

The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Environmental Health

Community Sanitation Program

23 Service Center Road, Northampton, MA 01060

MARYLOU SUDDERS

Secretary

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| CHARLES D. BAKERGovernorKARYN E. POLITOLieutenant Governor |

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**

*Female Search Room # 1*

 No Violations Noted

*Male Search Room # 2*

 No Violations Noted

*Cells*

 No Violations Noted

*Medical Screening Room*

 No Violations Noted

*Transportation Room*

 No Violations Noted

*Sally Port*

 No Violations Noted

*Female Staff Bathroom*

 No Violations Noted

*Inmate Changing Room*

 No Violations Noted

*Urinalysis Lab*

 No Violations Noted

*Records*

 No Violations Noted

*Storage Room # BR18*

 No Violations Noted

**Mental Health Interview Room**

 No Violations Noted

*Inmate Bathroom*

 No Violations Noted

**PROPERTY**

*Office*

 No Violations Noted

*Janitor’s Closet*

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

105 CMR 451.123\* Maintenance: Soap scum on floor in shower # 4, 6, and 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*

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

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 2 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 # 4-7

105 CMR 451.123\* Maintenance: Soap scum on floor in shower # 4, 5, and 7

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 4-7, floor finish damaged

105 CMR 451.123 Maintenance: Wall tile damaged in shower # 7

105 CMR 451.123 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 900F

**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](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](http://www.cfsan.fda.gov/~dms/fc99-toc.html)”.

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: 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