



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Climate and Environmental Health
Division of Environmental Health Regulations and Standards

MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lieutenant Governor

5 Randolph Street
Canton, MA 02021
Phone: 617-624-5454

KATHLEEN E. WALSH
Secretary

ROBERT GOLDSTEIN, MD, PhD
Commissioner

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

April 29, 2025

To: Shawn Jenkins, Commissioner, Department of Corrections (electronic copy)
Kathleen E. Walsh, Secretary, Executive Office of Health and Human Services (electronic copy)
Clerk, Massachusetts House of Representatives (electronic copy)
Clerk, Massachusetts Senate (electronic copy)
Greg Arpin, Chief of Deputies (electronic copy)

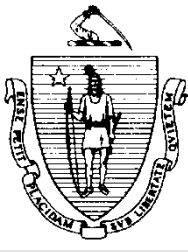
Greetings,

Pursuant to 105 CMR 451.403, please find the inspection report for Dukes County Correctional Facility, the Plan of Correction (POC) from the facility, and the POC acceptance letter from the Division of Environmental Health Regulations and Standards (EHRS).

Sincerely,

Nicholas Gale
Environmental Analyst, EHRS, BCEH

Cc: Robert Goldstein, MD, PhD, Commissioner, DPH (electronic copy)
Terrence Reidy, Secretary, Executive Office of Public Safety and Security (electronic copy)
Matthew Poole, Health Agent, Edgartown Health Department (electronic copy)
Brianna Arruda, Director, Policy Development and Compliance Unit (electronic copy)
James Neville, Special Sheriff (electronic copy)
Michael Trance, Captain of Standards and Compliance (electronic copy)



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January 15, 2025

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

The Massachusetts Department of Public Health (Department) Division of Environmental Health Regulations and Standards (EHRS) conducted an inspection of the Dukes County Jail and House of Correction on November 20, 2024, accompanied by Michael Trance, Captain of Standards and Compliance, in accordance with Department regulations 105 CMR 451.000: Minimum Health and Sanitation Standards and Inspection Procedures for Correctional Facilities.

The inspection identified 30 total deficiencies: 10 deficiencies under the Required Standards (.100 and .200 series), 3 repeat deficiencies under the Required Standards, 4 deficiencies under the Recommended Standards (.300series), and 13 repeat deficiencies under the Recommended Standards.

Overview

Section 1 provides details of all deficiencies, including repeat deficiencies, found during the inspection. These are categorized by Required Standards, Recommended Standards, or additional applicable regulatory standards.

Section 2 provides information on areas that EHRS found to be compliant.

Section 3 documents the areas that EHRS did not inspect.

Section 4 provides information on submitting a Plan of Correction for the identified deficiencies.

Section 5 outlines observations and recommendations related to the inspection.

SECTION 1: Health and Safety Deficiencies

Deficiencies under the Required Standards (.100 and .200 series)

10 new deficiencies and 3 repeat deficiencies (indicated by an *) were found during the inspection:

1.	Kitchen	Coffee Station	105 CMR 451.200	Cleaning of Equipment and Utensils, Frequency: Interior of microwave oven not cleaned every 24 hours. Standard found in 105 CMR 590; FC 4-602.12(B).	Corrected On-site
2.	Kitchen	Pantry	105 CMR 451.200	Protection from Contamination After Receiving; Preventing Contamination from Equipment, Utensils, and Linens: Utensil handle not stored above the food in the container, scoop stored in salt. Standard found in 105 CMR 590; FC 3-304.12(B).	Corrected On-site
3.	Unit # 2	Dorm Shower	105 CMR 451.123*	Maintenance: Soap scum throughout shower # 1 and 2	
4.	Unit # 2	Dorm Shower	105 CMR 451.123*	Maintenance: Wall left unfinished outside shower # 2	
5.	Unit # 2	Dorm Shower	105 CMR 451.123	Maintenance: Trim damaged around bottom of shower # 1 and 2	
6.	Unit # 2	Dorm Shower	105 CMR 451.123	Maintenance: Mold on ceiling outside shower # 1 and 2	
7.	Unit # 2	Dorm Shower	105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, shower # 1 leaking	
8.	Unit # 2	Dorm Shower	105 CMR 451.123	Maintenance: Floor tiles damaged around toilet	
9.	Unit # 3	Shower Stall	105 CMR 451.123	Maintenance: Shower wall stained	
10.	Unit # 3	Shower Stall	105 CMR 451.123	Maintenance: Shower threshold paint damaged	

