



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

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March 12, 2025

Thomas Bowler, Sheriff
Berkshire County Jail and House of Correction
467 Cheshire Road
Pittsfield, MA 01201 (electronic copy)

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

Dear Sheriff Bowler:

The Massachusetts Department of Public Health (Department) Division of Environmental Health Regulations and Standards (EHRS) conducted an inspection of the Berkshire County Jail and House of Correction on February 27, 2025 accompanied Captain Robert McCluskey; Sergeant Kyle Richardson, Fire Safety/Environmental Health and Safety Officer; and Lieutenant Josean Sanchez, in accordance with Department regulations 105 CMR 451.000: Minimum Health and Sanitation Standards and Inspection Procedures for Correctional Facilities.

The inspection identified 86 total deficiencies: 39 deficiencies under the Required Standards (.100 and .200 series), 39 repeat deficiencies under the Required Standards, 5 deficiencies under the Recommended Standards (.300 series), and 3 deficiencies under 105 CMR 451.402(B) (other conditions that may constitute a threat to health or safety).

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

Property

Deficiencies under the Recommended Standards (.300 series)

1 new deficiency was found during the inspection:

1. Property	105 CMR 451.353	Interior Maintenance: Dryer exhaust duct broken
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Housing

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

30 new deficiencies and 39 repeat deficiencies (indicated by an *) were found during the inspection:

1. A-POD	Lower Showers # 1-3	105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, shower # 3 leaking
2. A-POD	Lower Showers # 1-3	105 CMR 451.123*	Maintenance: Floor finish damaged in shower # 1, 2, and 3
3. A-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Floor finish damaged in shower # 4, 5, 6, and 7
4. A-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Soap scum on walls in shower # 5
5. A-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Mold on floor in shower # 4
6. A-POD	Sub Day Shower Room	105 CMR 451.123*	Maintenance: Floor finish damaged
7. A-POD	Sub Day Shower Room	105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, shower leaking
8. B-POD	Lower Showers # 1-3	105 CMR 451.123*	Maintenance: Floor finish damaged in shower # 1, 2, and 3
9. B-POD	Lower Showers # 1-3	105 CMR 451.123	Maintenance: Floor dirty in shower # 1
10. B-POD	Lower Showers # 1-3	105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, shower # 1 leaking
11. B-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Ceiling vent dusty in shower # 6
12. B-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Floor finish damaged in shower # 4, 5, 6, and 7
13. B-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Mold on ceiling in shower # 5, 6, and 7
14. B-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Mold on floor in shower # 6
15. B-POD	Sub Day Shower Room	105 CMR 451.123*	Maintenance: Floor finish damaged
16. C-POD	Lower Showers # 1-3	105 CMR 451.123*	Maintenance: Floor finish damaged in shower # 1, 2, and 3
17. C-POD	Lower Showers # 1-3	105 CMR 451.123	Maintenance: Soap scum on walls in shower # 1 and 3
18. C-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Soap scum on walls in shower # 4
19. C-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Floor finish damaged in shower # 4, 5, 6, and 7
20. C-POD	Upper Showers # 4-7	105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, shower # 5 leaking
21. C-POD	Sub Day Shower Room	105 CMR 451.123*	Maintenance: Floor finish damaged

22. D-POD	Lower Showers # 1-3	105 CMR 451.123*	Maintenance: Floor finish damaged in shower # 1, 2, and 3
23. D-POD	Lower Showers # 1-3	105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, shower # 1 and 2 leaking
24. D-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Floor finish damaged in shower # 4, 5, 6, and 7
25. D-POD	Sub Day Shower Room	105 CMR 451.123*	Maintenance: Floor finish damaged
26. E-POD	Cells	105 CMR 451.101	Blankets: Blanket damaged in cell # E209
27. E-POD	Lower Janitor's Closet	105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, drain cover missing on slop sink
28. F-POD	Sub Day Shower Room	105 CMR 451.123	Maintenance: Rust stain on floor
29. G-POD	Lower Showers # 1-3	105 CMR 451.123*	Maintenance: Floor finish damaged in shower # 1, 2, and 3
30. G-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Floor finish damaged in shower # 4 and 5
31. G-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Floor finish damaged in shower # 6 and 7
32. G-POD	Upper Showers # 4-7	105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, shower # 4 and 7 leaking
33. G-POD	Sub Day Shower Room	105 CMR 451.123*	Maintenance: Floor finish damaged
34. H-POD	Lower Showers # 1-3	105 CMR 451.123	Maintenance: Floor finish damaged in shower # 1, 2, and 3
35. H-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Floor finish damaged in shower # 4, 5, 6, and 7

Deficiencies under the Recommended Standards (.300 series)

3 new deficiencies were found during the inspection:

1. A-POD	Cells	105 CMR 451.353	Interior Maintenance: Ceiling dirty in cell # A204
2. B-POD	Lower Janitor's Closet	105 CMR 451.360	Protective Measures: Flies observed
3. B-POD	Sub Day Room	105 CMR 451.353	Interior Maintenance: Ceiling vent dusty

