



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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January 6, 2025

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:

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 September 6, 2024 accompanied by Captain Robert McCluskey and Lieutenant Danielle Tyler, Compliance and Safety Supervisor, in accordance with Department Regulations 105 CMR 451.000: Minimum Health and Sanitation Standards and Inspection Procedures for Correctional Facilities.

The inspection identified 55 total deficiencies: 15 new deficiencies under the Required Standards (.100 and .200 series), 39 repeat deficiencies under the Required Standards, no new deficiencies under the Recommended Standards (.300 series), and one repeat deficiency under the Recommended Standards.

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

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

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

1.	A-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Soap scum on floor in shower # 5
2.	A-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Soap scum on walls in shower # 5
3.	A-POD	Sub Day Room Shower	105 CMR 451.123	Maintenance: Floor not easily cleanable, floor finish damaged
4.	A-POD	Sub Day Room Shower	105 CMR 451.123	Maintenance: Ceiling vent rusted
5.	A-POD	Lower Showers # 1-3	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 1-3
6.	A-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 4-7
7.	B-POD	Lower Showers # 1-3	105 CMR 451.123	Maintenance: Mold observed on walls in shower # 3
8.	B-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Ceiling vent rusted in shower # 4
9.	B-POD	Lower Showers # 1-3	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 1-3
10.	B-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 4-7
11.	B-POD	Upper Showers # 4-7	105 CMR 451.130*	Plumbing: Plumbing not maintained in good repair, fixture leaking in shower # 5
12.	B-POD	Sub Day Room Shower	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower
13.	C-POD	Staff Bathroom	105 CMR 451.123	Maintenance: Ceiling vent dusty
14.	C-POD	Day Room	105 CMR 451.200	Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty
15.	C-POD	Lower Showers # 1-3	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 1-3
16.	C-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 4-7
17.	C-POD	Sub Day Room Shower	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower
18.	D-POD	Upper Showers # 4-7	105 CMR 451.130	Plumbing: Plumbing not maintained in good repair, fixture leaking in shower # 7
19.	D-POD	Lower Showers # 1-3	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 1-3
20.	D-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 4-7
21.	D-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Soap scum on floor in shower # 5
22.	D-POD	Sub Day Room Shower	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower
23.	G-POD	Upper Showers # 4-7	105 CMR 451.123	Maintenance: Ceiling vent rusted in shower # 4
24.	G-POD	Lower Showers # 1-3	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 1-3
25.	G-POD	Upper Showers # 4-7	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 4 and 5
26.	G-POD	Sub Day Room Shower	105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower

27. GYM	Staff Bathroom # RE03	105 CMR 451.110(A)	Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink
28. LAUNDRY	Office # LA04	105 CMR 451.200	Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, no functioning thermometer in refrigerator
29. STAFF GYM	Female Locker Room	105 CMR 451.123	Maintenance: Ceiling damaged above shower
30. KITCHEN	Inmate Bathroom # FS07	105 CMR 451.200	Numbers and Capacity; Handwashing Sinks: No hand drying method available at handwashing sink. Standard found in 105 CMR 590; FC 6-301.12(A)
31. KITCHEN	Dishwashing Area	105 CMR 451.200	Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, hot water rinse and dry gauges not working correctly. Standard found in 105 CMR 590; FC 4-501.11(B)

Deficiencies under the Recommended Standards (.300 series)

1 repeat deficiency was found during the inspection.

1. GYM	Weight Room	105 CMR 451.353*	Interior Maintenance: Padding damaged on curling machine
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SECTION 2: Areas Found to be in Compliance

EHRS inspected 154 additional areas of the facility which were found to be in compliance.

Section 3: Areas EHRS did not inspect

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

1. E-POD		Closed - Under Construction
2. F-POD		Closed - Under Construction
3. G-POD	Lower Showers # 1-3	Shower # 1 In-Use
4. G-POD	Upper Showers # 4-7	Shower # 6 and 7 In-Use
5. GYM	Janitor's Closet # RE04	Locked
6. LAUNDRY	Bathroom # MA05	Locked
7. MEDICAL	Storage (former Inmate Bathroom)	Locked
8. CONTROL	Key Room	Locked

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. The Plan of Correction must include:

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 187 at the time of inspection.
2. There were 39 repeat violations of the Required Standards found during the inspection.
 - a. The repeat violations of 105 CMR 451.123 relate to the shower facilities in the Housing Pods. In your plan of correction dated March 7, 2024, it indicates that the shower facilities are part of a DCAMM renovation project and identifies an anticipated completion date of April 2024. At the time of the inspection, Housing Pods E and F were unoccupied and under construction as part of this project.
 - i. EHRS requests an updated timeline for completion of the shower renovation project.
 - ii. EHRS recommends daily cleaning of the affected showers in the interim, until renovations of all shower facilities are completed.

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,



Scott Koczela
Environmental Analyst, EHRS, BCEH