



The Commonwealth of Massachusetts  
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November 20, 2018

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 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; I conducted an inspection of the Berkshire County Jail and House of Correction on November 10, 2018 accompanied by Captain Robert Mckluskey. Violations noted during the inspection are listed below including 68 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

(\* indicates conditions documented on previous inspection reports)

**FRONT ENTRY**

*Lobby*

No Violations Noted

*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*

No Violations Noted

**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*

105 CMR 451.123

Maintenance: Ceiling vent dusty

*Female Staff Bathroom*

No Violations Noted

*Cells*

105 CMR 451.353

Interior Maintenance: Floor paint damaged in cell # BR-15

*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*

105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

*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

*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 floor in shower # 1 and 2

105 CMR 451.123

Maintenance: Floor not easily cleanable in shower # 1 and 2, floor finish damaged

105 CMR 451.123\*

Maintenance: Floor not easily cleanable in shower # 3, floor finish damaged

*Upper Showers # 4-7*

Unable to Inspect Shower # 7 – In Use

No Violations Noted

*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 # 1-3

105 CMR 451.123

Maintenance: Soap scum on floor in shower # 1 and 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: Mold observed on ceiling in shower # 3

### *Upper Showers # 4-7*

Unable to Inspect Shower # 7 – In Use

105 CMR 451.123\*

Maintenance: Soap scum on walls in shower # 5

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

105 CMR 451.123

Maintenance: Floor not easily cleanable in shower, floor finish damaged

## **C-POD**

### *Triage Office*

No Violations Noted

### *Offices*

No Violations Noted

### *Staff Bathroom*

105 CMR 451.126

Hot Water: Hot water temperature recorded at 58°F

### *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 # 3

105 CMR 451.123\*

Maintenance: Soap scum on walls in shower # 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: 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

## **D-POD**

### *Offices*

No Violations Noted

### *Staff Bathroom*

105 CMR 451.123

Maintenance: Ceiling vent dusty

### *Recreation Deck*

No Violations Noted

### *Cells*

105 CMR 451.353

Interior Maintenance: Wall vent blocked in cell # 105 and 110

*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: 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

**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*  
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

**F-POD**

Unable to Inspect – Decommissioned and Not in Use

**G-POD***Triage Room*

No Violations Noted

*Office*

No Violations Noted

*Staff Bathroom*

105 CMR 451.123

Maintenance: Ceiling vent dusty

*Recreation Deck*

No Violations Noted

*Cells*

105 CMR 451.353

Interior Maintenance: Wall vent blocked in cell # 113

105 CMR 451.353\*

Interior Maintenance: Wall vent blocked in cell # 213

*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 floor in shower # 4

105 CMR 451.123\*

Maintenance: Soap scum on floor in shower # 5 and 7

105 CMR 451.123\*

Maintenance: Soap scum on walls in shower # 4-7

105 CMR 451.123\*

Maintenance: Floor not easily cleanable in shower # 4-7, floor finish damaged

105 CMR 451.123\*

Maintenance: Ceiling vent dusty in shower # 7

*Upper Janitor's Closet*

No Violations Noted

**Sub Day Room**

No Violations Noted

*Cells*

No Violations Noted

*Shower*

105 CMR 451.130

Hot Water: Shower water temperature recorded at 92°F

**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*

105 CMR 451.353

Interior Maintenance: Wall vent blocked in cell # 116

*Lower Janitor's Closet*

Unable to Inspect – Locked

*Storage Closet*

Unable to Inspect – Locked

*Lower Showers # 1-3*

105 CMR 451.123\*

Maintenance: Soap scum on floor in shower 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 # 7

105 CMR 451.123

Maintenance: Soap scum on floor 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*

Unable to Inspect – Locked

**Sub Day Room**

No Violations Noted

*Cells*

No Violations Noted

*Shower*

105 CMR 451.123

Maintenance: Soap scum on floor in shower

105 CMR 451.130

Hot Water: Shower water temperature recorded at 127°F

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 arm press machine



*Office # RE07*

No Violations Noted

*Storage # RE05*

No Violations Noted

*Janitor's Closet # RE04*

105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

*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*

FC 5-202.12(A)

Plumbing System, Design: Handwashing sinks water temperature recorded at 105°F

*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

<i>Office</i>	No Violations Noted
<i>Bakery</i>	No Violations Noted
<i>Hobart Coolers</i>	No Violations Noted
<i>Worker's Changing Room</i>	No Violations Noted
<i>Worker's Bathroom # FS09 (located in changing room)</i>	No Violations Noted
<i>Reach-in-Freezer</i>	No Violations Noted
<i>Inmate Bathroom # FS07</i>	No Violations Noted
<i>Storage Closet # FS06</i>	No Violations Noted
<i>Worker's Serving Line</i>	No Violations Noted
<i>Dishwashing Area</i>	No Violations Noted
<i>Worker's Dining Area</i>	No Violations Noted
<i>Ice Machine</i>	No Violations Noted
<i>Chemical Storage</i> FC 6-501.16	Maintenance and Operation; Cleaning: Wet mop stored in bucket
<b>Staff Dining Area</b>	No Violations Noted
<i>Serving Line</i>	No Violations Noted
<i>Handwash Sink</i>	No Violations Noted
<b><u>LAUNDRY</u></b>	No Violations Noted
<i>Bathroom # LA02</i>	No Violations Noted
<i>Storage Closet # LA03</i>	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*  
Unable to Inspect – In Use

*Inmate Bathroom*  
No Violations Noted

**Maintenance Area # MA01A**

*Chemical Closet # MA02*  
No Violations Noted

*Trash Room # MA09*  
No Violations Noted

*Dumpster Area*  
No Violations Noted

**Office Area**  
105 CMR 451.200  
Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, no functioning thermometer in refrigerator

*Bathroom # MA05*  
No Violations Noted

*Bathroom # MA06*  
No Violations Noted

*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*

No Violations Noted

**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

*Tub Room*

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 451.123

Maintenance: Ceiling vent dusty

105 CMR 451.123

Maintenance: Ceiling vent cover loose

*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*

Unable to Inspect – Locked

*Vehicle Maintenance Garage*

No Violations Noted

**Observations and Recommendations**

1. The inmate population was 199 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](#)".

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: Monica Bharel, MD, MPH, Commissioner, DPH  
Jana Ferguson, Director, BEH  
Steven Hughes, Director, CSP, BEH  
Marylou Sudders, Secretary, Executive Office of Health and Human Services (electronic copy)  
Thomas Turco, Commissioner, DOC (electronic copy)  
Daniel Bennett, Secretary, EOPSS (electronic copy)  
Nelson Alves, Director, Policy Development and Compliance Unit (electronic copy)  
John Quinn, Superintendent (electronic copy)  
Alan Cetti, Fire and Safety Officer (electronic copy)  
Lieutenant Ian C. Taylor, Compliance and Training Supervisor (electronic copy)  
Gina Armstrong, Health Director, Pittsfield Board of Health (electronic copy)  
Clerk, Massachusetts House of Representatives  
Clerk, Massachusetts Senate