



The Commonwealth of Massachusetts
 Executive Office of Health and Human Services
 Department of Public Health
 Bureau of Environmental Health
 Community Sanitation Program
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 Lieutenant Governor

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 Secretary

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 Commissioner

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December 2, 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 November 26, 2019 accompanied by Lieutenant Colonel Araujo. Violations noted during the inspection are listed below including 26 repeat violations:

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

Sincerely,

Nicholas Gale
 Environmental Health Inspector, CSP, BEH

cc: Monica Bharel, MD, MPH, Commissioner, DPH (electronic copy)
 Jana Ferguson, Director, BEH (electronic copy)
 Steven Hughes, Director, CSP, BEH (electronic copy)
 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 (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

Female 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

FC 6-201.11

Design, Construction, and Installation; Cleanability: Floor covering not smooth and easily cleanable, floor tiles 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

Coffee Station and Small Refrigerator

No Violations Noted

Handwash Sink

No Violations Noted

Back Room

FC 6-201.11

Design, Construction, and Installation; Cleanability: Floor covering not smooth and easily cleanable, floor tiles damaged

Pantry

No Violations Noted

Dining Room

No Violations Noted

First Floor Units

Pre-Release Unit

Laundry Area

No Violations Noted

Bathroom

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, sink leaking

Showers

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

Property Room

No Violations Noted

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

105 CMR 451.141

Screens: Screen missing from 1 window

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

Cells
105 CMR 451.320* Cell Size: Inadequate floor space, double bunked in cell # 2 and 3
105 CMR 451.353* Interior Maintenance: Floor paint damaged in cell # 1
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, hot water not working in cell # 2

Unit # 1

Hallway
No Violations Noted

Cells
105 CMR 451.320* Cell Size: Inadequate floor space in all cells, double bunked in cell # 2 and 3
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
Unable to Inspect – In Use

Dorm Bathroom
Unable to Inspect – In Use

Dorm Room
105 CMR 451.322* Cell Size: Inadequate floor space in dorm room
105 CMR 451.353* Interior Maintenance: Floor tile damaged in corner and under bed # 1
105 CMR 451.353* Interior Maintenance: Wall surface damaged behind dryer

Storage Closet
No Violations Noted

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 451.141*

Interior Maintenance: Floor surface damaged
Screens: Screen damaged in window # 2

Cells

105 CMR 451.320*
105 CMR 451.353*

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

Shower Stall

105 CMR 451.123
105 CMR 451.123

Maintenance: Mold on ceiling
Maintenance: Ceiling surface damaged

Unit # 4

Hallway

105 CMR 451.353*
105 CMR 451.353

Interior Maintenance: Floor paint damaged
Interior Maintenance: Floor surface damaged at entrance threshold

Cells

105 CMR 451.320*
105 CMR 451.353*
105 CMR 451.353*
105 CMR 451.353

Cell Size: Inadequate floor space, double bunked in cell # 3
Interior Maintenance: Floor paint damaged in cell # 1, 2, and 3
Interior Maintenance: Wall paint damaged in cell # 2
Interior Maintenance: Wall paint damaged in cell # 1 and 3

Shower Stall

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

Outside Areas

Outside Gym Area

No Violations Noted

Male Locker Room

No Violations Noted

Staff Bathroom

105 CMR 451.123

Maintenance: Light out

105 CMR 451.123

Maintenance: Used plunger stored on floor

105 CMR 451.123

Maintenance: Unlabeled chemical bottle

Female Locker Room

No Violations Noted

Staff Bathroom

No Violations Noted

Observations and Recommendations

1. The inmate population was 19 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