



The Commonwealth of Massachusetts  
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Bureau of Environmental Health  
Community Sanitation Program  
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December 11, 2017

Robert Ogden, Sheriff  
Dukes County Jail and House of Correction  
P.O. Box 252  
Edgartown, MA 02539

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 1999 Food Code; 105 CMR 520.000 Labeling; 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 November 29, 2017 accompanied by James Neville, Special Sheriff; Durwood Araujo, Lieutenant Colonel; and Kerry Wagner, Community Sanitation Program. Violations noted during the inspection are listed below including 29 repeat violations:

**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*

105 CMR 451.350\*

Structural Maintenance: Ceiling cracked

105 CMR 451.350\*

Structural Maintenance: Exterior door not rodent and weathertight

*Male Holding Cell*

105 CMR 451.320\*

Cell Size: Inadequate floor space

105 CMR 451.353

Interior Maintenance: Wall vent dusty

105 CMR 451.344

Illumination in Habitable Areas: Light not functioning properly, light out

*Female/Juvenile Holding Cell*

105 CMR 451.341\* Natural Light in Cell: No natural light source in cells  
105 CMR 451.321\* Cell Size: Inadequate floor space  
105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, hot water not working

**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: Floor not 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*

No Violations Noted

*Pantry*

FC 6-305.11(B) Numbers and Capacities; Dressing Area and Lockers: No suitable locker room provided, personal clothing observed on food

*Dining Room*

No Violations Noted

## **First Floor Units**

### **Administrative Segregation Unit**

#### *Janitor's Closet*

No Violations Noted

#### *Hallway*

105 CMR 451.353\*

Interior Maintenance: Wires exposed

105 CMR 451.353\*

Interior Maintenance: Wall paint damaged

105 CMR 451.353

Interior Maintenance: Floor surface damaged outside cell # 3

#### *Cells*

105 CMR 451.320\*

Cell Size: Inadequate floor space in cell # 2 and 3

105 CMR 451.353

Interior Maintenance: Floor paint damaged in cell # 1 and 2

105 CMR 451.353

Interior Maintenance: Wall paint damaged in cell # 2

105 CMR 451.353

Interior Maintenance: Toilet unit plumbing access panel damaged in cell # 1

### **Pre-Release Unit**

#### *Laundry Area*

No Violations Noted

#### *Bathroom*

No Violations Noted

#### *Showers*

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, shower # 2 leaking

#### *Property Room*

105 CMR 451.350

Structural Maintenance: Hole in ceiling

#### *Hallway*

No Violations Noted

#### *Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in all cells

#### *Day Room*

105 CMR 451.350\*

Structural Maintenance: Door not rodent and weathertight, bottom of door casing rotted

105 CMR 451.141\*

Screens: Screens missing

105 CMR 451.200

Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave dirty

#### *Canteen Room*

No Violations Noted

### **Unit # 1**

**Closed for Renovation**

#### *Hallway*

No Violations Noted

#### *Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in cell # 1 and 2

*Shower Stall*

No Violations Noted

*Laundry Area*

No Violations Noted

**Unit # 2**

*Day Room*

No Violations Noted

*Hallway*

105 CMR 451.353

Interior Maintenance: Floor tile damaged

*Dorm Shower*

105 CMR 451.123\*

Maintenance: Floor grout damaged in shower # 1

105 CMR 451.123

Maintenance: Floor drain cover missing in shower # 2

*Dorm Bathroom*

No Violations Noted

*Dorm Room*

105 CMR 451.321\*

Cell Size: Inadequate floor space in dorm

105 CMR 451.353

Interior Maintenance: Floor tile damaged in corner

*Storage Closet*

No Violations Noted

**Second Floor Units**

*Main Hallway*

No Violations Noted

*Education Room*

No Violations Noted

*Nurse's Office*

No Violations Noted

**Unit # 3**

*Hallway*

105 CMR 451.353\*

Interior Maintenance: Floor paint damaged

105 CMR 451.353\*

Interior Maintenance: Radiator paint damaged

*Cells*

105 CMR 451.320\*

Cell Size: Inadequate floor space in cell # 3

105 CMR 451.353\*

Interior Maintenance: Floor paint damaged in cell # 1-3

105 CMR 451.353

Interior Maintenance: Wall paint damaged in cell # 1 and 3

*Shower Stall*

105 CMR 451.123

Maintenance: Entrance threshold paint damaged

## **Unit # 4**

### *Hallway*

105 CMR 451.353\*

105 CMR 451.353\*

105 CMR 451.353

Interior Maintenance: Radiator paint damaged

Interior Maintenance: Floor paint damaged

Interior Maintenance: Wall surface damaged under window # 2

### *Cells*

105 CMR 451.320\*

105 CMR 451.320

105 CMR 451.353\*

Cell Size: Inadequate floor space in cell # 3

Cell Size: Inadequate floor space in cell # 1 and 2

Interior Maintenance: Floor paint damaged in cell # 1-3

### *Shower Stall*

No Violations Noted

## **Administration Area**

### *Human Services*

No Violations Noted

### *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

### **Training Building**

**Used for Storage**

No Violations Noted

### *Staff Bathroom*

No Violations Noted

## **Human Resource Building**

105 CMR 451.200

Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, no functioning thermometer in black refrigerator

### *Staff Bathroom*

No Violations Noted

## **Civil Process Building**

Unable to Inspect -- Closed

### *Staff Bathroom*

No Violations Noted

## Observations and Recommendations

1. The inmate population was 20 at the time of inspection.
2. At the time of inspection, the Department recommended that all cells be identified with a numbering system. This will assist the Department and correctional employees to better recognize where issues exist.

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.

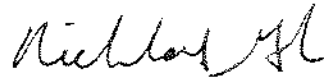
To review the specific regulatory requirements please visit our website at [www.mass.gov/dph/dcs](http://www.mass.gov/dph/dcs) and click on "Correctional Facilities" (available in both PDF and RTF formats).

To review the Food Establishment regulations please visit the Food Protection website at [www.mass.gov/dph/fpp](http://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".

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 Regulations". Then under "General Food Regulations" click "105 CMR 520.000: Labeling."

This inspection report is signed and certified under the pains and penalties of perjury.

Sincerely,



Nicholas Gale  
Environmental Health Inspector, CSP, BEH

cc: Jana Ferguson, Director, BEH  
Steven Hughes, Director, CSP, BEH  
Marylou Sudders, Secretary, Executive Office of Health and Human Services  
Thomas Turco, Commissioner, DOC  
James Neville, Superintendent  
Bob Graves, EHSO  
Matthew Poole, Health Agent, Edgartown Health Department  
Clerk, Massachusetts House of Representatives  
Clerk, Massachusetts Senate  
Daniel Bennett, Secretary, EOPSS  
Nelson Alves, Director, Policy Development and Compliance Unit