Deficiencies under the Recommended Standards (.300 series)

4 new deficiencies and 13 repeat deficiencies (indicated by an *) were found during the inspection:

1.	Police Lock-Up	Male Holding Cell	105 CMR 451.320*	Cell Size: Inadequate floor space	
2.	Police Lock-Up	Male Holding Cell	105 CMR 451.353*	Interior Maintenance: Ceiling surface damaged	
3.	Police Lock-Up	Female Holding Cell	105 CMR 451.341*	Natural Light in Cell: No natural light source	
4.	Police Lock-Up	Female Holding Cell	105 CMR 451.320*	Cell Size: Inadequate floor space	
5.	Police Lock-Up	Female Holding Cell	105 CMR 451.353*	Interior Maintenance: Interior of toilet bowl rusted	
6.	Pre-Release Unit	Hallway	105 CMR 451.350*	Structural Maintenance: Floor damaged around floor vent	
7.	Ad. Seg. Unit	Stainless Steel Janitor's Closet	105 CMR 451.353	Interior Maintenance: Wet mop stored on floor	
8.	Ad. Seg. Unit	Cells	105 CMR 451.320*	Cell Size: Inadequate floor space, double bunked in cell # 2	
9.	Unit # 1	Hallway	105 CMR 451.353*	Interior Maintenance: Wall surface damaged	
10.	Unit # 1	Cells	105 CMR 451.320*	Cell Size: Inadequate floor space in all cells, double bunked in cell # 3	

11. Unit # 1	Cells	105 CMR 451.320	Cell Size: Inadequate floor space in all cells, double banded in cell # 1
12. Unit # 2	Day Room	105 CMR 451.353	Interior Maintenance: Junction box hanging from ceiling
13. Unit # 2	Dorm Room	105 CMR 451.322*	Cell Size: Inadequate floor space in dorm room
14. Second Floor Units	Main Hallway	105 CMR 451.353	Interior Maintenance: Floor tiles damaged outside Unit # 3
15. Unit # 3	Cells	105 CMR 451.320*	Cell Size: Inadequate floor space in all cells, all cells double banded
16. Unit # 4	Cells	105 CMR 451.320*	Cell Size: Inadequate floor space, double banded in cell # 3
17. Outside Area	Male Locker Room	105 CMR 451.350*	Structural Maintenance: Rear exterior door not rodent and weathertight

SECTION 2: Areas Found to be in Compliance

EHRS inspected 43 additional areas of the facility which were found to be in compliance.

Section 3: Areas EHRS did not inspect

EHRS did not inspect 4 areas of the facility because they were either in use, locked, or under construction.

1. Pre-Release Unit	Cells	Unable to Inspect – Closed – Used for storage
2. Unit # 1	Cells	Unable to Inspect – Cell # 2 offline
3. Nurse's Office	Bathroom	Unable to Inspect – Locked
4. Outside Area	Female Locker Room	Unable to Inspect – Under Construction

SECTION 4: Plan of Correction

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 which includes:

1. Specific corrective steps to be taken
2. A timetable for the corrective actions for larger projects
3. The date by which correction will be achieved
4. Any interim measures being implemented to ensure the health and safety of incarcerated individuals and facility staff
5. The plan should be signed by the Superintendent or Administrator and submitted to my attention, at the address listed above.

