



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
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Bureau of Environmental Health  
Community Sanitation Program  
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December 9, 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: 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 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 November 22, 2022 accompanied by Michael Trance, Captain of Standards and Compliance. Violations noted during the inspection are listed below including 21 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)  
Michael Trance, Captain of Standards and Compliance (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 451.113\*

Toilet and Handwashing Sink in Locked Cells: No hot running water in locked cell

105 CMR 451.353

Interior Maintenance: Toilet paper on wall

#### *Female Holding Cell*

105 CMR 451.341\*

Natural Light in Cell: No natural light source

105 CMR 451.320\*

Cell Size: Inadequate floor space

105 CMR 451.353

Interior Maintenance: Wall surface damaged

### **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, threshold damaged

### **Food Service Area**

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

#### *Office*

No Violations Noted

### **Kitchen**

#### *3-Compartment Sink*

No Violations Noted

#### *Mechanical Warewashing Machine*

FC 4-501.114(A)

Maintenance and Operation; Equipment: Chlorine Sanitizer solution tested lower than recommended concentration

#### *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 6-501.12(A)

Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods:  
Facility not cleaned as often as necessary, ceiling dirty around ceiling vent

*Pantry*

No Violations Noted

*Dining Room*

FC 6-201.16(A)

Design, Construction, and Installation; Cleanability: Wall covering not easily cleanable,  
wall surface damaged around phones

**First Floor Units**

**Pre-Release Unit**

*Hallway*

105 CMR 451.350

Structural Maintenance: Floor damaged around floor vent

*Laundry Area*

No Violations Noted

*Bathroom*

No Violations Noted

*Shower*

105 CMR 451.123

Maintenance: Curtain missing

*Property Room*

No Violations Noted

*Cells*

105 CMR 451.320\*

105 CMR 451.130\*

Cell Size: Inadequate floor space in all cells

Plumbing: Plumbing not maintained in good repair, plumbing out-of-order to  
cell # 2, 3, and 5

*Day Room*

No Violations Noted

*Canteen Room*

No Violations Noted

**Administrative Segregation Unit**

*Stainless Steel Janitor's Closet*

105 CMR 451.353

Interior Maintenance: Wet mop stored on floor

*Hallway*

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 |

**Unit # 1**

|                |                     |
|----------------|---------------------|
| <i>Hallway</i> | No Violations Noted |
|----------------|---------------------|

|                  |   |
|------------------|---|
| <i>Cells</i>     |   |
| 105 CMR 451.320* | Cell Size: Inadequate floor space in all cells, double bunked in cell # 2 and 3 |

|                     |                     |
|---------------------|---------------------|
| <i>Shower Stall</i> | No Violations Noted |
|---------------------|---------------------|

**Unit # 2**

|                 |                     |
|-----------------|---------------------|
| <i>Day Room</i> | No Violations Noted |
|-----------------|---------------------|

|                |                     |
|----------------|---------------------|
| <i>Hallway</i> | No Violations Noted |
|----------------|---------------------|

|                    |  |
|--------------------|--|
| <i>Dorm Shower</i> |  |
| 105 CMR 451.123    | Maintenance: Wall surface damaged outside shower # 2 |

|                      |                     |
|----------------------|---------------------|
| <i>Dorm Bathroom</i> | No Violations Noted |
|----------------------|---------------------|

|                  |  |
|------------------|--|
| <i>Dorm Room</i> |  |
| 105 CMR 451.322* | Cell Size: Inadequate floor space in dorm room |

|                       |                     |
|-----------------------|---------------------|
| <i>Storage Closet</i> | No Violations Noted |
|-----------------------|---------------------|

**Second Floor Units**

|                     |   |
|---------------------|---|
| <i>Main Hallway</i> |   |
| 105 CMR 451.353     | Interior Maintenance: Floor tiles missing and damaged |

|                       |                     |
|-----------------------|---------------------|
| <b>Nurse's Office</b> | No Violations Noted |
|-----------------------|---------------------|

|                                |                            |
|--------------------------------|----------------------------|
| <i>Nurse's Office Bathroom</i> | Unable to Inspect – Locked |
|--------------------------------|----------------------------|

**Unit # 3**

|                  |   |
|------------------|---|
| <i>Hallway</i>   |   |
| 105 CMR 451.141* | Screens: One screen missing in window # 1 and 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**

### *Hallway*

No Violations Noted

### *Cells*

105 CMR 451.320\*

Cell Size: Inadequate floor space, double bunked in cell # 3

### *Shower Stall*

105 CMR 451.123

Maintenance: Curtain dirty

## **Administration Area**

### *Human Services*

No Violations Noted

### *Education Room*

105 CMR 451.141

Screens: Window screen missing

### *Staff Bathroom*

No Violations Noted

## **3<sup>rd</sup> Floor**

No Violations Noted

### *Office Bathroom*

No Violations Noted

### *Hallway*

No Violations Noted

## **Outside Areas**

### **Outside Gym Area**

No Violations Noted

### **Male Locker Room**

105 CMR 451.350\*

Structural Maintenance: Rear exterior door not rodent and weathertight

### *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](http://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](http://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](http://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,

A handwritten signature in blue ink that reads "Nicholas Gale".

Nicholas Gale  
Environmental Analyst, CSP, BEH