



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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April 14, 2015

Thomas Bowler, Sheriff
Berkshire County Jail and House of Corrections
467 Cheshire Road
Pittsfield, MA 01201

Re: Facility Inspection - Berkshire County Jail and House of Corrections, 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 Corrections on April 7, 2015 accompanied by ADS Mazzeo, Captain Katherine Sonsini, EHSO, and Paul Halfmann, Community Sanitation Program. Violations noted during the inspection are listed below including 82 repeat violations:

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

FRONT ENTRY

Female Bathroom

No Violations Noted

Male Bathroom

No Violations Noted

ADMINISTRATION (OUTSIDE)

Female Staff Bathroom

No Violations Noted

Male Staff Bathroom

No Violations Noted

Break Room

105 CMR 451.126

Water Supply: No cold water supplied to handwash sink

105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

STAFF GYM

No Violations Noted

Janitor's Closet

105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

Female Locker Room

No Violations Noted

Male Locker Room

No Violations Noted

INTAKE/BOOKING**Medical Screening Room**

No Violations Noted

Search Room # 1 & 2

No Violations Noted

Cells

105 CMR 451.353

Interior Maintenance: Floor paint damaged in cell # BR04, BR05, and BR15

Male Staff Bathroom

105 CMR 451.123

Maintenance: Ceiling vent dusty

Female Staff Bathroom

No Violations Noted

Janitor's Closet

No Violations Noted

PROPERTY

No Violations Noted

VISITATION AREA

105 CMR 451.353

Interior Maintenance: Ceiling vent dusty

A POD**Control**

No Violations Noted

Control Bathroom

105 CMR 451.130

105 CMR 451.123

105 CMR 451.123

Plumbing: Plumbing not maintained in good repair, handwash sink leaking

Maintenance: Handwash sink dirty

Maintenance: Floor dirty

Storage Room

105 CMR 451.110(A)

Hygiene Supplies at Toilet and Handwash Sink: No soap at handwash sink

Cells

105 CMR 451.103	Mattresses: Mattress damaged in cell # 104
105 CMR 451.350	Structural Maintenance: Wall cracked in cell # 217
105 CMR 451.353	Interior Maintenance: Wall dirty in cell # 108, 113, 116, and 206
105 CMR 451.353	Interior Maintenance: Wall paint damaged in cell # 109
105 CMR 451.353	Interior Maintenance: Ceiling dirty in cell # 113 and 211
105 CMR 451.353	Interior Maintenance: Ceiling paint damaged in cell # 116 and 206

Janitor's Closet Lower

105 CMR 451.340	Illumination: Insufficient lighting, light out
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Janitor's Closet Upper

No Violations Noted

Showers

105 CMR 451.123*	Maintenance: Floor not easily cleanable in shower # 1-7
105 CMR 451.123	Maintenance: Soap scum on wall tiles in shower # 1, 2, 3, 4, and 5
105 CMR 451.123	Maintenance: Ceiling light rusted in shower # 2, 3, and 5
105 CMR 451.123	Maintenance: Floor dirty in shower # 2
105 CMR 451.123	Maintenance: Wall vent dusty

Sub Day Room Shower

105 CMR 451.123*	Maintenance: Floor not easily cleanable
105 CMR 451.123*	Maintenance: Wall vent dusty

Counselor's Room

105 CMR 451.353	Interior Maintenance: Ceiling vent dusty
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B POD (Not in Use)

105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, water fountain not draining properly
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Staff Bathroom

No Violations Noted

Cells

No Violations Noted

Showers

105 CMR 451.123*	Maintenance: Floor not easily cleanable in shower # 1-7
105 CMR 451.123	Maintenance: Soap scum on wall tiles in shower # 2, 3, 4, 5, 6, and 7
105 CMR 451.123	Maintenance: Ceiling vent dusty in shower # 1 and 2
105 CMR 451.353	Interior Maintenance: Ceiling vent rusted in shower # 5

Sub Day Room Shower

105 CMR 451.123*	Maintenance: Floor not easily cleanable
105 CMR 451.123*	Maintenance: Soap scum on wall tiles
105 CMR 451.123	Maintenance: Floor dirty

