



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Environmental Health
Community Sanitation Program
5 Randolph Street, Canton, MA 02021
Phone: 781-828-7700
Fax: 781-828-7703

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MARGRET R. COOKE
Acting Commissioner

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

December 31, 2021

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 December 16, 2021 accompanied by Lieutenant Colonel Durwood Araujo. Violations noted during the inspection are listed below including 23 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, Acting 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)
Thomas Turco, Secretary, EOPSS (electronic copy)
Timothy Gotovich, Director, Policy Development and Compliance Unit (electronic copy)
James Neville, Superintendent (electronic copy)
Greg Arpin, 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

105 CMR 451.353

Interior Maintenance: Ceiling surface 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: Floor tile damaged outside cell

HOUSE OF CORRECTIONS

Control Area

105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

Visit Room

No Violations Noted

Attorney Visit Room

105 CMR 451.350

Structural Maintenance: Exterior door rusted

105 CMR 451.350

Structural Maintenance: Exterior door not rodent and weathertight

Food Service Area

Office

No Violations Noted

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
No Violations Noted

Dining Room
No Violations Noted

First Floor Units

Pre-Release Unit – Empty, No Inmates Housed

Laundry Area
No Violations Noted

Bathroom
105 CMR 451.130* Plumbing: Plumbing not maintained in good repair, hot water button sticks 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 to cell # 3, 4, 5, and 6
105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, plumbing out-of-order to cell # 1 and 2

Day Room
No Violations Noted

Canteen Room
No Violations Noted

Administrative Segregation Unit

Janitor's Closet
No Violations Noted

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 451.353*	Interior Maintenance: Floor paint damaged in cell # 1 and 3
105 CMR 451.113*	Toilet and Handwashing Sink in Locked Cells: No hot running water in locked cell # 1
105 CMR 451.113*	Toilet and Handwashing Sink in Locked Cells: No cold running water in locked cell # 2
105 CMR 451.113	Toilet and Handwashing Sink in Locked Cells: No cold running water in locked cell # 1

Unit # 1

<i>Hallway</i>	
105 CMR 451.353	Interior Maintenance: Air conditioning wall unit leaking into hallway

<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>	
	No Violations Noted

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

<i>Dorm Room</i>	
105 CMR 451.322*	Cell Size: Inadequate floor space in dorm room
105 CMR 451.141*	Screens: Several screens damaged in window

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

Second Floor Units

<i>Main Hallway</i>	
	No Violations Noted

<i>Education Room</i>	
	No Violations Noted

Nurse's Office	
105 CMR 480.500(B)	Procedures; Records; Record-Keeping Log: Generator did not maintain a record-keeping log for waste sent off-site for treatment
105 CMR 480.425(A)	Tracking Medical or Biological Waste for Treatment: Generator did not confirm the shipment was received by the treatment facility within 30 days on an approved tracking form

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

Unit # 3

Hallway

105 CMR 451.141

105 CMR 451.141

Screens: One screen missing in window

Screens: One screen damaged in window

Cells

105 CMR 451.320*

105 CMR 451.353*

105 CMR 451.353

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

Interior Maintenance: Floor paint damaged in cell # 1

Interior Maintenance: Floor paint damaged in cell # 3

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

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

105 CMR 451.350

Structural Maintenance: Rear exterior door not rodent and weathertight

Staff Bathroom

No Violations Noted

Female Locker Room

No Violations Noted

Observations and Recommendations

1. The inmate population was 10 at the time of inspection.
2. At the time of the inspection:
 - a. There was no bed in cell # 1 in the Administrative Segregation Unit and the CSP was informed that the cell was not used; and
 - b. Shower # 1 in Unit # 2 was not in use.

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, BEH