

The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Environmental Health

Community Sanitation Program

23 Service Center Road, Northampton, MA 01060

MARYLOU SUDDERS

Secretary

MONICA BHAREL, MD, MPH Commissioner

Tel: 617-624-6000

www.mass.gov/dph

Phone: 413-586-7525 Fax: 413 784-1037

TTY 800 769-9991

|  |
| --- |
| CHARLES D. BAKERGovernorKARYN E. POLITOLieutenant Governor  |

November 27, 2017

Thomas Bowler, Sheriff

Berkshire County Jail and House of Correction

467 Cheshire Road

Pittsfield, MA 01201

Re: Facility Inspection - Berkshire County Jail and House of Correction, Pittsfield

Dear Sheriff Bowler:

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 Berkshire County Jail and House of Correction on November 10, 2017 accompanied by

Captain Shelby Williamson and Captain Robert Mckluskey. Violations noted during the inspection are listed below including 85 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

(*\* indicates conditions documented on previous inspection reports*)

**FRONT ENTRY**

*Female Bathroom*

105 CMR 451.123\* Maintenance: Ceiling vent dusty

*Male Bathroom*

 No Violations Noted

**ADMINISTRATION (OUTSIDE)**

*Female Staff Bathroom*

 No Violations Noted

*Male Staff Bathroom*

 No Violations Noted

*Break Room*

105 CMR 451.200 Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty

**STAFF GYM**

 No Violations Noted

*Break Area*

 No Violations Noted

*Janitor’s Closet*

 No Violations Noted

*Female Locker Room*

 No Violations Noted

*Male Locker Room*

 No Violations Noted

**INTAKE/BOOKING**

*Female Search Room # 1*

 No Violations Noted

*Male Search Room # 2*

 No Violations Noted

*Male Staff Bathroom*

 No Violations Noted

*Female Staff Bathroom*

 No Violations Noted

*Cells*

 No Violations Noted

*Medical Screening Room*

 No Violations Noted

*Records*

 No Violations Noted

*Urinalysis Lab*

 No Violations Noted

*Storage Room # BR18*

 No Violations Noted

*Janitor’s Closet # BR20*

 No Violations Noted

*Transportation Room*

 No Violations Noted

*Sally Port*

 No Violations Noted

**Mental Health Interview Room**

 No Violations Noted

*Inmate Bathroom*

 No Violations Noted

**PROPERTY**

 No Violations Noted

*Office*

 No Violations Noted

**A-POD**

*Triage Office*

 No Violations Noted

*Counselor’s Office*

 No Violations Noted

*Cells*

 No Violations Noted

*Lower Janitor’s Closet*

 No Violations Noted

*Storage Closet*

 No Violations Noted

*Lower Showers # 1-3*

105 CMR 451.123 Maintenance: Caulking damaged in shower # 1 and 2

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged

*Upper Showers # 4-7*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 6 and 7

105 CMR 451.123\* Maintenance: Soap scum on floor in shower # 7

*Upper Janitor’s Closet*

 No Violations Noted

**Sub Day Room**

 No Violations Noted

*Cells*

 No Violations Noted

*Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower, floor surface cracked

**A and B POD CONTROL**

 No Violations Noted

*Control Bathroom*

 No Violations Noted

**B-POD**

*Offices*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Recreation Deck*

 No Violations Noted

*Cells*

 No Violations Noted

*Lower Janitor’s Closet*

 No Violations Noted

*Storage Closet*

 No Violations Noted

*Lower Showers # 1-3*

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 2

105 CMR 451.123\* Maintenance: Soap scum on floor in shower # 1

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged

105 CMR 451.123 Maintenance: Wall not easily cleanable in shower # 1, wall tile damaged

105 CMR 451.123 Maintenance: Caulking damaged in shower # 2 and 3

*Upper Showers # 4-7*

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 5

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 4, 6, and 7

105 CMR 451.123\* Maintenance: Soap scum on floor in shower # 7

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 4-7, floor finish damaged

*Upper Janitor’s Closet*

 No Violations Noted

**Sub Day Room**

 No Violations Noted

*Cells*

 No Violations Noted

*Shower*

105 CMR 451.123 Maintenance: Soap scum on walls in shower

105 CMR 451.123 Maintenance: Soap scum on floor in shower

**C-POD**

*Triage Office*

 No Violations Noted

*Offices*

 No Violations Noted

*Staff Bathroom*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 1040F at handwash sink