Janitor's Closet Lower

No Violations Noted

Janitor's Closet Upper

No Violations Noted

C POD

105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, water fountain not draining properly
Staff Bathroom	
105 CMR 451.123	Maintenance: Handwash sink dirty
Cells	
105 CMR 451.140	Adequate Ventilation: Inadequate ventilation, wall ventilation grille blocked in cell # 107, 206, 209, and 216
105 CMR 451.353	Interior Maintenance: Ceiling paint damaged in cell # 207
Showers	
105 CMR 451.123*	Maintenance: Floor not easily cleanable in shower # 1-7
105 CMR 451.123*	Maintenance: Soap scum on wall tiles in shower # 1-7
105 CMR 451.123	Maintenance: Ceiling vent dusty in shower # 3
105 CMR 451.123	Maintenance: Ceiling vent rusted in shower # 5
Sub Day Room Shower	
105 CMR 451.123*	Maintenance: Floor not easily cleanable
105 CMR 451.123	Maintenance: Soap scum on wall tiles
Janitor's Closet Lower	
	No Violations Noted
Janitor's Closet Upper	
	No Violations Noted
<u>D POD</u>	
Staff Bathroom	
105 CMR 451.353	Interior Maintenance: Ceiling vent dusty
Cells	
105 CMR 451.123	Maintenance: Toilet dirty in cell # 115
Showers	
105 CMR 451.123*	Maintenance: Soap scum on walls in shower # 1-7
105 CMR 451.123*	Maintenance: Ceiling light rusted in shower # 1-7
105 CMR 451.123	Maintenance: Drain flies observed in shower # 4
105 CMR 451.123	Maintenance: Black substance around the bottom perimeter of shower # 5
105 CMR 451.123	Maintenance: Floor not easily cleanable in shower # 1-7
105 CMR 451.123	Maintenance: Ceiling vent dusty in shower # 6
Sub Day Room Shower	
105 CMR 451.123*	Maintenance: Floor not easily cleanable
105 CMR 451.123	Maintenance: Soap scum on wall tiles
105 CMR 451.123	Maintenance: Black substance around the bottom perimeter of shower
105 CMR 451.123	Maintenance: Ceiling vent dusty
Janitor's Closet Lower	
105 CMR 451.353	Interior Maintenance: Ceiling vent dusty
Janitor's Closet Upper	
105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink

E POD

Staff Bathroom

105 CMR 451.126* Hot Water: Hot water temperature recorded at 90°F

Cells

105 CMR 451.103 Mattresses: Mattress damaged in cell # 102
105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, handwash sink continually running in cell # 112
105 CMR 451.353 Interior Maintenance: Wall vent dirty in cell # 114 and 115

Showers

105 CMR 451.123* Maintenance: Floor not easily cleanable in shower # 1-7
105 CMR 451.123 Maintenance: Soap scum on wall tiles in shower # 2, 3, 4, and 5
105 CMR 451.123 Maintenance: Floor dirty in shower # 4
105 CMR 451.123 Maintenance: Ceiling vent rusted in shower # 5

Sub Day Room Shower

105 CMR 451.123* Maintenance: Floor not easily cleanable in shower
105 CMR 451.123* Maintenance: Soap scum on wall tiles in shower

Janitor's Closet Lower

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink

Janitor's Closet Upper

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink

F POD

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, water fountain not working

Staff Bathroom

No Violations Noted

Sub Day Room Shower

105 CMR 451.123 Maintenance: Soap scum on wall tiles

Cells

No Violations Noted

Showers

105 CMR 451.123 Maintenance: Floor not easily cleanable in shower # 1-7
105 CMR 451.123 Maintenance: Soap scum on wall tiles in shower # 1-7
105 CMR 451.123 Maintenance: Soap scum on bench in shower # 3
105 CMR 451.123 Maintenance: Ceiling vent rusted in shower # 5, 6, and 7
105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, shower # 3 leaking
105 CMR 451.123 Maintenance: Showers leaking into back chase area on first floor

Janitor's Closet Lower

105 CMR 451.353 Interior Maintenance: Wet mop stored in slop sink

Janitor's Closet Upper

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot or cold water handles on slop sink

G POD

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, water fountain not draining properly

Staff Bathroom

No Violations Noted

Cells

No Violations Noted

Showers

105 CMR 451.123* Maintenance: Floor not easily cleanable in shower # 1-7
105 CMR 451.123 Maintenance: Soap scum on wall tiles in shower # 1-7
105 CMR 451.123 Maintenance: Floor dirty in shower # 1-7
105 CMR 451.123 Maintenance: Black substance around bottom perimeter of shower # 4