SECTION 5: Observations and Recommendations

1. The inmate population was 11 at the time of inspection.

To review the specific regulatory requirements please visit our website at www.mass.gov/dph/dcs and click on "Correctional Facilities" [105 CMR 451.000](#), available in both PDF and RTF formats. For more specific information about the food standards, you can download the merged food code, which can be found [here](#).

An inspection may also include observations of other conditions which could constitute a threat to the health or safety of inmates or employees, including but not limited to the standards set forth by the Department as follows, and report on such pursuant to 451.402(B). You can use these links below to review these standards:

- [105 CMR 205.000](#): Minimum Standards Governing Medical Records and Conduct of Physical Examinations in Correctional Facilities
- [105 CMR 480.000](#): Minimum requirements for the Management of Medical or Biological Waste
- [105 CMR 500.000](#): Good Manufacturing Practices for Food

This inspection report is true and accurate to the best of my knowledge.

Sincerely,



Nicholas Gale
Environmental Analyst, EHRS, BCEH



Robert W. Ogden
Sheriff

Commonwealth of Massachusetts
Dukes County Sheriff's Office
149 Main Street, P.O. Box 252, Edgartown, MA 02539
www.DukesCountySheriff.com



Tel. 508-696-0808
Fax: 508-696-5455

March 26th, 2025

Nicholas Gale
Department of Public Health
Bureau of Environmental Health
5 Randolph Street
Canton, MA 02021

RE: Plan of Correction – Dukes County Jail and House of Correction

Dear Inspector Gale,

In response to your most recent letter dated January 15th, 2025 I am submitting a Plan of Correction in accordance with 105 CMR 451.404 to detail the corrective steps to be taken to address violations that were noted but unaddressed in the Plan of Correction we provided. Please see attached submissions addressing these violations noted in your letter.

Additionally, we would like to dispute the citation of the following areas of deficiency:

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: Interior of toilet bowl rusted

It is our opinion that these should be considered under 105 CMR 470 due to our Regional Lockup having full separation from the Jail and House of Correction. These cells are independently audited by PREA and have their own sets of standards which more appropriately align with 105 CMR 470.

Sincerely,

Major Greg Arpin
Assistant Deputy Superintendent of Operations
Dukes County Sheriff's Office
774-563-8566 (cell)
garpin@dcsona.org

