



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
Commissioner

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

December 9, 2022

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 22, 2022 accompanied by Michael Trance, Captain of Standards and Compliance. Violations noted during the inspection are listed below including 21 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, 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)
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 451.113*

Toilet and Handwashing Sink in Locked Cells: No hot running water in locked cell

105 CMR 451.353

Interior Maintenance: Toilet paper on wall

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

HOUSE OF CORRECTIONS

Control Area

No Violations Noted

Visit Room

No Violations Noted

Attorney Visit 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

No Violations Noted

Kitchen

3-Compartment Sink

No Violations Noted

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 Table and Sink

No Violations Noted

Coffee Station and Small Refrigerator

No Violations Noted

Handwash Sink

No Violations Noted

Back Room

FC 6-501.12(A)

Maintenance and Operation; Premises, Structure, Attachments, and Fixtures - Methods:
Facility not cleaned as often as necessary, ceiling dirty around ceiling vent

Pantry

No Violations Noted

Dining Room

FC 6-201.16(A)

Design, Construction, and Installation; Cleanability: Wall covering not easily cleanable,
wall surface damaged around phones

First Floor Units

Pre-Release Unit

Hallway

105 CMR 451.350

Structural Maintenance: Floor damaged around floor vent

Laundry Area

No Violations Noted

Bathroom

No Violations Noted

Shower

105 CMR 451.123

Maintenance: Curtain missing

Property Room

No Violations Noted

Cells

105 CMR 451.320*

105 CMR 451.130*

Cell Size: Inadequate floor space in all cells

Plumbing: Plumbing not maintained in good repair, plumbing out-of-order to
cell # 2, 3, and 5

Day Room

No Violations Noted

Canteen Room

No Violations Noted

Administrative Segregation Unit

Stainless Steel Janitor's Closet

105 CMR 451.353

Interior Maintenance: Wet mop stored on floor

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 451.113*	Toilet and Handwashing Sink in Locked Cells: No cold running water in locked cell # 2

Unit # 1

<i>Hallway</i>	No Violations Noted
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<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
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Unit # 2

<i>Day Room</i>	No Violations Noted
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<i>Hallway</i>	No Violations Noted
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<i>Dorm Shower</i>	
105 CMR 451.123	Maintenance: Wall surface damaged outside shower # 2

<i>Dorm Bathroom</i>	No Violations Noted
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<i>Dorm Room</i>	
105 CMR 451.322*	Cell Size: Inadequate floor space in dorm room

<i>Storage Closet</i>	No Violations Noted
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Second Floor Units

<i>Main Hallway</i>	
105 CMR 451.353	Interior Maintenance: Floor tiles missing and damaged

Nurse's Office	No Violations Noted
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<i>Nurse's Office Bathroom</i>	Unable to Inspect – Locked
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Unit # 3

<i>Hallway</i>	
105 CMR 451.141*	Screens: One screen missing in window # 1 and 2

<i>Cells</i>	
105 CMR 451.320*	Cell Size: Inadequate floor space in all cells, all cells double bunked

<i>Shower Stall</i>	No Violations Noted
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Unit # 4

Hallway

No Violations Noted

Cells

105 CMR 451.320*

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

Shower Stall

105 CMR 451.123

Maintenance: Curtain dirty

Administration Area

Human Services

No Violations Noted

Education Room

105 CMR 451.141

Screens: Window screen missing

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

Staff Bathroom

No Violations Noted

Observations and Recommendations

1. The inmate population was 18 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,

A handwritten signature in blue ink that reads "Nicholas Gale".

Nicholas Gale
Environmental Analyst, CSP, BEH