



# Barnstable County Sheriff



## Annual Report of Barnstable County Sheriff's Office: Fiscal Year 2010



*The Sheriff of Barnstable County  
James Cummings*

**T**his Fiscal Year 2010 annual report surely qualifies as the most unusual one submitted in my 12 years here. The reason is simple. We were a county agency for only the first six months of the fiscal year, those running from July through December of calendar year 2009.

With the stroke of midnight last December 31st, we became reorganized and incorporated as an entirely state-funded entity. The Sheriff as officeholder remains in the hands of Barnstable County voters every six years, but other than that our lock, stock, and barrel have been re-branded as Commonwealth of Massachusetts. The Barnstable County in our official title becomes mostly a device to identify the geographic area we serve.

That being the case, there's little point citing numbers and statistics that are only half a loaf. (July through December of '09, but not January through June of 2010). I thought I'd put this space to better use by narrating a brief history of the Office, how we came to build our state-of-the-art correctional facility, and why we run it the way we do. Building it was the signal accomplishment of the decade for this Office and getting it accredited – by the American Correctional Association, just a month after leaving the county – was number two.

Not coincidentally, this information comes from newspaper columns I've written during the last four months under the umbrella of Barnstable County. So it's a timely as well as a fitting valedictory. Forthwith, the remainder of this report, again citing excerpts from columns published between September and December of 2009 in the Enterprise family of weeklies. (Quotes dispensed with for ease of reading):

### **History of the Sheriff's Office**

Let's begin at the beginning, with some history and context for the Barnstable County Sheriff's Office.

The office's roots go back 12 centuries to medieval England, when woodsmen like Robin Hood and his roguish band locked swords – sometimes literally – with the Sheriff of Nottingham. I'm thinking that sheriff was not as heartless as the Hollywood versions we've come to know and hate, but I can't say for sure. The written record of the period is spotty at best.

The title sheriff combines two Middle Age words, shire and reeve. It means "keeper of the county," and that's what those English sheriffs did for the Saxon kings who appointed them. They collected taxes, looked after royal lands, enforced edicts. Things like that. Back then, it would not be a stretch to call them the law – lock, stock, and barrel.

When the Pilgrims landed in 1620, in Provincetown briefly, then in Plymouth to stay, Myles Standish assumed the role of sheriff. His actual title was military captain because the Pilgrims hired him

primarily to defend against external threats. But the colony's first sheriff, as a collateral duty at least, Standish surely was.

Seventy-two years after that landing, some 317 years ago, William Bassett was sworn in here as Barnstable County's first sheriff. Thirty-one, including me, have followed, making the average tenure slightly more than 10 years.

Only two sheriffs have served nonconsecutive terms: Shubael Gorman and David Bursley. Shubael, his first name would suggest, goes back a stretch. True enough when you consider Sheriff Gorham's last day on the job was 261 years ago.

If you're interested in other Barnstable County sheriffs with cobweb-entangled first names, three in office as the 20th century dawned would be a good place to start: There was Eben Crocker (1897-99), who was followed by Judah Chase (1899-1902), who was followed by Ulysses Hull (1902-08).

### **Same oath as the others**

I take exactly the same oath as the officers I swear in when they graduate from our recruit academy. It concludes with this affirmation: "I [name inserted] do solemnly swear that I will support the Constitution of the United States."

Alaska, Hawaii, and Connecticut have no sheriffs; Rhode Island appoints theirs; New York, Colorado, and Florida elect most of them but appoint a handful. Election is the rule not only here but everywhere else.

In broad outline, the sheriff has three jobs. First and by far the greatest in manpower and budget expenditure is to transport and hold inmates at county jails and houses of correction. We do that in Bourne at the Barnstable County Correctional Facility, which opened its doors five years ago this October.

Each of the state's 14 sheriffs also runs what is called a civil process office. These specialized deputy sheriffs deliver sundry documents – summonses, subpoenas, divorce notices, et cetera – that tell individuals where and when to report to courthouses across Barnstable County. It's sometimes called "paperwork with a purpose."

### **Assist local law enforcement, public safety**

Last but not least, sheriffs support and assist local and state police, fire departments, and others in law enforcement and public safety. Notice I've italicized support and assist. That's not a slip.