*Recreation Deck*

 No Violations Noted

*Cells*

 No Violations Noted

*Lower Janitor’s Closet*

 No Violations Noted

*Storage Closet*

 No Violations Noted

*Lower Showers # 1-3*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged

*Upper Showers # 4-7*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 4, 5, and 6

105 CMR 451.123\* Maintenance: Soap scum on floor in shower # 4, 5, and 6

105 CMR 451.123 Maintenance: Floor not easily cleanable in shower # 7, floor finish damaged

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 4, 5, and 6, floor finish damaged

*Upper Janitor’s Closet*

 No Violations Noted

**Sub Day Room**

 No Violations Noted

*Cells*

105 CMR 451.140 Adequate Ventilation: Inadequate ventilation, wall vent blocked in cell # C-102

*Shower*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 830F in shower

**D-POD**

*Offices*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Recreation Deck*

 No Violations Noted

*Cells*

 No Violations Noted

*Lower Janitor’s Closet*

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

*Storage Closet*

 No Violations Noted

*Lower Showers # 1-3*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged

*Upper Showers # 4-7*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 4-7, floor finish damaged

*Upper Janitor’s Closet*

 No Violations Noted

**Sub Day Room**

 No Violations Noted

*Cells*

 No Violations Noted

*Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower, floor finish damaged

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, shower fixture damaged

**E-POD**

*Triage Office*

 No Violations Noted

*Offices*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Recreation Deck*

 No Violations Noted

*Cells*

 No Violations Noted

*Lower Janitor’s Closet*

 No Violations Noted

*Storage Closet*

 No Violations Noted

*Lower Showers # 1-3*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged

*Upper Showers # 4-7*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 4, 5, and 6

105 CMR 451.123\* Maintenance: Soap scum on floor in shower # 5

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 4-7, floor finish damaged

105 CMR 451.123\* Maintenance: Wall tile damaged in shower # 7

105 CMR 451.123\* Maintenance: Ceiling vent rusted in shower # 7

*Upper Janitor’s Closet*

 No Violations Noted

**Sub Day Room**

 No Violations Noted

*Cells*

 No Violations Noted

*Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower, floor finish damaged

**F-POD**

 Unable to Inspect – Not in Use

**G-POD**

*Triage Room*

 No Violations Noted

*Office*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Recreation Deck*

 No Violations Noted

*Cells*

 No Violations Noted

*Lower Janitor’s Closet*

 No Violations Noted

*Lower Showers # 1-3*

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 2

105 CMR 451.123 Maintenance: Soap scum on floor in shower # 2

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged

*Upper Showers # 4-7* Shower # 4 and 6 not inspected – In Use

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 5

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 7

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 5 and 7, floor finish damaged

*Upper Janitor’s Closet*

 No Violations Noted

**Sub Day Room**

 No Violations Noted

*Cells*

 No Violations Noted

*Shower*

105 CMR 451.123 Maintenance: Soap scum on walls in shower

**MULTI-PURPOSE ROOMS (Outside G and H PODS)**

 No Violations Noted

**H-POD**

*Triage Room*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Recreation Deck*

 No Violations Noted

*Cells*

 No Violations Noted

*Lower Janitor’s Closet*

 No Violations Noted

*Storage Closet*

 No Violations Noted

*Lower Showers # 1-3*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-3

105 CMR 451.123 Maintenance: Soap scum on floor in shower # 2

105 CMR 451.123\* Maintenance: Soap scum on floor in shower # 3

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged

105 CMR 451.123 Maintenance: Wall tile damaged in shower # 3

*Upper Showers # 4-7*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 4-7

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 7

105 CMR 451.123\* Maintenance: Soap scum on floor in shower # 5 and 6

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 4, 5, and 6, floor finish damaged

