



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

MARGRET R. COOKE
Commissioner

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

May 24, 2022

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 18, 2022 accompanied by Greg Arpin, Assistant Deputy Superintendent of Operations. Violations noted during the inspection are listed below including 17 repeat violations:

Should you have any questions, please don't hesitate to contact me.

Sincerely,

Nicholas Gale
Environmental Analyst, CSP, BEH

cc: Margret R. Cooke, Commissioner, DPH
Nalina Narain, 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)
Terrence Reidy, Secretary, EOPSS (electronic copy)
Timothy Gotovich, Director, Policy Development and Compliance Unit (electronic copy)
James Neville, Special Sheriff (electronic copy)
Greg Arpin, Assistant Deputy Superintendent of operations (electronic copy)
Matthew Poole, Health Agent, Edgartown Health Department (electronic copy)
Clerk, Massachusetts House of Representatives (electronic copy)
Clerk, Massachusetts Senate (electronic copy)

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

No Violations Noted

Male Holding Cell

105 CMR 451.320*

Cell Size: Inadequate floor space

105 CMR 451.353*

Interior Maintenance: Ceiling surface damaged

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, hot water out-of-order

Female Holding Cell

105 CMR 451.341*

Natural Light in Cell: No natural light source

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

105 CMR 451.350*

Structural Maintenance: Exterior door not rodent and weathertight

Food Service Area

The following Food Code violations listed in **BOLD** were observed to be corrected on-site.

Office

FC 6-202.15(A)(3)

Design, Construction, and Installation; Functionality: Exterior door not tight-fitting

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

<i>Handwash Sink</i>	No Violations Noted
	No Violations Noted
<i>Back Room</i>	No Violations Noted
<i>Pantry</i>	
FC 6-501.12(A)	Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods: Facility not cleaned as often as necessary, rodent droppings observed
<i>Dining Room</i>	No Violations Noted
<u>First Floor Units</u>	
Pre-Release Unit	
<i>Laundry Area</i>	No Violations Noted
<i>Bathroom</i>	No Violations Noted
<i>Shower</i>	No Violations Noted
<i>Property Room</i>	No Violations Noted
<i>Cells</i>	
105 CMR 451.320*	Cell Size: Inadequate floor space in all cells
105 CMR 451.130*	Plumbing: Plumbing not maintained in good repair, plumbing out-of-order to cell # 2, 3, and 5
<i>Day Room</i>	No Violations Noted
<i>Canteen Room</i>	No Violations Noted
Administrative Segregation Unit	
<i>Janitor's Closet</i>	No Violations Noted
<i>Hallway</i>	No Violations Noted
<i>Cells</i>	
105 CMR 451.320*	Cell Size: Inadequate floor space, double bunked in cell # 2 and 3
105 CMR 451.113*	Toilet and Handwashing Sink in Locked Cells: No cold running water in locked cell # 2
105 CMR 451.353	Interior Maintenance: Floor paint damaged in cell # 2
105 CMR 451.360	Protective Measures: Insects observed in cell # 1

Unit # 1

Hallway

105 CMR 451.353*

Interior Maintenance: Air conditioning wall unit leaking into hallway

Cells

105 CMR 451.320*

Cell Size: Inadequate floor space in all cells, double bunked in cell # 2 and 3

Shower Stall

No Violations Noted

Unit # 2

Day Room

No Violations Noted

Hallway

No Violations Noted

Dorm Shower

No Violations Noted

Dorm Bathroom

No Violations Noted

Dorm Room

105 CMR 451.322*

Cell Size: Inadequate floor space in dorm room

Storage Closet

105 CMR 451.344

Illumination in Habitable Areas: Light not functioning properly, light out

Second Floor Units

Main Hallway

No Violations Noted

Education Room

No Violations Noted

Nurse's Office

105 CMR 480.500(B)

Procedures; Records; Record-Keeping Log: Generator did not maintain a record-keeping log for waste sent off-site for treatment

105 CMR 480.400(C)

Shipping Papers: Generator was not maintaining copy of shipping papers with record-keeping log for at least 375 days

Nurse's Office Bathroom

Unable to Inspect – Locked

Unit # 3

Hallway

105 CMR 451.141

Screens: One screen missing in window # 1

105 CMR 451.141

Screens: One screen damaged in window # 2

<i>Cells</i> 105 CMR 451.320*	Cell Size: Inadequate floor space in all cells, all cells double bunked
<i>Shower Stall</i>	No Violations Noted
Unit # 4	
<i>Hallway</i> 105 CMR 451.350	Structural Maintenance: Window not functioning properly, window # 2 propped open
<i>Cells</i> 105 CMR 451.320*	Cell Size: Inadequate floor space, double bunked in cell # 3
<i>Shower Stall</i>	No Violations Noted
<u>Administration Area</u>	
<i>Human Services</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
3rd Floor	
	No Violations Noted
<i>Office Bathroom</i>	No Violations Noted
<i>Hallway</i>	No Violations Noted
<u>Outside Areas</u>	
Outside Gym Area	No Violations Noted
Male Locker Room 105 CMR 451.350*	Structural Maintenance: Rear exterior door not rodent and weathertight
<i>Staff Bathroom</i>	No Violations Noted
Female Locker Room	No Violations Noted

Observations and Recommendations

1. The inmate population was 15 at the time of inspection.
2. At the time of the inspection:

- a. The kitchen exhaust system was not in compliance with the provisions for inspection, cleaning and labeling required by 527 CMR 1.00, Chapter 50 Commercial Cooking Operations. The CSP recommends you contact the Department of Fire Services for further information; and
- b. Shower # 1 in Unit # 2 was not in use.

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 Analyst, CSP, BEH