



The Commonwealth of Massachusetts
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November 18, 2016

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 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 Correction on November 16, 2016 accompanied by Captain Katherine Sonsini, EHSO; Alan Cetti, Fire and Safety Officer, and Captain Shelby Williamson. Violations noted during the inspection are listed below including 119 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

No Violations Noted

INTAKE/CONTROL

<i>Female Search Room # 1</i>	No Violations Noted
<i>Male Search Room # 2</i>	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Medical Screening Room</i>	No Violations Noted
<i>Transportation Room</i>	No Violations Noted
<i>Sally Port</i>	No Violations Noted
<i>Female Staff Bathroom</i>	No Violations Noted
<i>Inmate Changing Room</i>	No Violations Noted
<i>Urinalysis Lab</i>	No Violations Noted
<i>Records</i>	No Violations Noted
<i>Storage Room # BR18</i>	No Violations Noted

Mental Health Interview Room

No Violations Noted

<i>Inmate Bathroom</i>	No Violations Noted
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PROPERTY

<i>Office</i>	No Violations Noted
<i>Janitor's Closet</i>	No Violations Noted

A-POD

Triage Office

No Violations Noted

Office

105 CMR 451.110(A)

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

105 CMR 451.110(B)

Hygiene Supplies at Toilet and Handwash Sink: No waste receptacle at handwash sink

Counselor's Office

No Violations Noted

Cells

105 CMR 451.140

Adequate Ventilation: Inadequate ventilation, wall vent blocked in cell # 110

105 CMR 451.353*

Interior Maintenance: Wall dirty in cell # 108

105 CMR 451.353*

Interior Maintenance: Ceiling dirty in cell # 105

105 CMR 451.353

Interior Maintenance: Floor paint damaged in cell # 201, 202, 203, and 217

105 CMR 451.353*

Interior Maintenance: Floor paint damaged in cell # 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, and 216

Lower Janitor's Closet

No Violations Noted

Storage Closet

105 CMR 451.383(B)

Fire Safety System: Facility not in compliance with 780 CMR Massachusetts Building Code provisions for fire safety, items stored within 18" of ceiling

Lower Showers # 1-3

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1 and 3

105 CMR 451.123

Maintenance: Soap scum on floor in shower # 1 and 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 walls in shower # 5 and 6

105 CMR 451.123

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

105 CMR 451.123

Maintenance: Soap scum on floor in shower # 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, 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 # 1-3

105 CMR 451.123*

Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged

105 CMR 451.123

Maintenance: Ceiling dirty in shower # 3, mold like substance observed on ceiling

Upper Showers # 4-7

105 CMR 451.123*

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

105 CMR 451.123*

Maintenance: Soap scum on floor 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 rusted 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: Light not working in shower

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: Soap scum on walls in shower # 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

105 CMR 451.123*

Maintenance: Wall tiles damaged in shower # 3

Upper Showers # 4-7

105 CMR 451.123*

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

105 CMR 451.123*

Maintenance: Soap scum on floor in shower # 4-6

105 CMR 451.123

Maintenance: ceiling vent rusted in shower # 6

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 floor in shower

D-POD

Offices

No Violations Noted

Staff Bathroom

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 # 2 and 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*

105 CMR 451.123*

105 CMR 451.123*

Maintenance: Soap scum on walls in shower # 4, 5, and 7

Maintenance: Soap scum on floor in shower # 4, 6, and 7

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

105 CMR 451.140

Adequate Ventilation: Inadequate ventilation, wall vent blocked in cell # 203 and 204

Lower Janitor's Closet

No Violations Noted

Storage Closet

No Violations Noted

Lower Showers # 1-3

105 CMR 451.123*

105 CMR 451.123*

105 CMR 451.123*

Maintenance: Soap scum on walls in shower # 1-3

Maintenance: Soap scum on walls in shower # 2 and 3

Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged

Upper Showers # 4-7

105 CMR 451.123*

105 CMR 451.123*

105 CMR 451.123*

105 CMR 451.123

105 CMR 451.123

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

Maintenance: Soap scum on floor in shower # 4, 5, and 7

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

Maintenance: Wall tile damaged in shower # 7

Maintenance: ceiling vent rusted in shower # 4-7

Upper Janitor's Closet

No Violations Noted

Sub Day Room

No Violations Noted

Cells

105 CMR 451.140

Adequate Ventilation: Inadequate ventilation, wall vent blocked in cell # 102

Shower

105 CMR 451.123

Maintenance: Soap scum on walls in shower

105 CMR 451.123*

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

F-POD

Unable to Inspect – Not in Use

G-POD

Triage Room

No Violations Noted

Staff Bathroom

No Violations Noted

Recreation Deck

No Violations Noted

Cells

No Violations Noted

Lower Janitor's 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

105 CMR 451.123*

Maintenance: Floor not easily cleanable in shower # 5, floor surface damaged

Upper Janitor's Closet

No Violations Noted

Sub Day Room

No Violations Noted

Cells

No Violations Noted

Shower

No Violations Noted

SUB DAY ROOMS (Outside G and H PODS)

