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March 11, 2013

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

Re: Dukes County Jail and House of Correction 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 Correction on February 13, 2013 accompanied by Major Donald Rose and Amy Riordan, Environmental Health Inspector of the Community Sanitation Program. Violations noted are listed below (* indicates conditions documented on previous inspection reports).

Police Station Lock-Up Holding Cells

Hallway

No Violations Noted

Booking Area

No Violations Noted

Male Holding Cell

105 CMR 451.320*

105 CMR 451.341*

105 CMR 451.350

Cell Size: Inadequate floor space in holding cell

Natural Light in Cell: No natural light source in cells

Structural Maintenance: Floor tiles damaged

Female/Juvenile Holding Cell

105 CMR 451.341*

Natural Light in Cell: No natural light source in cells

Civil Processes Office

No Violations Noted

Outside Gym Area
105 CMR 451.353

Interior Maintenance: Padding on weightlifting equipment damaged

Jail and House of Corrections

Control Area

No Violations Noted

Visit Room

No Violations Noted

Food Service Area

Office

FC 6-501.11

Maintenance and Operation; Repairing: Facility not in good repair, heat vent damaged under desk

FC 6-501.12(A)

Maintenance and Operation; Cleaning: Facility not cleaned properly, heat vent dirty under desk

Kitchen

FC 6-501.11*

Maintenance and Operation; Repairing: Facility not in good repair, uncapped junction box outside office

3-Compartment Sink

No Violations Noted

Mechanical Warewashing Machine

No Violations Noted

Stove and Hood

No Violations Noted

Prep Table and Sink

FC 4-601.11(A)*

Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, can opener dirty

FC 6-101.11(A)(1)

Materials for Construction and Repairs: Surface not easily cleanable, cutting board damaged

Small Stove

No Violations Noted

Coffee Station and Small Refrigerator

FC 4-501.11(A)*

Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, gasket damaged

FC 4-601.11(C)*

Cleaning of Equipment and Utensils, Objective: Non-food contact surface dirty, gasket dirty

FC 4-601.11(A)

Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, coffee-maker dirty

Handwash Sink

No Violations Noted

Back Room

FC 4-501.11(A)*

Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, gasket damaged on Trauslen refrigerator and freezer units

FC 4-601.11(C)*	Cleaning of Equipment and Utensils, Objective: Non-food contact surface dirty, gasket dirty on Trauslen refrigerator unit
FC 6-501.11*	Maintenance and Operation; Repairing: Facility not in good repair, wall damaged near refrigerator unit
FC 6-501.12(A)*	Maintenance and Operation; Cleaning: Facility not cleaned properly, window and portable fan dirty
FC 4-903.11(B)(1)	Protection of Clean Items, Storing: Pots and pans not stored in the inverted/self-draining position

Pantry

No Violations Noted

Dining Room

FC 6-501.12(A)*	Maintenance and Operation; Cleaning: Facility not cleaned properly, light fixtures dirty
FC 6-201.16(A)	Design, Construction, and Installation; Cleanability: Wall not easily cleanable, paint peeling
FC 6-201.16(A)	Design, Construction, and Installation; Cleanability: Ceiling damaged

Unit # 1

Cells

105 CMR 451.341*	Natural Light in Cell: No natural light source in cells
105 CMR 451.353	Interior Maintenance: Wall no longer easily cleanable, paint damaged in cell # 1
105 CMR 451.353*	Interior Maintenance: Wall no longer easily cleanable, paint damaged in cell # 2 and 3
105 CMR 451.353*	Interior Maintenance: Wall no longer easily cleanable, wall damaged in cell # 3
105 CMR 451.353	Interior Maintenance: Floor no longer easily cleanable, finish damaged in cell # 1
105 CMR 451.353*	Interior Maintenance: Floor no longer easily cleanable, finish damaged in cell # 2 and 3
105 CMR 451.353*	Interior Maintenance: Exposed wires in cell # 1

Shower Stall

105 CMR 451.123*	Maintenance: Threshold no longer easily cleanable, finish damaged
105 CMR 451.123*	Maintenance: Metal surfaces rusted in shower stall
105 CMR 451.123	Maintenance: Possible mold growth on shower curtain in shower stall
105 CMR 451.123	Maintenance: Floor drain cover not secured

Laundry Area

105 CMR 451.130*	Plumbing: No backflow preventer on slop sink
105 CMR 451.140*	Adequate Ventilation: Inadequate ventilation, dryer unit not vented to exterior
105 CMR 451.350*	Structural Maintenance: Floor no longer easily cleanable, tiles damaged
105 CMR 451.350	Structural Maintenance: Wall damaged, paint peeling
105 CMR 451.353	Interior Maintenance: Light shield missing

Unit # 2

Dorm Room

105 CMR 451.350*	Structural Maintenance: Floor no longer easily cleanable, tiles damaged
105 CMR 451.353	Interior Maintenance: Wet mop stored in bucket
105 CMR 451.353	Interior Maintenance: Outlet damaged behind dryer unit

Dorm Shower

105 CMR 451.123*	Maintenance: Shower chair no longer easily cleanable, cover damaged in stall # 1
105 CMR 451.123*	Maintenance: Shelf rusted in bathroom
105 CMR 451.123	Maintenance: No shower curtain in shower # 2