In other states, especially in the South and West, sheriffs carry out law enforcement on a more or less equal footing with local police. If you watch crime shows or follow regional news around the United States, you may have noticed this difference. Take Miami, Florida, for instance, which is in Dade County. A crime story there is as likely to involve county deputies as it is Miami police.

On some county ballots an expanded role even appears in the job's official title, with voters electing a "sheriff and coroner." That is not uncommon in the Southwest and in parts of California. So why are deputy sheriffs less visible than police on the Cape and other Bay State streets? For the answer, we'll double back to the Pilgrims, who nurtured local – or "town meeting" – form of government into a hearty strain.

Recall how long ago many of our towns were established, add the absence of unincorporated land, and it's no surprise municipal police have become the first line of defense in Massachusetts.

Whether it's K9, crime-scene investigation, emergency telecommunication calls, civilian emergency response teams, our role and motto is the same: "To support yes, to compete, no."

I'm happy to report the vast majority of police chiefs are receptive to what we are equipped to offer. There is more than enough crime to go around, whatever the jurisdiction. Does Citizen X care who investigated the crime scene, who made the arrest, who saved the life? I think not. His or her sole con-

cern was that it was carried out successfully.

As Harry Truman once said, and Ronald Reagan was fond of reiterating: "It's amazing what you can accomplish when you don't worry who gets the credit." Our history lesson is over...

### **Barnstable County Correctional Facility: The short tour**

"So what's it like at the jail?"

When you run a 588-bed facility, one hovering around 400 inmates, you get asked that a lot. I sometimes respond by explaining what the Barnstable County Correctional Facility (BCCF) in Bourne is not like.

It's not like those dark, bar-clanking places built years ago and later celebrated on stage and screen. It's not like Folsom Prison in Sacramento, where Johnny Cash once went to sing. It's not like Joliet prison in Illinois, where Dan Ackroyd and John Belushi found the substandard accommodations not to their liking. Nor is it like Alcatraz, the rock island in San Francisco Bay where Burt Lancaster portrayed "The Birdman" Robert Stroud.

Truth be told, the single most common paraphrase we get goes about like this: "I didn't expect the jail to be this clean or bright. I thought it would be a lot noisier. Oh, and where are all the bars? You know, like you see in the movies?"

In sum, most visitors find BCCF more visually pleasing, more antiseptic almost, than what they'd imagined. And a lot more compartmentalized. Inmates have a different take.

Not so impressed are the inmates housed here – at least not those inclined to act up or who've done time elsewhere. They often complain about the lack of mobility their confinement entails, most especially the freedom to move around once they've been assigned a housing unit.

Inmates of that don't much like our five-year-old facility because we've done away with the large common areas where inmates typically stir up most of their trouble. That cavernous chow hall where they congregate for daily meals? Don't have one. The sprawling prison yard that movies like "Shawshack's Redemption" always feature so prominently. Not here. A prison clinic? Yes, we have that. But we also have three triage rooms, enabling us to treat House 1, 2, and 3 inmates in their respective housing clusters.

Keeping things tidy, clean, and reasonably bright has other advantages, too. For one thing, we

owe as much to the hardworking officers and staff who man the posts inside. I'd encourage readers to think of places they may have worked or volunteered. If they were clean, you probably appreciated that. If they weren't, well, maybe not so much.

Imagine yourself an inmate with half a notion to start a fight, scrawl graffiti on the wall, vandalize your bunk. If those telltale signs already abound, all the more likely you'll join in the "fun." If instead your Spartan surroundings are at least clean and in good repair, this kind of misbehavior is suddenly less acceptable. Even in prison. That means less of the violent and disruptive stuff for correction officers to contend with – a huge plus.

And there you have it, the short-version tour for those in a hurry.

### **Direct supervision: Today's way to manage inmates**

In an off-beat way, inmates can resemble other characters who figure in the great American narrative. Think of factory workers, or students in a college dorm, or even sailors aboard a Navy warship. All are large groups who share relatively tight quarters over long stretches of time. So for better or worse, all have to be managed.

