

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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| DEVAL L. PATRICK  GOVERNOR  JOHN W. POLANOWICZ  SECRETARY  CHERYL BARTLETT, RN  COMMISSIONER |

May 9, 2014

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; 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 May 1, 2014 accompanied by Lieutenant Kenneth Shaffer. Violations noted during the inspection are listed below including 118 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**

**Pod A**

*Main Area*

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

*Showers – 1st Floor*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 2

105 CMR 451.123\* Maintenance: Ceiling damaged, pitted in shower # 1-3

*Janitor’s Closet – 1st Floor*

No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-3

105 CMR 451.123\* Maintenance: Ceiling damaged, pitted in shower # 1-3

*Janitor’s Closet – 2nd Floor*

No Violations Noted

*Cells*

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

*Recreation Area*

105 CMR 451.353 Interior Maintenance: Wall paint peeling

**Pod B**

*Main Area*

No Violations Noted

*Showers*

105 CMR 451.123\* Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 1-4

105 CMR 451.123\* Maintenance: Floor damaged, tiles missing in shower # 3

*Janitor’s Closet*

No Violations Noted

*Cells*

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

*Storage Room*

105 CMR 451.350\* Structural Maintenance: Wall cracked

*Officer’s Bathroom*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod C**

*Main Area*

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

105 CMR 451.126 Hot Water: Hot water temperature recorded at 860F at handwash sink

*Showers – 1st Floor*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 1-3

*Janitor’s Closet – 1st Floor*

No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-3

*Janitor’s Closet – 2nd Floor*

No Violations Noted

*Cells*

105 CMR 451.353\* Interior Maintenance: Wall paint peeling in cell # 28

*Recreation Area*

105 CMR 451.353 Interior Maintenance: Wall paint peeling

**House 2**

**Pod D**

*Main Area*

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

FC 4-601.11(A) Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, interior of coffee-maker dirty

*Shower – 1st Floor*

No Violations Noted

*Janitor’s Closet – 1st Floor*

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

*Shower – 2nd Floor*

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

105 CMR 451.123\* Maintenance: Floor damaged, cement floor divider not easily cleanable

105 CMR 451.123\* Maintenance: Floor damaged, cement floor not easily cleanable

*Janitor’s Closet – 2nd 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 – 1st Floor*

105 CMR 451.123\* Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 2

*Janitor’s Closet – 1st Floor*

Unable to Inspect – No Access

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Floor damaged, cement floor dividers not easily cleanable in shower # 1-2

105 CMR 451.123\* Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-2

*Cells*

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

*Recreation Area*

No Violations Noted

**Pod F**

*Main Area*

105 CMR 451.353\* Interior Maintenance: Officer’s countertop damaged

*Showers*

Unable to Inspect – In Use

*Janitor’s Closet*

No Violations Noted

*Cells*

No Violations Noted

*Recreation Area*

No Violations Noted

**Pod G**

*Main Area*

No Violations Noted

*Shower – 1st Floor*

105 CMR 451.123\* Maintenance: Ceiling dirty

*Janitor’s Closet – 1st Floor*

No Violations Noted

*Shower – 2nd Floor*

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

105 CMR 451.123\* Maintenance: Floor damaged, cement floor not easily cleanable

*Janitor’s Closet – 2nd Floor*

No Violations Noted

*Cells*

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

*Recreation Area*

No Violations Noted

**Pod H**

*Main Area*

No Violations Noted

*Shower – 1st Floor*

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

105 CMR 451.123\* Maintenance: Floor tiles damaged

*Janitor’s Closet – 1st Floor*

No Violations Noted

*Shower – 2nd Floor*

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

105 CMR 451.123\* Maintenance: Floor damaged, cement floor not easily cleanable

105 CMR 451.123\* Maintenance: Floor tiles damaged

*Janitor’s Closet – 2nd Floor*

No Violations Noted

*Cells*

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

*Recreation Area*

105 CMR 451.353 Interior Maintenance: Wall paint peeling

105 CMR 451.353 Interior Maintenance: Floor paint peeling

**House 3**

**Main Hallway**

*Triage Room*

No Violations Noted

**Pod J**

*Main Area*

FC 4-602.12(B)\* Cleaning of Equipment and Utensils; Frequency: Interior of microwave oven dirty

FC 4-601.11(A)\* Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, interior of coffee-maker dirty

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

*Showers – 1st Floor*

105 CMR 451.123\* Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1-3

105 CMR 451.123\* Maintenance: Ceiling damaged, pitted in shower # 1-3

*Janitor’s Closet – 1st Floor*

105 CMR 451.353 Interior Maintenance: Floor tiles damaged outside of closet

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, tiles missing outside showers

105 CMR 451.123\* Maintenance: Ceiling dirty in shower # 1 and 2

*Janitor’s Closet – 2nd Floor*

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

*Cells*

No Violations Noted

*Recreation Area*

105 CMR 451.353 Interior Maintenance: Wall paint peeling

**Pod K**

*Main Area*

No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123\* Maintenance: Floor damaged, tiles missing outside showers

105 CMR 451.123\* Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1 and 2

105 CMR 451.123\* Maintenance: Ceiling damaged, pitted in shower # 3

*Janitor’s Closet – 1st Floor*

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, tiles missing outside showers

