February 9, 2021

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

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; the Department’s Community Sanitation Program (CSP) conducted an inspection of the Berkshire County Jail and House of Correction on February 5, 2021 accompanied by Lieutenant Ian Taylor, Compliance and Training Supervisor, Captain Robert Mckluskey, and Captain Thomas Morton. Violations noted during the inspection are listed below including 53 repeat violations:

Should you have any questions, please don’t hesitate to contact me.

Sincerely,

Scott Koczela
Environmental Analyst, CSP, BEH

cc: Monica Bharel, MD, MPH, Commissioner, DPH (electronic copy)
    Jan Sullivan, Acting Director, BEH (electronic copy)
    Steven Hughes, Director, CSP, BEH (electronic copy)
    Marylou Sudders, Secretary, Executive Office of Health and Human Services (electronic copy)
    Carol A. Mici, Commissioner, DOC (electronic copy)
    Thomas Turco, Secretary, EOPSS (electronic copy)
    Timothy Gotovich, Director, Policy Development and Compliance Unit (electronic copy)
    Brad Little, Acting 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 (electronic copy)
    Clerk, Massachusetts Senate (electronic copy)
HEALTH AND SAFETY VIOLATIONS  
(* indicates conditions documented on previous inspection reports)

FRONT ENTRY

Lobby
No Violations Noted

Mail Room
No Violations Noted

Female Bathroom
No Violations Noted

Male Bathroom
No Violations Noted

ADMINISTRATION (OUTSIDE)

Female Staff Bathroom
105 CMR 451.126*
Hot Water: Hot water temperature recorded at 99°F at handwash sink

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
105 CMR 451.126*
Hot Water: Hot water temperature recorded at 62°F at handwash sink

Male Locker Room
105 CMR 451.123
Maintenance: Light not working in right side shower
105 CMR 451.123
Maintenance: Shower curtain missing in handicapped shower

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*
105 CMR 451.353  Interior Maintenance: Wall vent blocked in cell # B117

*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 # 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 # 4 and 7
105 CMR 451.123* Maintenance: Floor dirty in shower # 7
105 CMR 451.123* Maintenance: Ceiling paint peeling outside shower # 7

*Upper Janitor’s Closet*
No Violations Noted

*Sub Day Room*
No Violations Noted

*Cells*
No Violations Noted

*Shower*
105 CMR 451.130* Plumbing: Plumbing not maintained in good repair, shower fixture damaged
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*
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
105 CMR 451.123 Maintenance: Soap scum on walls in shower 1

Upper Showers # 4-7
105 CMR 451.123 Maintenance: Soap scum on walls in shower # 6
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
105 CMR 451.123* Maintenance: Ceiling vent rusted in shower # 4
105 CMR 451.123 Maintenance: Paint peeling on ceiling vent in shower # 5 and 6

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 451.126* Hot Water: Hot water temperature recorded at 100°F 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: 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
105 CMR 451.126  Hot Water: Hot water temperature recorded at 103°F 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: Ceiling vent dusty in shower # 6
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*
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 floor in shower # 4, 6, and 7
105 CMR 451.123* Maintenance: Soap scum on walls in shower # 4, 5, and 6
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*
No Violations Noted

**MULTI-PURPOSE ROOMS (Outside G and H PODS)**
No Violations Noted
GYM

Weight Room
105 CMR 451.353
Interior Maintenance: Padding damaged on universal machine

Office # RE07
No Violations Noted

Storage # RE05
No Violations Noted

Janitor's Closet # RE04
No Violations Noted

Staff Bathroom # RE03
105 CMR 451.126
Hot Water: Hot water temperature recorded at 101°F at handwash sink

Inmate Bathroom # RE02
105 CMR 451.123
Maintenance: Floor dirty

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
The following Food Code violations listed in **BOLD** were observed to be corrected on-site.

Handwash Sink
105 CMR 451.126
Hot Water: Hot water temperature recorded at 101°F at handwash sink

Cart Room
FC 6-501.11
Maintenance and Operation; Repairing: Facility not in good repair, ceiling paint peeling

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

Hoods
   FC 4-501.11(A) Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, 2 lights not working

Handwash Sink
   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

Handwash Sink
   105 CMR 451.126 Hot Water: Hot water temperature recorded at 102°F at handwash sink

Worker’s Dining Area
   No Violations Noted

Ice Machine
   No Violations Noted

Chemical Storage
   No Violations Noted

Staff Dining Area
   No Violations Noted

Serving Line
   No Violations Noted
Handwash Sink
105 CMR 451.126  FC 5-205.15(B)  
Hot Water: Hot water temperature recorded at 97°F at handwash sink  
Plumbing System; Operation and Maintenance: Plumbing system not maintained in good repair, handwash sink not draining

**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**

105 CMR 451.126*  
Hot Water: Hot water temperature recorded at 72°F at handwash sink

**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**

*No Violations Noted*

**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**  105 CMR 451.123  Maintenance: No soap at handwash sink

**Break Room # HS13**  No Violations Noted

**VISITING AREA**

**Strip Search Room**  No Violations Noted

**Non-Contact Visiting**  No Violations Noted

**CENTRAL CONTROL**

**Control Bathroom**  No Violations Noted

**Key Room**  Unable to Inspect – Locked

**WAREHOUSE**

**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 136 at the time of inspection.
2. At the time of the inspection the medical waste shipping log was provided to CSP staff for review during the pre-inspection meeting.
3. Hot water temperature range for handwash sinks is 110°F to 130°F.
4. Hot water temperature range for showers is 100°F to 112°F.
5. During the COVID-19 pandemic there have been several changes made to the conduct of inspections for the CSP, one of those changes made include reducing the amount of time CSP inspectors spend at one facility during an inspection. During the most recent inspection of your facility the CSP conducted an abbreviated inspection of your facility focusing on those areas that have historically shown up on past reports as well as areas of high concern for health and safety. The focused inspection was conducted in an effort to reduce COVID-19 exposure to facility staff, inmates and CSP inspectors, because of this, the inspection report is significantly shortened. We hope to return to standard inspectional procedures soon.

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 or download a copy, please visit the Food Protection website at [www.mass.gov/dph/fpp](http://www.mass.gov/dph/fpp) and click on "Retail food". Then under DPH Regulations and FDA Code click "Merged Food Code" or "105 CMR 590.000 - State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments".

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 Program regulations”. Then under Food Processing click “105 CMR 500.000: Good Manufacturing Practices for Food”.

This inspection report is signed and certified under the pains and penalties of perjury.

Sincerely,

Scott Koczela

Environmental Analyst, CSP, BEH