What sets inmates apart, of course, is that they've committed serious crimes – admittedly an important distinction and one sure to breed an audience at times surly as well as captive. Face it, our clientele at the Barnstable County Correctional Facility (BCCF) doesn't want to be here, which only ratchets up our management challenge. It's also what sets us apart from most everyone else.

The imaginary factory worker is at least earning money; the college student is setting sights on an exciting new career; the sailor is serving his country. Our inmate...well, he's thinking about his release date, and usually little else.

### **How and why it really works**

So the question comes: How do you oversee and manage in our case 400 plus inmates languishing against their will? The model we employ at BCCF is called direct supervision.

Direct supervision represents a stone-cold break with how prisons used to be built and run. [There is a critical link between the building and the running and I'll get to that soon enough.]

Direct supervision replaces physical boundaries between inmate and staff with behavioral boundaries. Inmates who break them are escorted straight-

away to a unit where weekly out-of-cell time shrinks to five hours, where handcuffs and leg irons are reintroduced, where access to books, canteen items, and family visits are denied. In short, to a place where we just made a barebones existence noticeably worse.

The workaday components of successful direct supervision, meanwhile, are like the ingredients in a soufflé: You need them all in proper measure and sequence to get it right. The building's design needs to fit seamlessly with proper unit assignments and detailed inmate ground rules. Staff needs to be carefully deployed and adept at enforcing direct supervision – one day at a time, one shift at a time.

That's s how you make it work, at BCCF or anywhere else.

### **But form must follow function**

In direct supervision facilities, inmates who abide by jail rules do their time in greater relative freedom. Mobility might be a better word. They are out of their cells longer and get to attend religious services. The sentenced (as opposed to pre-trial) inmates can participate in work and educational programs. And they get more time to exercise, to interact with others, to call their loved ones.

So how old is direct supervision? The first facility was built this way in the early 1970s by the federal Bureau of Prisons. A decade later, the Contra Costa County Jail outside San Francisco became the first local detention center to employ the management style.

We couldn't practice proper direct supervision in the old jail in Barnstable Village for a very simple reason: It wasn't built for it. Tiers, bars, and other accessories of the aging, linear-style jail had to be left behind.

In their place, in the mini hubs of our direct-supervision facility, stand unit dayrooms where correction officers "walk the beat" right alongside inmates. To appreciate the difference between linear and direct, think of school teachers. Imagine them trying to instruct students from behind a remote control site (read: old-style jail) instead of inside the classroom. How effective would they be? Not very. BCCF and the benefits of compartmentalization

I have focused up until now on how we built and operate the Barnstable County Correctional Facility. If those columns made one impression, I hope it's how truly compartmentalized our building is.

But why is this so important? Imagine a battleship at sea. The ship has been severely damaged

and is taking on water. To stay afloat, the bluejackets need to seal off the dry compartments. Otherwise, onrushing water will continue to fill the ship and it will sink to the bottom.

Now instead of a battleship in distress, thankfully invoked only to make a point, think of a detention facility. Suppose disorder on one unit was threatening to spill into others. Suddenly it would be inmates, not torrents of seawater; we would need to seal off from distressed areas.

