



The Commonwealth of Massachusetts
 Executive Office of Health and Human Services
 Department of Public Health
 Bureau of Climate and Environmental Health
 Community Sanitation Program
 5 Randolph Street, Canton, MA 02021
 Phone: 617-279-1002

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 Governor

KIMBERLEY DRISCOLL
 Lieutenant Governor

KATHLEEN E. WALSH
 Secretary

ROBERT GOLDSTEIN, MD, PhD
 Commissioner

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

December 15, 2023

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 29, 2023 accompanied by Michael Trance, Captain of Standards and Compliance. Violations noted during the inspection are listed below including 25 repeat violations:

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

Sincerely,

Nicholas Gale
 Environmental Analyst, CSP, BCEH

cc: Robert Goldstein, MD, PhD, Commissioner, DPH (electronic copy)
 Nalina Narain, Director, BCEH (electronic copy)
 Steven Hughes, Director, CSP, BCEH (electronic copy)
 Kathleen E. Walsh, 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 451.103*

Mattresses: Mattress damaged

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

105 CMR 451.353

Interior Maintenance: Interior of toilet bowl rusted

HOUSE OF CORRECTION

Control Area

No Violations Noted

Visit Room

No Violations Noted

Attorney Visit Room

No Violations Noted

Sallyport 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

FC 6-202.15(A)(3)

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

Kitchen

3-Compartment Sink

FC 4-302.14

Numbers and Capacities, Utensils, Temperature Measuring Devices, and Testing Devices: No sanitizing test kit available^{Pf}

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 Area

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

Hallway

105 CMR 451.350*

Structural Maintenance: Floor damaged around floor vent

Laundry Area

No Violations Noted

Bathroom

105 CMR 451.110(A)*

Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

Shower

No Violations Noted

Property Room

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, plumbing out-of-order in cell # 2, 3, and 5

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, toilet continuously running when flushed in cell # 4

105 CMR 451.353

Interior Maintenance: Floor surface damaged in cell # 1

Day Room

No Violations Noted

Canteen Hallway

105 CMR 451.353*

Interior Maintenance: Wall surface damaged

Canteen Room

No Violations Noted

Administrative Segregation Unit

Stainless Steel Janitor's Closet

No Violations Noted

Hallway

No Violations Noted

Cells

105 CMR 451.320*

Cell Size: Inadequate floor space, double bunked in cell # 2

105 CMR 451.353

Interior Maintenance: Floor surface damaged in cell # 1 and 3

Unit # 1

Hallway

105 CMR 451.353

Interior Maintenance: Wall surface damaged

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

Nurse's Office

No Violations Noted

Nurse's Office Bathroom

No Violations Noted

Unit # 3

Hallway

105 CMR 451.141*

Screens: Screen damaged in window # 2

Cells

105 CMR 451.320*

Cell Size: Inadequate floor space in all cells, all cells double bunked

Shower Stall

No Violations Noted

Unit # 4

Hallway

No Violations Noted

Cells

105 CMR 451.320*

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

105 CMR 451.130*

Plumbing: Plumbing not maintained in good repair, toilet out-of-order in cell # 3

Shower Stall

No Violations Noted

3rd Floor

No Violations Noted

Office Bathroom

No Violations Noted

Hallway

No Violations Noted

Administration Area

Human Services

No Violations Noted

Education Room

105 CMR 451.141*

Screens: Window screen missing

Deputy Sheriff's Office

No Violations Noted

Assistant Superintendent's Office

No Violations Noted

Staff Bathroom

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

Unable to Inspect – Under Construction

Observations and Recommendations

1. The inmate population was 11 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 Analyst, CSP, BCEH