105 CMR 451.123\* Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-3

*Cells*

105 CMR 451.353 Interior Maintenance: Wall paint peeling in cell # 12, 19, and 31

*Recreation Area*

105 CMR 451.353\* Interior Maintenance: Wall paint peeling

**Pod L**

*Main Area*

No Violations Noted

*Showers – 1st Floor*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, tiles damaged outside showers

105 CMR 451.123\* Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1 and 2

*Janitor’s Closet – 1st Floor*

No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-3

105 CMR 451.123 Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1-3

*Janitor’s Closet – 2nd Floor*

No Violations Noted

*Cells*

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

105 CMR 451.350 Structural Maintenance: Foundation leaking, water on floor in cell # 2, 8, 9, and 11

*Recreation Area*

No Violations Noted

**Pod M**

*Main Area*

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

*Showers – 1st Floor*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 2 and 3

*Janitor’s Closet – 1st Floor*

No Violations Noted

*Showers – 2nd Floor*

105 CMR 451.123\* Maintenance: Soap scum on walls in showers # 1-3

105 CMR 451.123\* Maintenance: Floor damaged, cement floor divider not easily cleanable in shower # 1-3

105 CMR 451.123 Maintenance: Floor damaged, cement floor not easily cleanable in shower # 1-3

*Janitor’s Closet – 2nd Floor*

No Violations Noted

*Cells*

No Violations Noted

*Officer’s Bathroom*

No Violations Noted

*Recreation Area*

No Violations Noted

**Food Service**

*Men’s Staff Bathroom*

No Violations Noted

*Women’s Staff Bathroom*

No Violations Noted

**Staff Dining**

FC 4-601.11(A)\* Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, juice machine nozzles dirty

FC 4-601.11(A)\* Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, interior of coffee-machine dirty

*Ice Machine*

FC 6-501.16 Maintenance and Operation; Cleaning: Wet mop stored in bucket

*Handwash Sink (near Ice Machine)*

No Violations Noted

*Chemical Closet – SV123*

No Violations Noted

*Tool Room – SV119*

No Violations Noted

*Walk-In Freezer*

No Violations Noted

*Cooler # 1*

FC 3-305.11(A)(2)\* Preventing Contamination from Premises: Food exposed to dust, fans in cooler dusty

*Cooler # 2*

No Violations Noted

*2-Bay Sink Area*

FC 5-205.15(B)\* Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, sink leaking

FC 3-304.14(B)(2)\* Preventing Contamination from Linens: Wet cloth not stored in sanitizer bucket

FC 4-501.114(C)(2) Maintenance and Operation; Equipment: Quaternary ammonium solution greater than the manufacturers recommended concentration

*Prep Area*

No Violations Noted

*True Cooler*

No Violations Noted

*True Warming Units*

FC 4-501.11(B)\* Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, gaskets damaged in warming unit # 1

FC 4-501.11(B) Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, gaskets damaged in warming unit # 2

FC 5-205.15(B)\* Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking near warming units

*Tool Closet # 2*

No Violations Noted

*Dishwashing Area*

FC 5-205.15(B)\* Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, faucet loose at handwash sink

FC 5-205.15(B)\* Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, 3-bay sink pipes leaking

FC 5-205.15(B) Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink leaking

*Staff Bathroom*

No Violations Noted

*Inmate Bathroom*

No Violations Noted

*Dry Storage # 1*

No Violations Noted

*Dry Storage # 2*

No Violations Noted

*Loading Dock*

No Violations Noted

**Laundry**

No Violations Noted

*Inmate Bathroom*

No Violations Noted

*Office*

No Violations Noted

**H.S.U.**

*Male Staff Bathroom*

No Violations Noted

*Female Staff Bathroom*

No Violations Noted

*Cell HL134*

No Violations Noted

*Dental Suite*

No Violations Noted

*Medical Cart Storage*

No Violations Noted

*Inmate Bathroom*

No Violations Noted

**Booking/Intake**

*Officer’s Area*

No Violations Noted

*Holding Cells*

No Violations Noted

*Male Staff Bathroom*

No Violations Noted

*Female Staff Bathroom*

No Violations Noted

*Male Inmate Bathroom*

105 CMR 451.123 Maintenance: Floor baseboard missing

*Female Inmate Bathroom*

No Violations Noted

*Dressing Room*

No Violations Noted

**Education Area**

*Inmate Bathroom # 116*

105 CMR 451.123 Maintenance: Ceiling vent dusty

*Inmate Bathroom # 117*

No Violations Noted

*Male Staff Bathroom*

No Violations Noted

*Female Staff Bathroom*

No Violations Noted

**Observations and Recommendations**

1. The inmate population was 347 at the time of inspection.
2. At the time of inspection, the certificate from Radiation Control within HSU had expired. The Department recommended reaching out to Radiation Control for an updated certificate of compliance.
3. Pod E was empty at the time of inspection. The facility was upgrading the security system within the block.

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](http://www.cfsan.fda.gov/%7Edms/fc99-toc.html)”.

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

Sincerely,

Nicholas Gale

Environmental Health Inspector, CSP, BEH

cc: Suzanne K. Condon, Associate Commissioner, Director, BEH

Steven Hughes, Director, CSP, BEH

John W. Polanowicz, Secretary, Executive Office of Health and Human Services

Luis S. Spencer, Commissioner, DOC

John Rogozenski, Superintendent

Ronald Parkinson, EHSO

Cynthia A. Coffin, RS, CHO, Health Agent, Bourne Board of Health

Clerk, Massachusetts House of Representatives

Clerk, Massachusetts Senate

Andrea Cabral, Secretary, EOPS