Sub Day Shower

105 CMR 451.123* Maintenance: Floor not easily cleanable
105 CMR 451.123* Maintenance: Soap scum on wall tiles
105 CMR 451.123 Maintenance: Floor dirty

Janitor's Closet Lower

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink

Janitor's Closet Upper

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot or cold water handles on slop sink

H POD – REGIONAL LOCKUP**Staff Bathroom**

No Violations Noted

Cells

No Violations Noted

Showers

105 CMR 451.123* Maintenance: Floor not easily cleanable in shower # 1-7
105 CMR 451.123* Maintenance: Soap scum on wall tiles in shower # 1, 2, 4, 5, 6, and 7

Sub Day Room Shower

105 CMR 451.123* Maintenance: Floor not easily cleanable
105 CMR 451.123* Maintenance: Soap scum on wall tiles

Janitor's Closet Lower

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink

Janitor's Closet Upper

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot or cold water handles on slop sink

J POD**Cells**

No Violations Noted

Shower

105 CMR 451.123

Maintenance: Floor not easily cleanable

HSU**Tub Room**

No Violations Noted

Staff Bathroom

105 CMR 451.123

Maintenance: Ceiling vent dusty

Inmate Bathroom

No Violations Noted

Exam Rooms

No Violations Noted

Dental Office

No Violations Noted

Janitor's Closet

No Violations Noted

Medical Waste Storage

105 CMR 480.500(A)

Procedures; Records; Record-Keeping Log: Generator had no written procedures for maintaining compliance with 480.000

105 CMR 480.500(A)(3)

Procedures; Records; Record-Keeping Log: Generator had no written documentation for blood borne pathogen training

LAUNDRY

No Violations Noted

Bathroom

No Violations Noted

GYM

No Violations Noted

Janitor's Closet

No Violations Noted

Inmate Bathroom

105 CMR 451.110(A)

Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

105 CMR 451.123

Maintenance: Ceiling vent dusty

Staff Bathroom

No Violations Noted

EDUCATION AREA**Inmate Bathroom**

No Violations Noted

Classrooms

No Violations Noted

HUMAN SERVICES

Staff Bathroom

No Violations Noted

Break Room

FC 3-501.16(B)

Limitation of Growth of Organisms, Temperature and Time Control: Refrigerator temperature recorded at 48°F

FC 4-204.112(A)

Design and Construction, Functionality: Thermometer not functioning properly in refrigerator

VOCATIONAL EDUCATION

Inmate Bathroom

No Violations Noted

Staff Bathroom

No Violations Noted

COMMISSARY

No Violations Noted

HALLWAY BEFORE KITCHEN

Female Staff Bathroom

105 CMR 451.353

Interior Maintenance: Ceiling tiles missing

Male Staff Bathroom

No Violations Noted

KITCHEN

Walk-in Freezer

FC 6-501.12(A)

Maintenance and Operation; Cleaning: Facility not cleaned properly, floor dirty

FC 4-501.11(A)

Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, door handle broken

Walk-in Cooler

No Violations Noted

Reach-in Freezer

No Violations Noted

Bakery

No Violations Noted

Changing Room

No Violations Noted

Changing Room Bathroom

No Violations Noted

Dry Storage

No Violations Noted

Inmate Bathroom

No Violations Noted

Storage Room

No Violations Noted

Chemical Storage

No Violations Noted

Worker Dinning Area

No Violations Noted

Staff Dining

FC 3-501.16(B)

Limitation of Growth of Organisms, Temperature and Time Control: Potentially hazardous food not held at the proper cold holding temperature, salad temperature recorded at 48°F

Observations and Recommendations

1. The inmate population was 213 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 please visit the Food Protection website at 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 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,

A handwritten signature in black ink that reads "Kerry Wagner". The signature is fluid and cursive, with the first name "Kerry" and last name "Wagner" clearly distinguishable.

Kerry Wagner

Environmental Health Inspector, CSP, BEH

cc: Suzanne K. Condon, Associate Commissioner, Director, BEH
Steven Hughes, Director, CSP, BEH
Jay Youmans, Director of Government Affairs
Marylou Sudders, Secretary, Executive Office of Health and Human Services
Carol Higgins O'Brien, Commissioner, DOC
John J. Quinn, Jr., Superintendent
Captain Katherine Sonsini, EHSO
Gina Armstrong, Health Director, Pittsfield Board of Health
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate
Daniel Bennett, Secretary, EOPS