



DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
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JUDYANN BIGBY, MD
SECRETARY

JOHN AUERBACH
COMMISSIONER

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
Telephone: (781) 828-8046
Facsimile: (781) 828-7703
mikel.beacham@state.ma.us

May 21, 2010

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

Re: Facility Inspection

Dear Sheriff McCormack:

In accordance with M.G.L. c. 111, §§ 5, 20, and 21, and Department of Public Health 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 Corrections on May 14, 2010 accompanied by Major Durwood Aruajo and Sergeant Kevin Donovan. Violations noted are listed below (* indicates conditions documented on previous inspection reports).

POLICE STATION LOCK-UP/HOLDING CELLS

Note: This area is used as a police station lockup facility.

Hallway

105 CMR 451.350 Structural Maintenance: Light switch cover damaged

Female/Juvenile Lockup Cell

105 CMR 451.350 Structural Maintenance: Wall damaged
105 CMR 451.218* Windows to Outdoors: No windows
105 CMR 451.350* Structural Maintenance: Floor damaged

Male Holding Cell

105 CMR 451.218* Windows to Outdoors: No windows
105 CMR 451.320* Inadequate Floor Space: Cell is 14'X7' with four beds

JAIL AND HOUSE OF CORRECTION

A Block

A1 Cell

105 CMR 451.350 Structural Maintenance: Floor paint chipping/peeling

A2 Cell

105 CMR 451.320* Inadequate Floor Space: Double bunked
105 CMR 451.350 Structural Maintenance: Floor paint chipping/peeling

A3 Cell

105 CMR 451.350* Structural Maintenance: Floor paint chipping/peeling

Modular Wing

General

105 CMR 451.353 Interior Maintenance: Baseboard damage in most rooms

Bathroom

105 CMR 451.126 Hot Water: Hot water temperature 170°F
105 CMR 451.130 Hot Water: Shower water temperature 130°F
105 CMR 451.123 Maintenance: Mop and bucket stored in shower

Laundry Room

No Violations Noted

Day Room

FC 4-602.12(B) Cleaning of Equipment and Utensils: Frequency: Interior of microwave oven dirty
FC 4-501.11(B) Good Repair: Gasket on refrigerator is damaged
FC 4-501.11* Good Repair: Interior of refrigerator damaged

Cafeteria

105 CMR 451.350 Structural Maintenance: Ceiling damaged

Cell 2

No Violations Noted

Cell 4

No Violations Noted

Cell 6

No Violations Noted

B Block (Unit 1)

General

105 CMR 451.320* Inadequate Floor Space: Cells double bunked
105 CMR 451.341* Natural Light: No windows to exterior in cell block
105 CMR 451.350 Structural Maintenance: Floor damaged
105 CMR 451.353 Interior Maintenance: Vent dirty in hallway
105 CMR 451.350 Structural Maintenance: Wall damaged in hallway

Laundry

105 CMR 451.350 Structural Maintenance: Wall damaged

C Block (Unit 4)

General

105 CMR 451.350*	Structural Maintenance: Floor damaged
105 CMR 451.350	Structural Maintenance: Wall damaged in hallway
105 CMR 451.350	Structural Maintenance: Floor paint chipping/peeling

Shower (Shower being replaced)

No Violations Noted

D Block

General

105 CMR 451.320*	Inadequate Floor Space: Cells double bunked
105 CMR 451.350*	Structural Maintenance: Floor damaged
105 CMR 451.350*	Structural Maintenance: Windows in cell block do not stay in the up position

Shower (Shower being replaced)

No Violations Noted

NEW DORM AREA

General

FC 4-601.11*	Equipment: Interior of microwave is dirty
FC 4-501.11(B)	Good Repair: Gasket on refrigerator is damaged
FC 4-501.11*	Good Repair: Exterior of refrigerator damaged
FC 4-204.112(A)	Design and Construction, Functionality: No functioning thermometer in refrigerator

Eating Area

No Violations Noted

Common Area

No Violations Noted

HSU

105 CMR 451.141*	Screens: Screen damaged
105 CMR 451.350*	Structural Maintenance: Ceiling damaged
105 CMR 480.500*	Manifests: No manifest at location (need to use new tracking system)

Basement

No Violations Noted

FOOD SERVICE AREA

Refrigerator Room

FC 6-501.11*	Repairing: Baseboard damaged
FC 4-903.11(B)(2)	Protection of Clean Items, Storing: Pots and pans not inverted
FC 6-501.113*	Storing Maintenance Tools: Mop and bucket stored in refrigerator room

Traulsen Refrigerator #1

No Violations Noted

Traulsen Refrigerator #2

FC 4-501.11(B)

Good Repair: Gasket on refrigerator is damaged

Spice Room

No Violations Noted

Dry Storage

FC 3-304.12(B)

In-Use Utensils: Paper cup stored in bins of food (sugar, flour etc.)

Kitchen

FC 6-501.111(B)

Controlling Pests: Live and dead ants found

FC 6-201.11

Walls: Wall damaged above 3 bay sink

FC 4-501.11(A)

Good Repair: Stove not working properly

FC 4-601.11

Equipment Cleaning: Toaster oven dirty

FC 4-903.11

Equipment Storage: Some pots and pans stored on ground

GE Refrigerator

FC 4-501.11(B)*

Good Repair: Gasket on refrigerator is damaged

STAFF BATHROOM

No Violations Noted

EXTERIOR

Stairs

105 CMR 451.351*

Handrails: Some of the staircases do not have handrails

CONTROL

Refrigerator

FC 4-302.12

Food Temperature Measuring Devices: No thermometer in refrigerator

FC 4-601.11

Equipment Cleaning: Gasket dirty

TRAINING BUILDING

No Violations Noted

Building Certificate

105 CMR 451.384

Building Certificate: No certificate of use and occupancy

Observations and Recommendations:

- Complaint about water leaks throughout the building
- In process of getting building certificate

This facility does not comply with the Department's Regulations cited above. In accordance with 105 CMR 451.404, please indicate next to each entry on the inspection report a plan of correction. Said plan of correction must be submitted within 10 days of receipt of this letter and should detail the specific steps that will be taken and the date of expected compliance. The plan of correction should be 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 "Community Sanitation Regulations" (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,

Mikel Beacham
Environmental Health Inspector, CSP, BEH

cc: Suzanne K. Condon, Associate Commissioner, Director, BEH
Steven Hughes, Director, CSP, BEH
JudyAnn Bigby, MD, Secretary, Executive Office of Health and Human Services
Harold W. Clarke, Commissioner, DOC
David O'Sullivan, Special Sheriff
Major Durwood Araujo
Edgartown Board of Health
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate
Mary Elizabeth Heffernan, Executive Office of Public Safety