No Violations Noted

H-POD – Regional Lock Up

Triage Room

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 # 1-3

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 # 4-6, floor finish damaged

105 CMR 451.123*

Maintenance: Floor not easily cleanable in shower # 6, floor surface 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

GYM

No Violations Noted

Office

No Violations Noted

Weight Room

No Violations Noted

Janitor's Closet

No Violations Noted

Staff Bathroom

No Violations Noted

Inmate Bathroom

No Violations Noted

J-POD

Cells

No Violations Noted

Shower

105 CMR 451.123*

Maintenance: Floor not easily cleanable in shower, floor surface 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

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

Office

No Violations Noted

Bakery

No Violations Noted

Hobart Coolers

No Violations Noted

Worker Changing Room

No Violations Noted

Worker Changing Room Bathroom # FS09

No Violations Noted

Reach-in-Freezer

No Violations Noted

Inmate Bathroom # FS07

No Violations Noted

Storage Closet # FS06

No Violations Noted

Worker Serving Line

No Violations Noted

Dishwashing Area
FC 4-901.11(A)*

Protection of Clean Items, Drying: Clean and sanitized trays not allowed to air dry fully

Worker Dining Area

No Violations Noted

Ice Machine

No Violations Noted

Chemical Storage

No Violations Noted

Staff Dining Area

No Violations Noted

LAUNDRY

No Violations Noted

Bathroom # LA02
105 CMR 451.123

Maintenance: Ceiling vent dusty

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
105 CMR 451.110(A)

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

IT Office

No Violations Noted

Staff Bathroom

No Violations Noted

Inmate Bathroom

No Violations Noted

Maintenance Area # MA01A

Chemical Closet

105 CMR 451.353

Interior Maintenance: Ceiling vent dusty

Trash Room #MA09

No Violations Noted

Dumpster Area

105 CMR 451.371

Rubbish Storage: Rubbish stored in an unsanitary condition, drain plugs missing from dumpster

Office Area

105 CMR 451.200

Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, refrigerator door gasket damaged

Bathroom # MA05

No Violations Noted

Bathroom # MA06

105 CMR 451.123

Maintenance: Ceiling vent dusty

Supply Closet # MA07

No Violations Noted

Education Area

Classrooms

105 CMR 451.110(A)*

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

Library

105 CMR 451.353*

Interior Maintenance: Ceiling tile water stained

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 Office

No Violations Noted

Exam Rooms

No Violations Noted

Tub Room

No Violations Noted

Staff Bathroom # MS04

105 CMR 451.123

Maintenance: Ceiling vent dusty

Inmate Bathroom

105 CMR 451.110(A)

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

VISITATION AREA

No Violations Noted

CENTRAL CONTROL

No Violations Noted

Control Bathroom

105 CMR 451.126

Hot Water: Hot water temperature recorded at 90°F

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

105 CMR 451.123*

Maintenance: Ceiling vent dusty

WAREHOUSE

No Violations Noted

Office

No Violations Noted

Walk-in-Cooler

No Violations Noted

Walk-in-Freezer

No Violations Noted

Bathroom

No Violations Noted

Vehicle Maintenance Garage

No Violations Noted

Observations and Recommendations

1. The inmate population was 212 at the time of inspection.
2. At the time of inspection, the Department recommended numbering all showers and toilets throughout the institution. This will assist the Department and Department of Correction employees to better recognize where issues exist.

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,



Scott Koczela
Environmental Analyst, CSP, BEH

cc: Jan Sullivan, Acting Director, BEH
Steven Hughes, Director, CSP, BEH
Timothy Miley, Director of Government Affairs
Marylou Sudders, Secretary, Executive Office of Health and Human Services
Thomas Turco, Commissioner, DOC
John J. Quinn, Jr., Superintendent
Captain Katherine Sonsini, EHSO
Alan Cetti, Fire and Safety Officer
Gina Armstrong, Health Director, Pittsfield Board of Health
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate
Daniel Bennett, Secretary, EOPSS
Jennifer Gaffney, Director, Policy Development and Compliance Unit