*Upper Janitor’s Closet*

 No Violations Noted

**Sub Day Room**

 No Violations Noted

*Cells*

 No Violations Noted

*Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower, floor finish damaged

**GYM**

 No Violations Noted

*Weight Room*

105 CMR 451.353 Interior Maintenance: Padding damaged on leg lift machine

*Office # RE07*

 No Violations Noted

*Storage # RE05*

 No Violations Noted

*Janitor’s Closet # RE04*

 No Violations Noted

*Staff Bathroom # RE03*

 No Violations Noted

*Inmate Bathroom # RE02*

 No Violations Noted

**J-POD**

*Cells*

 No Violations Noted

*Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower, floor finish damaged

**COMMISSARY**

 No Violations Noted

**KITCHEN HALLWAY**

*Female Staff Bathroom*

 No Violations Noted

*Male Staff Bathroom*

 No Violations Noted

*Cert Room # FS02*

 No Violations Noted

**KITCHEN**

*Handwash Sink*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 1390F

*Cart Room*

 No Violations Noted

*Dry Storage*

 No Violations Noted

*Walk-in-Cooler*

 No Violations Noted

*Walk-in-Freezer*

 No Violations Noted

*Produce Cooler*

 No Violations Noted

*Office*

 No Violations Noted

*Bakery*

 No Violations Noted

*Hobart Coolers*

 No Violations Noted

*Worker’s Changing Room*

 No Violations Noted

*Worker’s Bathroom # FS09 (located in changing room)*

 No Violations Noted

*Reach-in-Freezer*

 No Violations Noted

*Inmate Bathroom # FS07*

 No Violations Noted

*Storage Closet # FS06*

 No Violations Noted

*Worker’s Serving Line*

 No Violations Noted

*Dishwashing Area*

 No Violations Noted

*Worker’s Dining Area*

 No Violations Noted

*Ice Machine*

 No Violations Noted

*Chemical Storage*

 No Violations Noted

*Staff Dining Area*

 No Violations Noted

**LAUNDRY**

 No Violations Noted

*Bathroom # LA02*

 No Violations Noted

*Storage Closet # LA03*

 No Violations Noted

*Office # LA04*

 No Violations Noted

*Maintenance Closet # LA05*

 No Violations Noted

**VOCATIONAL EDUCATION**

*Carpentry Shop*

 No Violations Noted

*Maintenance Shop*

 No Violations Noted

*Graphic Arts*

 No Violations Noted

*IT Office*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Inmate Bathroom*

 No Violations Noted

**Maintenance Area # MA01A**

*Chemical Closet # MA02*

105 CMR 451.353\* Interior Maintenance: Ceiling vent dusty

*Trash Room # MA09*

 No Violations Noted

*Dumpster Area*

 No Violations Noted

**Office Area**

 No Violations Noted

*Bathroom # MA05*

 No Violations Noted

*Bathroom # MA06*

105 CMR 451.353\* Interior Maintenance: Ceiling vent dusty

*Supply Closet # MA07*

 No Violations Noted

**Education Area**

*Classrooms*

 No Violations Noted

*Library*

 No Violations Noted

*Inmate Bathroom*

 No Violations Noted

**HUMAN SERVICES**

*Staff Bathroom # HS10*

 No Violations Noted

*Break Room # HS13*

105 CMR 451.200 Food Storage, Preparation and Service: Food storage not in compliance with

 105 CMR 590.000, refrigerator temperature recorded at 460F

**MEDICAL**

*Medical Storage # MS07*

 No Violations Noted

*Medical Waste Storage # MS06*

 No Violations Noted

*Janitor’s Closet # MS05*

 No Violations Noted

**Dental**

*Dental Office*

 No Violations Noted

*Exam Room # 1*

 No Violations Noted

*Exam Room # 2*

 No Violations Noted

*Staff Bathroom # MS04*

 No Violations Noted

*Inmate Bathroom*

 No Violations Noted

**Inmate Waiting Area**

 No Violations Noted

*Inmate Bathroom*

 No Violations Noted

**VISITING AREA**

 No Violations Noted

*Strip Search Room*

 No Violations Noted

*Non-Contact Visiting*

 No Violations Noted

**CENTRAL CONTROL**

 No Violations Noted

*Control Bathroom*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 1420F

*Key Room*

 No Violations Noted

**WAREHOUSE**

 No Violations Noted

*Office*

 No Violations Noted

*Walk-in-Cooler*

 No Violations Noted

*Walk-in-Freezer*

 No Violations Noted

*Bathroom*

 No Violations Noted

*Storage Room*

 No Violations Noted

*Vehicle Maintenance Garage*

 No Violations Noted

**Observations and Recommendations**

1. The inmate population was 238 at the time of inspection.
2. At the time of the inspection the medical waste shipping log was being kept in the medical waste storage room.

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](http://www.cfsan.fda.gov/~dms/fc99-toc.html)”.

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,

 Scott Koczela

 Environmental Analyst, 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

 John J. Quinn, Jr., Superintendent

 Captain Katherine Sonsini, EHSO

Alan Cetti, Fire and Safety Officer

Gina Armstrong, Health Director, Pittsfield Board of Health

 Clerk, Massachusetts House of Representatives

 Clerk, Massachusetts Senate

 Daniel Bennett, Secretary, EOPSS

Nelson Alves, Director, Policy Development and Compliance Unit