



The Commonwealth of Massachusetts  
 Executive Office of Health and Human Services  
 Department of Public Health  
 Bureau of Environmental Health  
 Community Sanitation Program  
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December 15, 2016

Michael A. McCormack, 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 McCormack:

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 December 9, 2016 accompanied by Greg Arpin, EHSO. Violations noted during the inspection are listed below including 36 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

(\* indicates conditions documented on previous inspection reports)

**POLICE LOCK-UP AREA**

*Hallway*

No Violations Noted

*Booking Area*

105 CMR 451.350\* Structural Maintenance: Ceiling cracking

*Male Holding Cell*

105 CMR 451.320\* Cell Size: Inadequate floor space

*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 451.353\* Interior Maintenance: Wall surface damaged

**HOUSE OF CORRECTIONS**

*Control Area*

No Violations Noted

*Visit Room*

No Violations Noted

**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**

**Administrative Segregation Unit**

*Cells*

105 CMR 451.320\*

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

105 CMR 451.113

Toilet and Handwashing Sink in Locked Cells: No hot running water in locked cell # 2

*Janitor's Closet*

No Violations Noted

*Hallway*

105 CMR 451.353\*

Interior Maintenance: Wires exposed

**Pre-Release Unit**

*Laundry Area*

No Violations Noted

*Bathroom*

105 CMR 451.126

Hot Water: Hot water temperature recorded at 100<sup>0</sup>F at handwash sink

*Showers*

105 CMR 451.123\*

Maintenance: Missing curtain in shower # 1

*Day Room*

105 CMR 451.353\*

Interior Maintenance: Door casing damaged

*Hallway*

No Violations Noted

*Cells*

105 CMR 451.321

Cell Size: Inadequate floor space in all cells

*Canteen Room*

105 CMR 451.353\*

Interior Maintenance: Light shield missing

*Property Room*

No Violations Noted

**Unit # 1**

*Cells*

105 CMR 451.321\*

Cell Size: Inadequate floor space in cell # 1-3

105 CMR 451.353\*

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

105 CMR 451.353

Interior Maintenance: Ceiling paint peeling in cell # 2

*Shower Stall*

105 CMR 451.123\*

Maintenance: Metal surfaces rusted in shower stall

105 CMR 451.123\*

Maintenance: Wall paint peeling above stall

105 CMR 451.123\*

Maintenance: Mold on ceiling outside shower stall

*Laundry Area*

No Violations Noted

**Unit # 2**

*Dorm Room*

105 CMR 451.321\*

Cell Size: Inadequate floor space in dorm

*Dorm Shower*

105 CMR 451.123\*

Maintenance: Floor grout damaged in shower # 1

105 CMR 451.123\*

Maintenance: Ceiling paint peeling in shower # 2

105 CMR 451.123\*

Maintenance: Ceiling paint peeling outside showers

*Dorm Bathroom*

No Violations Noted

*Dorm Day Room*

No Violations Noted

*Chemical Closet*

No Violations Noted

**Second Floor Units**

*Main Hallway*

105 CMR 451.141

Screens: Screen damaged in window

*Education Room*

No Violations Noted

*Nurse's Office*

No Violations Noted

**Unit # 3**

*Hallway*

105 CMR 451.353

Interior Maintenance: Floor paint peeling

105 CMR 451.353

Interior Maintenance: Radiator paint peeling

*Cells*

105 CMR 451.320\*

Cell Size: Inadequate floor space in cell # 1-3

105 CMR 451.350\*

Structural Maintenance: Ceiling left unfinished from repair in cell # 1 and 3

105 CMR 451.353\*

Interior Maintenance: Floor paint peeling in cell # 3

105 CMR 451.353

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

*Shower Stall*

105 CMR 451.123

Maintenance: Ceiling paint peeling in shower stall

105 CMR 451.123

Maintenance: Caulking moldy

**Unit # 4**

*Hallway*

105 CMR 451.353

Interior Maintenance: Radiator paint peeling

105 CMR 451.353

Interior Maintenance: Floor threshold damaged at entrance to hallway

105 CMR 451.353

Interior Maintenance: Floor paint peeling

*Cells*

105 CMR 451.320\*

Cell Size: Inadequate floor space in cell # 3

105 CMR 451.353\*

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

*Shower Stall*

105 CMR 451.123\*

Maintenance: Ceiling paint peeling

**Administration Area**

*Human Services*

No Violations Noted

*Staff Bathroom*

105 CMR 451.123

Maintenance: Unlabeled chemical bottle

**3<sup>rd</sup> Floor**

No Violations Noted

*Office Bathroom*  
105 CMR 451.123 Maintenance: Wall vent fan dusty

*Hallway*  
No Violations Noted

### **Outside Areas**

**Outside Gym Area**  
No Violations Noted

**Training Building**  
105 CMR 451.353\* Interior Maintenance: Light shields missing

*Staff Bathroom*  
No Violations Noted

**Human Resource Building**  
No Violations Noted

*Staff Bathroom*  
No Violations Noted

**Civil Process Building**  
No Violations Noted

*Staff Bathroom*  
No Violations Noted

### **Observations and Recommendations**

1. The inmate population was 22 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: Jan Sullivan, Acting Director, BEH  
Steven Hughes, Director, CSP, BEH  
Timothy Miley, Director of Government Affairs  
Marylou Sudders, Secretary, Executive Office of Health and Human Services  
Thomas Turco, Commissioner, DOC  
Robert Ogden, Superintendent  
Greg Arpin, EHSO  
Matthew Poole, Health Agent, Edgartown Health Department  
Clerk, Massachusetts House of Representatives  
Clerk, Massachusetts Senate  
Daniel Bennett, Secretary, EOPSS  
Jennifer Gaffney, Director, Policy Development and Compliance Unit