105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, shower leaking in shower # 1
105 CMR 451.123	Maintenance: Soap scum on walls in shower # 1 and 2
<i>Dorm Bathroom</i>	
105 CMR 451.126	Hot Water: Hot water temperature recorded at 97°F at handwash sink
105 CMR 451.110(A)	Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink
<i>Dorm Day Room</i>	
FC 4-501.11(A)	Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, refrigerator door does not close properly
<i>Visit Room</i>	
105 CMR 451.350	Structural Maintenance: Ceiling damaged, paint peeling
Second Floor Hallway	
105 CMR 451.350*	Structural Maintenance: Floor no longer easily cleanable, tiles damaged
FC 4-501.11(B)	Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, refrigerator dirty
<u>Unit # 3</u>	
<i>Hallway</i>	
105 CMR 451.141	Screens: Screen missing in window
105 CMR 451.350*	Structural Maintenance: Floor no longer easily cleanable, damaged
105 CMR 451.353	Interior Maintenance: Trash between window and screen
<i>Cells</i>	
105 CMR 451.130*	Plumbing: Plumbing not maintained in good repair, faucet leaking in cell # 1
105 CMR 451.350*	Structural Maintenance: Floor no longer easily cleanable, finish damaged in cell # 1 and 3
105 CMR 451.350	Structural Maintenance: Floor no longer easily cleanable, finish damaged in cell # 2
105 CMR 451.353*	Interior Maintenance: Hole in ceiling left from light fixture replacement in cell # 1 and 3
<i>Shower Stall</i>	
105 CMR 451.123	Maintenance: Soap scum on walls in shower
105 CMR 451.123	Maintenance: Floor dirty
<u>Unit # 4</u>	
<i>Hallway</i>	
105 CMR 451.350*	Structural Maintenance: Floor no longer easily cleanable, damaged
<i>Cells</i>	
105 CMR 451.350*	Structural Maintenance: Floor no longer easily cleanable, finish damaged in cell # 1 and 2
105 CMR 451.350	Structural Maintenance: Floor no longer easily cleanable, finish damaged in cell # 3
<i>Shower Stall</i>	
105 CMR 451.123*	Maintenance: Threshold no longer easily cleanable, finish damaged
105 CMR 451.123*	Maintenance: Soap scum on floor in shower stall
105 CMR 451.130	Hot Water: Shower water temperature recorded at 95°F
<i>Education Room</i>	
	No Violations Noted

Nurse's Office

105 CMR 451.141*
105 CMR 451.350
105 CMR 480.400
105 CMR 480.425(C)

Screens: Screen damaged
Structural Maintenance: Ceiling damaged
Shipping Papers: Medical waste shipping papers not used in disposal process
Tracking Medical or Biological Waste: Incomplete record keeping, appropriate signatures not obtained at time of drop-off

Administrative Segregation Unit

Cells

105 CMR 451.123*
105 CMR 451.350*
105 CMR 451.350*
105 CMR 451.350
105 CMR 451.350

Maintenance: Metal access panel on toilet damaged in cell # 1
Structural Maintenance: Ceiling damaged in cell # 1 and 2
Structural Maintenance: Floor no longer easily cleanable, finish damaged in cell # 1
Structural Maintenance: Wall damaged, paint peeling in cell # 1
Structural Maintenance: Wall damaged in cell # 3

Hallway Closet

Unable to Inspect – Under Construction

Hallway

105 CMR 451.350

Structural Maintenance: Exposed wiring in hallway

Pre-Release Unit

105 CMR 451.350

Structural Maintenance: Floor tiles damaged at exterior door

Laundry Area

No Violations Noted

Cells

105 CMR 451.350*

Structural Maintenance: Floor no longer easily cleanable, floor damaged in cell # 1, 2, 3, 4, 5, and 6

Bathroom

105 CMR 451.123
105 CMR 451.353
105 CMR 451.350

Maintenance: Ceiling and floor vent dirty and rusted
Interior Maintenance: Mop stored on floor
Structural Maintenance: Wall damaged behind door

Showers

105 CMR 451.123
105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1
Maintenance: Shower stall # 2 dirty

Day Room

FC 4-602.12(B)
105 CMR 451.353

Cleaning of Equipment and Utensils; Frequency: Interior of microwave oven dirty
Interior Maintenance: Floor vents rusty

Hallway

105 CMR 451.350*

Structural Maintenance: Floor no longer easily cleanable, tiles damaged

Canteen Room

105 CMR 451.350*
105 CMR 451.350

Structural Maintenance: Ceiling not repaired and exposed insulation
Structural Maintenance: Unfinished wall at entrance

Administration Area

Human Services

FC 4-602.12(B)

FC 4-204.112(A)

3rd Floor

Cleaning of Equipment and Utensils; Frequency: Interior of microwave oven dirty
Design and Construction, Functionality: No functioning thermometer in refrigerator

No Violations Noted

3rd Floor Bathroom

No Violations Noted

Sheriff's Administration Area

No Violations Noted

Office Bathroom

105 CMR 451.350

105 CMR 451.350

Structural Maintenance: Wall damaged, paint peeling near bathroom

Structural Maintenance: Ceiling damaged, paint peeling near bathroom

Hallway

No Violations Noted

Observations and Recommendations

- The inmate population was 24 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 indicate next to each entry on the inspection report a plan of correction. Said plan of correction must be submitted within ten working days of receiving this report 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,



Nicholas Gale

Environmental Health Inspector, CSP, BEH

cc: Suzanne K. Condon, Associate Commissioner, Director, BEH
Steven Hughes, Director, CSP, BEH
John W. Polanowicz, Secretary, Executive Office of Health and Human Services
Luis S. Spencer, Commissioner, DOC
Lt. Colonel Durwood Araujo, Assistant Superintendent
Major Donald Rose, EHSO
Edgartown Board of Health
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate
Andrea J. Cabral, Secretary, EOPS