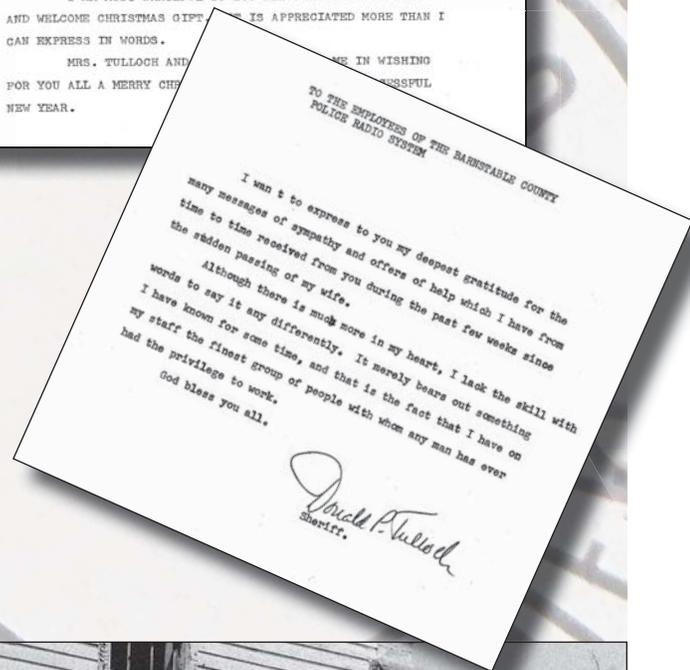
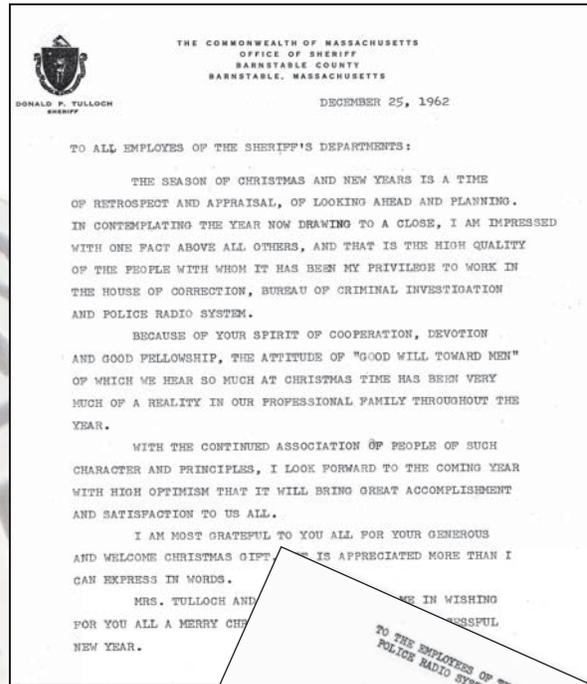
This kind of damage control would be easy enough to do at our facility because what is happening on one unit is neither seen nor heard on the others. You might say the inmates' ignorance has become our bliss. Or that seeing no evil and hearing no evil removes the opportunity to embrace it. You might say it's compartmentalization at work.

### Doesn't work everywhere

Okay, but what about an antiquated prison where this physical separation of housing units, this compartmentalization, is simply not possible? A notorious example of what can go wrong in a more communally-centered prison played out 38 years ago in upstate New York. Attica state prison inmates managed to rush – like battleship-sinking seawater – into the wrong places; officers were seized as hostages; death, destruction, and political recriminations followed.

Tom Wicker, then an influential New York Times columnist, even wrote a book about it entitled *A Time to Die: The Attica Prison Revolt*.

Suffice to say building an “anti-Attica,” where inmates spend most of their time sealed off in one of 12 mini-jails (individual housing units), was a huge step forward – an otherwise intractable problem trumped by clever design and construction.



*Sheriff Tulloch with members of the Wampanoag Tribe at the Indian Meeting House in Mashpee*

FEDERAL COMMUNICATIONS COMMISSION  
CUSTOM HOUSE, BOSTON, MASS.

GENTLEMEN:

THIS IS TO ADVISE YOU THAT RADIO STATION WRAQ WAS OFF THE AIR  
NOVEMBER 12, 1947 AT 230PM UNTIL 1105AM NOVEMBER 13, 1947 DUE TO LOSS  
OF ANTENNA MAST DURING HURRICANE. WE ARE NOW OPERATING WITH A TEMPORARY  
ANTENNA APPROXIMATELY 70 FEET HIGH, AWAITING A NEW MAST.

