**

### *Triage Room*

No Violations Noted

## Pod J

### *Main Area*

No Violations Noted

### *Storage Closet*

No Violations Noted

### *Showers – 1<sup>st</sup> Floor*

105 CMR 451.123\*

Maintenance: Soap scum on floor in shower # 1-3

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

No Violations Noted

### *Showers – 2<sup>nd</sup> Floor*

105 CMR 451.123\*

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 2

Maintenance: Floor dirty in shower # 2

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

105 CMR 451.353

105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

Interior Maintenance: Ceiling vent dusty

### *Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

### *Recreation Area*

No Violations Noted

## Pod K

### *Main Area*

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*

No Violations Noted

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

No Violations Noted

### *Cells*

105 CMR 451.321\*

105 CMR 451.353

105 CMR 451.353

Cell Size: Inadequate floor space in all cells

Interior Maintenance: Wall surface damaged in cell # 1, 3, and 20

Interior Maintenance: Debris on ceiling in cell # 36

### *Recreation Area*

No Violations Noted

## Pod L

### *Main Area*

105 CMR 451.200\* Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, no functioning thermometer in white refrigerator

### *Staff Bathroom*

No Violations Noted

### *Showers – 1<sup>st</sup> Floor*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 3  
105 CMR 451.123 Maintenance: Soap scum on walls in shower # 2

### *Janitor's Closet – 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 # 1-3

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

105 CMR 451.353 Interior Maintenance: Wet mop stored in sink

### *Cells*

105 CMR 451.321\* Cell Size: Inadequate floor space in all cells

### *Recreation Area*

No Violations Noted

## Pod M

### *Main Area*

No Violations Noted

### *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*

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 all cells  
105 CMR 451.353 Interior Maintenance: Wall surface damaged in cell # 7

*Recreation Area*

No Violations Noted

**Food Service**

*Male Staff Bathroom*

No Violations Noted

*Female Staff Bathroom*

No Violations Noted

**Staff Dining**

FC 3-304.12(A)

Preventing Contamination from Utensils: Service utensils handle stored below the food and container line, scoop stored in bacon bits

FC 4-601.11(C)

Cleaning of Equipment and Utensils, Objective: Non-food contact surface dirty, cap on jelly dirty

FC 6-501.12(A)

Maintenance and Operation; Cleaning: Facility not cleaned properly, fryer ventilation hood dirty

FC 5-205.11(B)

Plumbing System, Operations and Maintenance: Handwashing sink used for an unapproved purpose, dirty utensils stored in handwash sink

FC 6-501.12(A)

Maintenance and Operation; Cleaning: Facility not cleaned properly, wall dirty behind fryer

**Kitchen**

*Ice Machine*

No Violations Noted

*Handwash Sink (near Ice Machine)*

No Violations Noted

*Chemical Closet # SV123*

FC 7-101.11\*

Poisonous or Toxic Materials; Original Containers: Cleaning chemicals not labeled properly, original manufactures label missing

*Tool Room # SV119*

FC 6-404.11

Location and Placement; Distressed Merchandise: Dented cans not properly segregated

*Walk-In Freezer*

FC 6-501.12(A)\*

Maintenance and Operation; Cleaning: Facility not cleaned properly, ice build-up on walls

FC 4-501.11(B)\*

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, door gaskets damaged

*Cooler # 1*

No Violations Noted

*Cooler # 2*

FC 3-302.11(A)(4)\*

Preventing Food and Ingredient Contamination: Preventing cross contamination, vegetables not appropriately covered

FC 4-501.11(B)

Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, door gaskets damaged

*2-Bay Sink Area*

No Violations Noted



<i>Prep Area</i>	No Violations Noted
<i>True Cooler</i>	No Violations Noted
<i>True Warming Units</i>	No Violations Noted
<i>Tool Closet # SV 129</i>	No Violations Noted
<i>Dishwashing Area</i> FC 3-302.11(A)(4) FC 4-501.112(A)(2)	Preventing Food and Ingredient Contamination: Preventing cross contamination, dinner rolls on rack not appropriately covered in dishwashing area Maintenance and Operation, Equipment: Inadequate water temperature in the mechanical warewashing machine
<i>Staff Bathroom # 121</i>	No Violations Noted
<i>Inmate Bathroom # 122</i> 105 CMR 451.123*	Maintenance: Ceiling vent dusty
<i>Dry Storage # SV126</i>	No Violations Noted
<i>Dry Storage # SV125</i> FC 3-304.12(A)	Preventing Contamination from Utensils: Service utensils handle stored below the food and container line, scoop stored in chicken soup base
<i>Loading Dock</i>	No Violations Noted
<b>Warehouse</b>	
<i>Bathroom</i>	No Violations Noted
<b><u>Laundry</u></b>	No Violations Noted
<i>Inmate Bathroom</i>	No Violations Noted
<i>Office</i>	No Violations Noted
<i>Storage</i>	No Violations Noted
<b><u>Visiting</u></b>	No Violations Noted

**H.S.U.**

<i>Inmate Bathroom # 138</i>	Unable to Inspect - Locked
<i>Exam Room # 136</i>	No Violations Noted
<i>Lab # 135</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>	No Violations Noted
<i>Exam Room # 128</i>	No Violations Noted
<i>Storage # 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>Cell # HL134</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**

### *Officer's Area*

No Violations Noted

### *Holding Cells # 1-3*

No Violations Noted

### *Janitor's Closet # 132*

No Violations Noted

### *Triage # 128*

No Violations Noted

### *Male Staff Bathroom # 127*

No Violations Noted

### *Search Showers # 123 and 124*

105 CMR 451.123 Maintenance: Ceiling vent dusty in shower # 124

### *Male Release Dressout # 122*

105 CMR 451.353 Interior Maintenance: Ceiling vent dusty

### *Female Release Dressout # 121*

105 CMR 451.353 Interior Maintenance: Ceiling vent dusty

### *Female Staff Bathroom # 119*

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

### *Cells*

No Violations Noted

## **Observations and Recommendations**

1. The inmate population was 363 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 was not reaching the appropriate temperature during the sanitizing cycle. The Department recommended the kitchen use paper plates and utensils until the temperature was brought into compliance.

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 please visit the Food Protection website at [www.mass.gov/dph/fpp](http://www.mass.gov/dph/fpp) and click on "Food Protection Regulations". Then under "Retail" click "105 CMR 590.000 - State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments" and "1999 Food Code".

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 Regulations". Then under "General Food Regulations" click "105 CMR 520.000: Labeling."

This inspection report is signed and certified under the pains and penalties of perjury.

Sincerely,



Nicholas Gale  
Environmental Health Inspector, CSP, BEH

cc: Jan Sullivan, Acting Director, BEH  
Steven Hughes, Director, CSP, BEH  
Timothy Miley, Director of Government Affairs  
Marylou Sudders, Secretary, Executive Office of Health and Human Services  
Thomas Turco, Commissioner, DOC  
John Rogozenski, Superintendent  
Deputy Brian Chapman, EHSO  
Ken Shaffer, Lieutenant  
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