



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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December 10, 2015

Michael A. McCormack, Sheriff
Dukes County Jail and House of Correction
P.O. Box 252
Edgartown, MA 02539

Re: Facility Inspection - Dukes County Jail and House of Correction, Edgartown

Dear Sheriff McCormack:

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: Minimum Requirements for the Management of 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 Dukes County Jail and House of Correction on December 4, 2015 accompanied by Robert Graves, Food Manager. Violations noted during the inspection are listed below including 25 repeat violations:

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

POLICE LOCK-UP AREA

Hallway

No Violations Noted

Booking Area

105 CMR 451.350*
105 CMR 451.353

Structural Maintenance: Ceiling cracking
Interior Maintenance: Light out

Male Holding Cell

105 CMR 451.320*

Cell Size: Inadequate floor space

Female/Juvenile Holding Cell

105 CMR 451.341*
105 CMR 451.321*

Natural Light in Cell: No natural light source in cells
Cell Size: Inadequate floor space

HOUSE OF CORRECTIONS

Control Area

No Violations Noted

Visit Room

Unable to Inspect – In Use

Food Service Area

Office

No Violations Noted

Kitchen

3-Compartment Sink

No Violations Noted

Mechanical Warewashing Machine

No Violations Noted

Stove and Hood

No Violations Noted

Prep Table and Sink

No Violations Noted

Coffee Station and Small Refrigerator

No Violations Noted

Handwash Sink

No Violations Noted

Back Room

FC 6-202.15(D)(1)

Design, Construction, and Installation; Functionality: Screens not installed in exterior windows

FC 6-201.16(A)

Design, Construction, and Installation; Cleanability: Ceiling not easily cleanable, paint peeling

Pantry

No Violations Noted

Dining Room

No Violations Noted

Unit # 1

Cells

105 CMR 451.321*

Cell Size: Inadequate floor space in cell # 1-3

105 CMR 451.350*

Structural Maintenance: Wall damaged in cell # 3

105 CMR 451.353

Interior Maintenance: Floor paint peeling in cell # 1-3

Shower Stall

105 CMR 451.123*

Maintenance: Metal surfaces rusted in shower stall

105 CMR 451.123*

Maintenance: Wall paint peeling above stall

105 CMR 451.123

Maintenance: Mold on ceiling outside shower stall

Laundry Area

105 CMR 451.353*

Interior Maintenance: Floor tiles damaged

Unit # 2

Dorm Room

105 CMR 451.321*

Cell Size: Inadequate floor space in dorm

Dorm Shower

105 CMR 451.123*

105 CMR 451.123

Maintenance: Floor damaged in shower # 1

Maintenance: Ceiling paint peeling in shower # 1

Dorm Bathroom

105 CMR 451.126

105 CMR 451.123

Hot Water: Hot water temperature recorded at 100⁰F

Maintenance: Wall paint peeling

Dorm Day Room

FC 4-601.11(C)*

Cleaning of Equipment and Utensils, Objective: Non-food contact surface dirty, interior of refrigerator dirty

Chemical Closet

No Violations Noted

Second Floor Hallway

No Violations Noted

Unit # 3

Hallway

No Violations Noted

Cells

105 CMR 451.320*

105 CMR 451.350*

105 CMR 451.350*

Cell Size: Inadequate floor space in cell # 1-3

Structural Maintenance: Ceiling left unfinished from repair in cell # 1 and 3

Structural Maintenance: Wall left unfinished from repair in cell # 1 and 3

Shower Stall

105 CMR 451.123*

105 CMR 451.123

Maintenance: Wall left unfinished above stall

Maintenance: Ceiling paint peeling

Unit # 4

Hallway

No Violations Noted

Cells

105 CMR 451.320*

105 CMR 451.353

105 CMR 451.353

105 CMR 451.353

Cell Size: Inadequate floor space in cell # 3

Interior Maintenance: Wall paint peeling in cell # 3

Interior Maintenance: Floor paint peeling in cell # 1-3

Interior Maintenance: Floor surface damaged in cell # 3

Shower Stall

No Violations Noted

Education Room

No Violations Noted

Nurse's Office

No Violations Noted

Administrative Segregation Unit

Cells

105 CMR 451.320*	Cell Size: Inadequate floor space in cell # 1 and 2
105 CMR 451.350*	Structural Maintenance: Wall damaged in cell # 3
105 CMR 451.350	Structural Maintenance: Wall damaged in cell # 1
105 CMR 451.353	Interior Maintenance: Floor paint peeling in cell # 1-3

Janitor's Closet

105 CMR 451.353*	Interior Maintenance: Wet mop stored in sink
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Hallway

105 CMR 451.353	Interior Maintenance: Wires exposed
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Pre-Release Unit

Laundry Area

No Violations Noted

Bathroom

No Violations Noted

Showers

105 CMR 451.123	Maintenance: Floor stained in shower # 1
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Day Room

105 CMR 451.353*	Interior Maintenance: Door casing damaged
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Hallway

No Violations Noted

Cells

105 CMR 451.320	Cell Size: Inadequate floor space in cell # 1-6
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Canteen Room

105 CMR 451.353*	Interior Maintenance: Light shield missing
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Property Room

No Violations Noted

Administration Area

Human Services

No Violations Noted

Staff Bathroom

No Violations Noted

3rd Floor

No Violations Noted

Office Bathroom

No Violations Noted

Hallway

No Violations Noted

Outside

Outside Gym Area

No Violations Noted

Training Building

105 CMR 451.353

Interior Maintenance: Light shields missing

Staff Bathroom

No Violations Noted

Human Resource Building

No Violations Noted

Staff Bathroom

No Violations Noted

Civil Process Building

No Violations Noted

Staff Bathroom

No Violations Noted

Observations and Recommendations

1. The inmate population was 11 at the time of inspection.
2. At the time of inspection, the Department recommended that all cells be identified with a numbering system. This will assist the Department and correctional employees to better recognize where issues exist.

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 please visit the Food Protection website at 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 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,

A handwritten signature in dark ink, appearing to read "Nicholas Gale", with a stylized flourish at the end.

Nicholas Gale
Environmental Health Inspector, CSP, BEH

cc: Jan Sullivan, Acting Director, BEH
Steven Hughes, Director, CSP, BEH
Jay Youmans, Director of Government Affairs
Marylou Sudders, Secretary, Executive Office of Health and Human Services
Carol Higgins O'Brien, Commissioner, DOC
David O'Sullivan, Superintendent
Greg Arpin, EHSO
Matthew Poole, Health Agent, Edgartown Health Department
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate
Daniel Bennett, Secretary, EOPSS