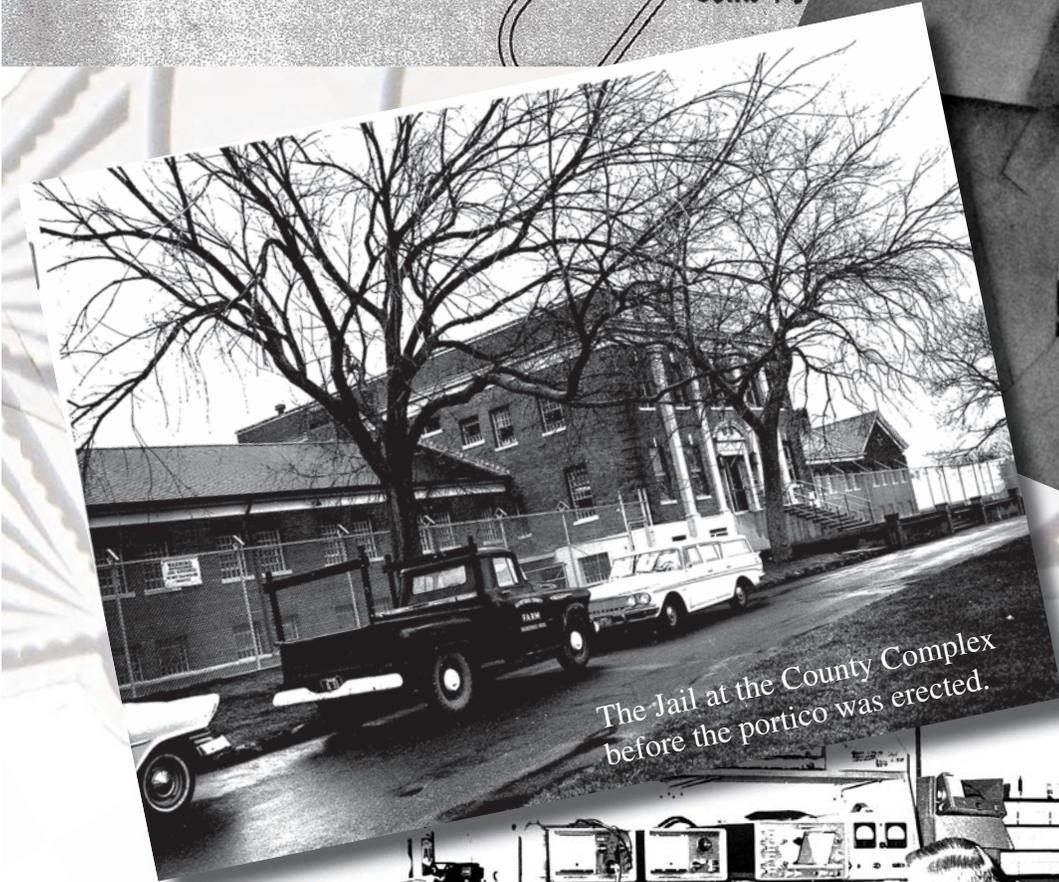
FROM TODAY UNTIL MONDAY THE 17TH WE WILL BE OPERATING WITH  
ABOUT HALF POWER UNTIL A POWER TRANSFORMER CAN BE RE