Gym

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

2 new deficiencies were found during the inspection:

1. Inmate Bathroom # RE02	105 CMR 451.123	Maintenance: Handwash sink dirty
2. Inmate Bathroom # RE02	105 CMR 451.110(A)	Hygiene Supplies at Toilet and Handwash Sink: No soap at handwash sink

Deficiencies under the Recommended Standards (.300 series)

1 new deficiency was found during the inspection:

1. Janitor's Closet # RE04	105 CMR 451.353	Interior Maintenance: Wet mop stored in bucket **Corrected On-Site**
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Kitchen

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

7 new deficiencies were found during the inspection:

1. Bakery	105 CMR 451.200	Protection from Contamination After Receiving, Preventing Food and Ingredient Contamination: Food or food ingredients that have been removed from original packages not labeled with common name of food, unlabeled salt and flour. Standard found in 105 CMR 590; FC 3-302.12. **Corrected On-Site**
2. Worker's Bathroom # FS09 (located in changing room)	105 CMR 451.200	Maintenance and Operation: Premises, Structure, Attachments, and Fixtures - Methods; Wet mop stored in bucket. Standard found in 105 CMR 590; FC 6-501.16. **Corrected On-Site**
3. Worker's Serving Line	105 CMR 451.200	Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, refrigerator gasket damaged on reach-in refrigerator. Standard found in 105 CMR 590; FC 4-501.11(B).
4. Dishwashing Area	105 CMR 451.200	Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, hot water pressure gauge not working on warewash machine. Standard found in 105 CMR 590; FC 4-501.11(A).
5. Dishwashing Area	105 CMR 451.200	Maintenance and Operation; Equipment: Quaternary ammonium compound (QAC) solution lower than the manufacturers recommended concentration. Standard found in 105 CMR 590; FC 4-501.114(C)(2). **Corrected On-Site**
6. Dishwashing Area	105 CMR 451.200	Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, wall mounted sanitizer unit not dispensing sanitizing solution at required range. Standard found in 105 CMR 590; FC 4-501.11(A).
7. Dishwashing Area	105 CMR 451.200	Numbers and Capacities, Utensils, Temperature Measuring Devices, and Testing Devices: No sanitizing test kit available (Pf), test strips expired. Standard found in 105 CMR 590; FC 4-302.14.

Deficiencies under 105 CMR 451.402(B) (other conditions that may constitute a threat to health or safety)

3 new deficiencies were found during the inspection:

1. Medical Waste Storage/Records # MS06	105 CMR 451.402(B)	Shipping Papers: Shipping papers did not include the total quantity of waste to be shipped, missing weight on 2-12-25 shipping form. Standard found in 105 CMR 480.400(B)(3).
2. Medical Waste Storage/Records # MS06	105 CMR 451.402(B)	Procedures; Records; Record Keeping Log: Generate did not maintain a record keeping log for waste sent off-site for treatment, weight not

		entered in record keeping log. Standard found in 105 CMR 480.500(B).
3. Medical Waste Storage/Records # MS06	105 CMR 451.402(B)	Procedures; Records; Record Keeping Log: Generator lacked written procedures for safe handling within the facility, bio waste spill kit locations not included in written procedures. Standard found in 105 CMR 480.500(A)(2). **Corrected On Site**

SECTION 2: Areas Found to be in Compliance

EHRIS inspected 137 additional areas of the facility which were found to be in compliance.

Section 3: Areas EHRIS did not inspect

EHRIS did not inspect 9 areas of the facility because they were either in use, locked, or under construction.

1. Housing	E-POD	Upper Showers # 4-7	Unable to Inspect Shower # 4 and 5 – In Use
2. Housing	D-POD	Lower Janitor's Closet	Unable to Inspect – Locked
3. Housing	F-POD	Lower Showers # 1-3	Unable to Inspect Shower # 2 – In Use
4. Housing	G-POD	Lower Janitor's Closet	Unable to Inspect – Locked
5. Housing	G-POD	Storage Closet	Unable to Inspect – Locked
6. Housing	G-POD	Upper Janitor's Closet	Unable to Inspect – Locked
7. Multi-Purpose Rooms			Unable to Inspect Multi-Purpose Room Outside G and H Pods – Not Used
8. Medical	Dental	Exam Room # 1	Unable to Inspect – In Use
9. Medical	Inmate Waiting Area	Storage (former Inmate Bathroom)	Unable to Inspect – Not Used

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 194 at the time of inspection.
2. During the inspection the EHRIS recommended:
 - a. Numbering all showers throughout the institution to assist EHRIS and Berkshire County employees better recognize where issues exist; and
 - b. Storing the reserved test meals on the bottom shelf in the Kitchen's walk-in cooler.
3. At the time of the inspection, Pod D, G, and H were unoccupied.

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](#) is 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,

A handwritten signature in blue ink, appearing to read "Kerry Wagner".

Kerry Wagner, MPH
Field Supervisor, EHRS, BCEH