Integrity ★ Professionalism ★ Respect

Dukes County Sheriff's Office – DPH – Plan of Correction – 01/15/2025

Area of Deficiency:	Corrective Action:	Responsible Party:	Estimated Date:
POLICE LOCK-UP AREA			
<i>Male Holding Cell:</i>			
105 CMR 451.320* Cell Size: Inadequate floor space	Facility Replacement	DCAMM	07/01/2025
105 CMR 451.353* Interior Maintenance: Ceiling surface damaged	Repair	Subcontracted	07/01/2025
<i>Female Holding Cell:</i>			
105 CMR 451.341* Natural Light in Cell: No natural light source	Facility Replacement	DCAMM	07/01/2025
105 CMR 451.320* Cell Size: Inadequate floor space	Facility Replacement	DCAMM	07/01/2025
105 CMR 451.353* Interior Maintenance: Interior of toilet bowl rusted	Work Detail / Clean	Facility Maintenance	03/01/2025
HOUSE OF CORRECTION			
<i>Pre-Release Unit:</i>			
<u>Hallway</u> 105 CMR 451.350* Structural Maintenance: Floor damaged around floor vent	Facility Replacement	DCAMM	07/01/2025
<i>Administrative Segregation Unit:</i>			
<u>Cells</u> 105 CMR 451.320* Cell Size: Inadequate floor space, double bunked in cell #2	Work Detail / Remove Double Bunk	DCAMM	03/01/2025
<u>Stainless Steel Janitor's Closet</u> 105 CMR 451.353 Interior Maintenance: Wet mop stored on floor	Work Detail / Repair	Facility Maintenance	Completed
<i>Unit #1:</i>			
<u>Hallway</u> 105 CMR 451.353* Interior Maintenance: Wall surface damaged	Work Detail / Repair Wall	Facility Maintenance	04/30/2025
<u>Cells</u> 105 CMR 451.320* Cell Size: Inadequate floor space in all cells, double bunked in cell #3	Facility Replacement	DCAMM	07/01/2025
105 CMR 451.320* Cell Size: Inadequate floor space in all cells, double bunked in cell #1	Facility Replacement	DCAMM	07/01/2025
<i>Unit #2:</i>			
<u>Dorm Shower</u> 105 CMR 451.123* Maintenance: Soap scum throughout shower #1 & #2	Work Detail / Cleaning	Facility Maintenance	Completed
105 CMR 451.123* Maintenance: Wall left unfinished outside shower #2	Work Detail / Repair	Subcontracted	07/01/2025
105 CMR 451.123 Maintenance: Trim damaged around bottom of shower #1 and #2	Work Detail / Repair	Subcontracted	07/01/2025
105 CMR 451.123 Maintenance: Mold on ceiling outside #1 and #2	Work Detail / Clean	Facility Maintenance	Completed
105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, shower #1 leaking	Work Detail / Repair	Subcontracted	07/01/2025
105 CMR 451.123 Maintenance: Floor tiles damaged around toilet	Work Detail / Repair	Facility Maintenance	03/01/2025
<u>Day Room</u> 105 CMR 451.353 Interior Maintenance: Junction box hanging from ceiling	Work Detail / Repair	Facility Maintenance	04/30/2025
<u>Dorm Room</u> 105 CMR 451.322* Inadequate floor space in dorm room	Facility Replacement	DCAMM	07/01/2025

SECOND FLOOR UNITS			
<i>Main Hallway:</i>			
<u>Main Hallway</u> 105 CMR 451.353 Interior Maintenance: Floor tiles damaged outside Unit # 3	Work Detail / Repair	Facility Maintenance	04/30/2025
<i>Unit #3:</i>			
<u>Cells</u> 105 CMR 451.320* Cell Size: Inadequate floor space, all cells double bunked	Facility Replacement	DCAMM	07/01/2025
<u>Shower Stall</u> 105 CMR 451.123 Maintenance: Shower wall stained	Work Detail / Clean	Facility Maintenance	04/30/2025
105 CMR 451.123 Maintenance: Shower threshold paint damaged	Work Detail / Repair & Paint threshold	Facility Maintenance	04/30/2025
<i>Unit #4:</i>			
<u>Cells</u> 105 CMR 451.320* Cell Size: Inadequate floor space, double bunked in cell #3	Facility Replacement	DCAMM	07/01/2025
OUTSIDE AREAS			
<u>Male Locker Room</u> 105 CMR 451.350* Structural Maintenance: Rear exterior door not rodent and weather tight	Work Detail / Replace Door	Facility Maintenance	Completed

Submitted by: Captain Michael Trance

Approved by: Major Greg Arpin

Signature: _____ Date: _____

Signature: _____ Date: _____



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April 29, 2025

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

Re: Plan of Correction – Dukes County Jail and House of Correction, Edgartown

Dear Sheriff Ogden:

The Massachusetts Department of Public Health, Division of Environmental Health Regulations and Standards (EHRS) has received your Plan of Correction in response to my inspection on November 20, 2024. After review, the EHRS finds the plan addresses all the deficiencies noted in the report with the following exception:

In regards to the issue of cell size, the EHRS remains concerned with the inadequate square footage.

Thank you for your prompt attention to this matter, should you have any questions please contact me at the address listed above.

Sincerely,

Nicholas Gale
Environmental Analyst, EHRS, BCEH

cc: James Neville, Special Sheriff (electronic copy)
Greg Arpin, Chief of Deputies (electronic copy)
Michael Trance, Captain of Standards and Compliance (electronic copy)