RESPECTFULLY,

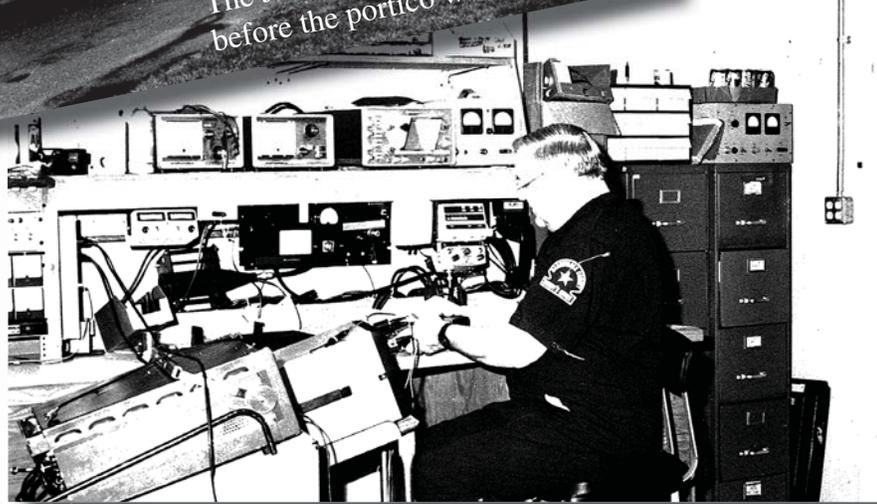
COUNTY OF BARNSTABLE

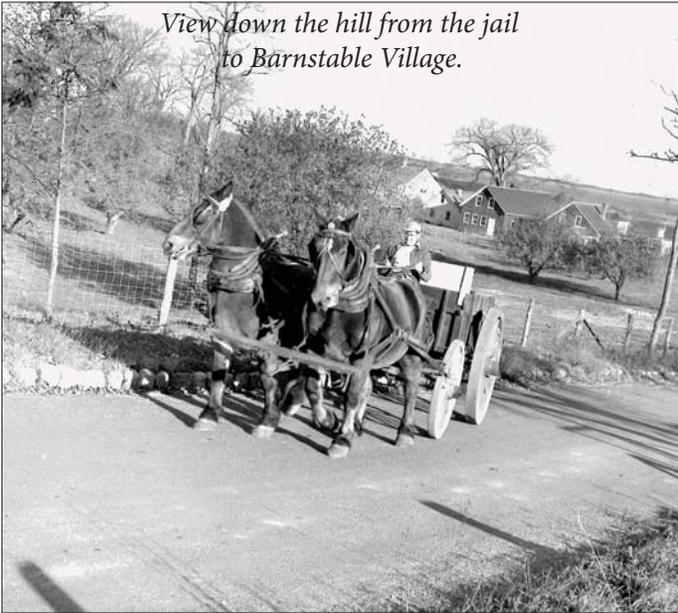
JOHN F.

Louis Cataldo  
Barnstable County Sheriff's Department  
Bureau of Criminal Investigation



The Jail at the County Complex  
before the portico was erected.





*View down the hill from the jail to Barnstable Village.*



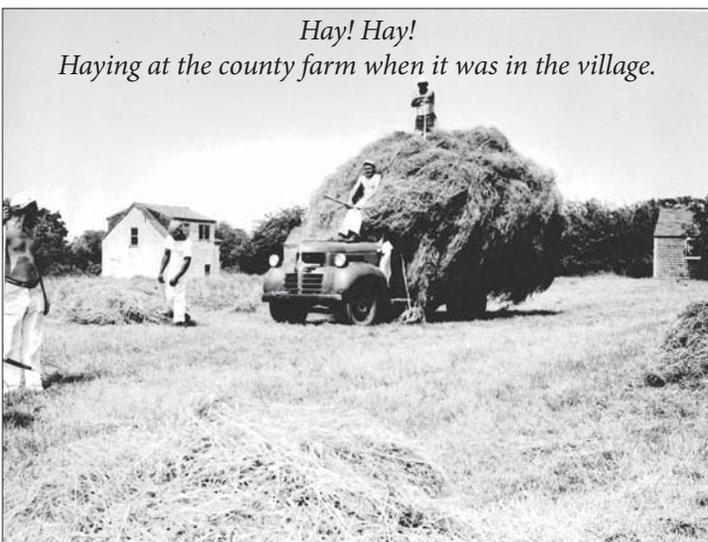
*The first county jail was located on old Gaol Lane in Barnstable Village. The building was falling into disrepair and had been long forgotten when it was discovered in the 1940's by Louis Cataldo, a history buff who worked for the Sheriff's Department at the time. Lou took the lead of a project that restored the building and moved it*

*to Route 6A in Barnstable Village, where it now serves as a museum.*

*The greenhouse in the Complex parking lot is a relic of when the county farm was in Barnstable Village.*



*Pasture land in Barnstable Village at the old county farm, which was created by the Sheriff. Inmates worked at the farm and learned good horticultural practices.*



