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December 8, 2014

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: 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 Dukes County Jail and House of Correction on November 21, 2014 accompanied by Lieutenant Michael Trance. Violations noted during the inspection are listed below including 44 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 451.130

105 CMR 451.130

Structural Maintenance: Ceiling cracking

Plumbing: Plumbing not maintained in good repair, sink leaking

Plumbing: Plumbing not maintained in good repair, inadequate water pressure

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

Human Resource Office

No Violations Noted

Outside Gym Area

No Violations Noted

HOUSE OF CORRECTIONS

Control Area

No Violations Noted

Visit Room

105 CMR 451.353

Interior Maintenance: Floor vent rusted

Food Service Area

Office

105 CMR 451.353

Interior Maintenance: Chair padding damaged

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

Small Stove

No Violations Noted

Coffee Station and Small Refrigerator

FC 4-501.11(B)*

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

Handwash Sink

FC 5-202.12(A)*

Plumbing System, Design: Handwashing sinks water temperature recorded at 85°F

Back Room

105 CMR 451.353

Interior Maintenance: Ceiling dirty around vent

Pantry

FC 6-501.11*

Maintenance and Operation; Repairing: Facility not in good repair, light out

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 damaged in cell # 1-3

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # 2

Shower Stall

105 CMR 451.123* Maintenance: Metal surfaces rusted in shower stall

105 CMR 451.123 Maintenance: Wall paint peeling above 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* Maintenance: Soap scum on walls in shower # 1 and 2

105 CMR 451.123 Maintenance: Floor damaged in shower # 1

Dorm Bathroom

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

Dorm Day Room

No Violations Noted

Chemical Closet

105 CMR 451.353 Interior Maintenance: Light shield missing

Second Floor Hallway

105 CMR 451.353* Interior Maintenance: Floor tiles damaged

Unit # 3

Hallway

105 CMR 451.350* Structural Maintenance: Floor damaged

Cells

105 CMR 451.320 Cell Size: Inadequate floor space in cell # 1-3

105 CMR 451.353* Interior Maintenance: Floor paint damaged in cell # 1-3

105 CMR 451.350* Structural Maintenance: Hole in ceiling from light fixture replacement in cell # 1 and 3

105 CMR 451.350 Structural Maintenance: Ceiling damaged in cell # 1

105 CMR 451.350 Structural Maintenance: Wall damaged in cell # 1 and 3

Shower Stall

105 CMR 451.123 Maintenance: Floor dirty

105 CMR 451.123 Maintenance: Wall left unfinished above stall

Unit # 4

Hallway

105 CMR 451.350* Structural Maintenance: Floor damaged

Cells

105 CMR 451.320 Cell Size: Inadequate floor space in cell # 3

105 CMR 451.350 Structural Maintenance: Ceiling damaged in cell # 2

105 CMR 451.350	Structural Maintenance: Floor damaged in cell # 1-3
<i>Shower Stall</i>	
105 CMR 451.123*	Maintenance: Threshold no longer easily cleanable, paint damaged
<i>Education Room</i>	
105 CMR 451.353	Interior Maintenance: Light shield missing
Nurse's Office	
105 CMR 451.141*	Screens: Screen damaged
105 CMR 451.350*	Structural Maintenance: Ceiling damaged
105 CMR 480.400(B)*	Shipping Papers: Medical waste shipping papers not used in disposal process

Administrative Segregation Unit

Cells

105 CMR 451.320	Cell Size: Inadequate floor space in cell # 2 and 3
105 CMR 451.350*	Structural Maintenance: Ceiling damaged in cell # 1
105 CMR 451.350	Structural Maintenance: Ceiling damaged in cell # 3
105 CMR 451.350*	Structural Maintenance: Floor paint damaged in cell # 1
105 CMR 451.350	Structural Maintenance: Floor paint damaged in cell # 3
105 CMR 451.350*	Structural Maintenance: Wall damaged in cell # 3
105 CMR 451.103	Mattresses: Mattress damaged in cell # 1

Janitor's Closet

No Violations Noted

Hallway

105 CMR 451.350*	Structural Maintenance: Exposed wiring in hallway
105 CMR 451.353	Interior Maintenance: Floor paint damaged

Pre-Release Unit

Laundry Area

No Violations Noted

Bathroom

105 CMR 451.123*	Maintenance: Ceiling and floor vent rusted
105 CMR 451.123*	Maintenance: Wall damaged behind door
105 CMR 451.123*	Maintenance: Floor tiles damaged
105 CMR 451.123*	Maintenance: Floor tiles missing
105 CMR 451.123*	Maintenance: Ceiling diffuser missing
105 CMR 451.123	Maintenance: Inadequate hot water pressure
105 CMR 451.110(A)	Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink
105 CMR 451.110(B)	Hygiene Supplies at Toilet and Handwash Sink: No waste receptacle at handwash sink

Showers

105 CMR 451.123	Maintenance: Floor dirty in shower # 1 and 2
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Day Room

105 CMR 451.353*	Interior Maintenance: Floor vents rusted
105 CMR 451.353	Interior Maintenance: Light shield missing
105 CMR 451.353	Interior Maintenance: Baseboard heater damaged
105 CMR 451.353	Interior Maintenance: Door casing damaged

Hallway

105 CMR 451.353*

Interior Maintenance: Floor tiles damaged

Canteen Room

105 CMR 451.350*

Structural Maintenance: Ceiling unfinished

105 CMR 451.350*

Structural Maintenance: Wall unfinished at entrance

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

Training Building

105 CMR 451.350*

Structural Maintenance: Wall damaged near computer

Staff Bathroom

105 CMR 451.110(A)

Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

Observations and Recommendations

1. The inmate population was 16 at the time of inspection.
2. At the time of inspection, it was noted that the Pre-Release cells have been shut down per Sheriff McCormack. The bathroom and showers remain in use by those housed in the Segregation Unit and were inspected as normal.

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](#)".

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Nicholas Gale".

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
Carol Higgins O'Brien, Commissioner, DOC
David O'Sullivan, Superintendent
Lt. Colonel Durwood Araujo, Assistant Superintendent
Lt. Michael Trance, EHSO
Matthew Poole, Health Agent, Edgartown Health Department
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate
Andrea Cabral, Secretary, EOPS