



The Commonwealth of Massachusetts
 Executive Office of Health and Human Services
 Department of Public Health
 Bureau of Environmental Health
 Community Sanitation Program
 5 Randolph Street, Canton, MA 02021
 Phone: 781-828-7700 Fax: 781-828-7703

CHARLES D. BAKER
 Governor

KARYN E. POLITO
 Lieutenant Governor

MARYLOU SUDDERS
 Secretary

MONICA BHAREL, MD, MPH
 Commissioner

Tel: 617-624-6000
www.mass.gov/dph

May 8, 2019

Robert Ogden, Sheriff
 Dukes County Jail and House of Correction
 P.O. Box 252
 Edgartown, MA 02539 (electronic copy)

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

Dear Sheriff Ogden:

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 2013 Food Code; 105 CMR 500.000 Good Manufacturing Practices for Food; and 105 CMR 205.000 Minimum Standards Governing Medical Records and the Conduct of Physical Examinations in Correctional Facilities; the Department's Community Sanitation Program (CSP) conducted an inspection of the Dukes County Jail and House of Correction on May 1, 2019 accompanied by Lieutenant Colonel Araujo. Violations noted during the inspection are listed below including 28 repeat violations:

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

POLICE LOCK-UP AREA

Bail Office

No Violations Noted

Hallway

No Violations Noted

Booking Area

105 CMR 451.126

Hot Water: Hot water temperature recorded at 63⁰F

Male Holding Cell

105 CMR 451.320*

Cell Size: Inadequate floor space

Female/Juvenile Holding Cell

105 CMR 451.341*

Natural Light in Cell: No natural light source in cells

105 CMR 451.320*

Cell Size: Inadequate floor space

HOUSE OF CORRECTIONS

Control Area No Violations Noted

Visit Room No Violations Noted

Attorney Visit Room No Violations Noted

Food Service Area

Office No Violations Noted

Kitchen

3-Compartment Sink No Violations Noted

Mechanical Warewashing Machine
FC 4-501.116 Maintenance and Operation; Equipment: Test strips not available to test concentration of sanitizer in warewashing machine

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 No Violations Noted

Pantry No Violations Noted

Dining Room No Violations Noted

First Floor Units

Pre-Release Unit

Laundry Area No Violations Noted

Bathroom
105 CMR 451.123 Maintenance: Caulking damaged between toilet and wall

Showers Unable to Inspect Shower # 2 – No Longer Used
No Violations Noted

Property Room

Cells
105 CMR 451.320* Cell Size: Inadequate floor space in all cells

Uniform Closet
No Violations Noted

Maintenance Closet
No Violations Noted

Day Room
No Violations Noted

Canteen Room
No Violations Noted

Administrative Segregation Unit

Janitor's Closet
No Violations Noted

Hallway
105 CMR 451.353* Interior Maintenance: Wires exposed
105 CMR 451.353* Interior Maintenance: Floor surface damaged outside cell # 3
105 CMR 451.353* Interior Maintenance: Radiator paint damaged

Cells
105 CMR 451.320* Cell Size: Inadequate floor space in cell # 2 and 3
105 CMR 451.353* Interior Maintenance: Floor paint damaged in cell # 1
105 CMR 451.353* Interior Maintenance: Wall paint damaged in cell # 2
105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, hot water not working in cell # 1
105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, sink not working in cell # 2

Unit # 1

Hallway
No Violations Noted

Cells
105 CMR 451.320* Cell Size: Inadequate floor space in all cells
105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, toilet out-of-order in cell # 1

Shower Stall
No Violations Noted

Unit # 2

Day Room
No Violations Noted

Hallway
No Violations Noted

Dorm Shower
105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, shower # 2 leaking

Dorm Bathroom

No Violations Noted

Dorm Room
105 CMR 451.320*
105 CMR 451.353*
105 CMR 451.353

Cell Size: Inadequate floor space in dorm
Interior Maintenance: Floor tile damaged in corner
Interior Maintenance: Wall surface damaged behind dryer

Storage Closet
105 CMR 451.353

Interior Maintenance: Floor tile damaged outside closet

Second Floor Units

Main Hallway

No Violations Noted

Education Room

No Violations Noted

Nurse's Office

No Violations Noted

Nurse's Office Bathroom

No Violations Noted

Unit # 3

Hallway
105 CMR 451.353*
105 CMR 451.353*
105 CMR 451.141*
105 CMR 451.350

Interior Maintenance: Floor surface damaged
Interior Maintenance: Radiator paint damaged
Screens: Screen damaged in window # 2
Structural Maintenance: Windows do not operate properly, propped open with books

Cells
105 CMR 451.320*
105 CMR 451.353*

Cell Size: Inadequate floor space in all cells
Interior Maintenance: Floor paint damaged in cell # 1, 2, and 3

Shower Stall

No Violations Noted

Unit # 4

Hallway
105 CMR 451.353*
105 CMR 451.353*

Interior Maintenance: Radiator paint damaged
Interior Maintenance: Floor paint damaged

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: Floor paint damaged in cell # 1 and 2
Interior Maintenance: Floor paint damaged in cell # 3
Interior Maintenance: Wall paint damaged in cell # 2

Shower Stall
105 CMR 451.123* Maintenance: Threshold paint damaged

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 Areas

Outside Gym Area
No Violations Noted

Male Locker Room
No Violations Noted

Staff Bathroom
No Violations Noted

Female Locker Room
No Violations Noted

Staff Bathroom
No Violations Noted

Observations and Recommendations

1. The inmate population was 18 at the time of inspection.

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 or download a copy, please visit the Food Protection website at www.mass.gov/dph/fpp and click on "Retail food". Then under DPH Regulations and FDA Code click "Merged Food Code" or "105 CMR 590.000 - State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments".

To review the Labeling regulations please visit the Food Protection website at www.mass.gov/dph/fpp and click on “Food Protection Program regulations”. Then under Food Processing click “105 CMR 500.000: Good Manufacturing Practices for Food”.

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

Sincerely,



Nicholas Gale
Environmental Health Inspector, CSP, BEH

cc: Monica Bharel, MD, MPH, Commissioner, DPH
Jana Ferguson, Director, BEH
Steven Hughes, Director, CSP, BEH
Marylou Sudders, Secretary, Executive Office of Health and Human Services (electronic copy)
Carol A. Mici, Commissioner, DOC (electronic copy)
Thomas Turco, Secretary, EOPSS (electronic copy)
Nelson Alves, Director, Policy Development and Compliance Unit (electronic copy)
James Neville, Superintendent (electronic copy)
Anthony DelValle, EHSO (electronic copy)
Matthew Poole, Health Agent, Edgartown Health Department (electronic copy)
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate