

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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MARYLOU SUDDERS

Secretary

MONICA BHAREL, MD, MPH Commissioner

Tel: 617-624-6000

www.mass.gov/dph

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

Jan Sullivan, Acting Director, BEH

Steven Hughes, Director, CSP, BEH

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 990F 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 620F 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 1000F 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 1030F 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**

No Violations Noted

*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 1010F 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 1010F 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 1020F 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 Hot Water: Hot water temperature recorded at 970F at handwash sink

FC 5-205.15(B) 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 720F 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**

No Violations Noted

*Strip Search Room*

No Violations Noted

*Non-Contact Visiting*

No Violations Noted

**CENTRAL CONTROL**

No Violations Noted

*Control Bathroom*

No Violations Noted

*Key Room*

Unable to Inspect – Locked

**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 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.

1. Hot water temperature range for handwash sinks is 1100F to 1300F.
2. Hot water temperature range for showers is 1000F to 1120F.
3. 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