*Hay! Hay!*

*Haying at the county farm when it was in the village.*

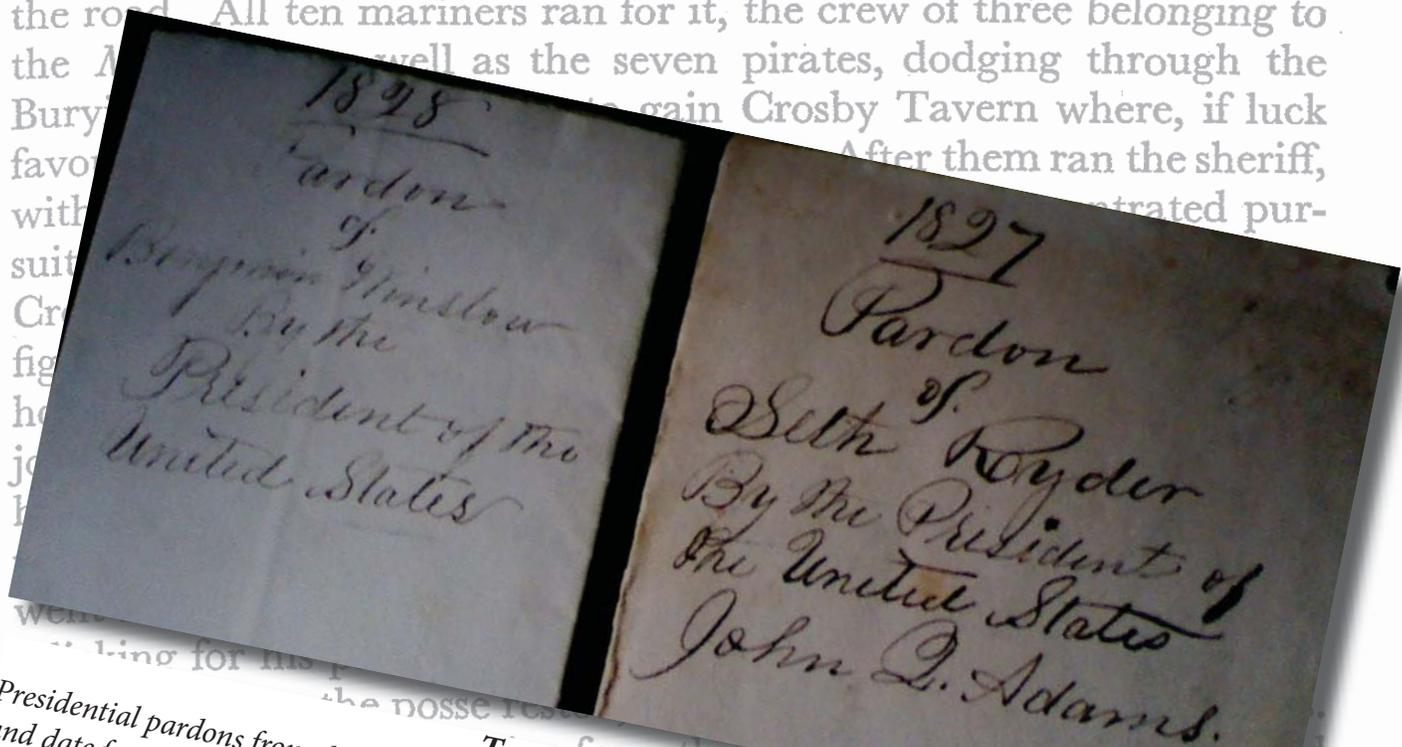


Barnstable County Sheriffs had to deal with all kinds of characters over the last 300 + years, including pirates, rum runners and moon cussers.

## PIRATES

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Now Peter Hoof from Sweden, who could outdrink Sam Bellamy, with only a little more than his usual melancholy to show for it, chanced to direct his mournful gaze to the south window of the great-room, and saw the posse, Johnny and Mr. Doane marching down the road. All ten mariners ran for it, the crew of three belonging to the *Amelia*, as well as the seven pirates, dodging through the Burying-ground to gain Crosby Tavern where, if luck favored them, they might escape. After them ran the sheriff, with a concentrated pursuit.



**Treasures of the County** from the pirates' ship *Whidah* to loosen the tongues of his people concerning Bellamy's gold. Since the gold was laid in bags between Decks'; John Brown of the *Whidah* and elephant's teeth with which the *Whidah* was laden, Quintor of Amsterdam had a story of how Sam Bellamy possessed a casket of East Indian jewels taken from Captain Prince. John Shuan, the Frenchman from Nantes, said little, since he spoke no English; and Thomas South, the carpenter, who had been in reality a forced man on the *Whidah*, spoke less and drank less than any of the other men.

Presidential pardons from the time of pirates and privateers! These pardons are part of the county archives and date from 1828 and 1827. They are both signed by John Quincy Adams and have been kept for safekeeping by the Sheriffs of Barnstable County.

Text from "The Narrow Land," by Elizabeth Reynard, published in 1934