

The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Environmental Health

Community Sanitation Program

180 Beaman Street, West Boylston, MA 01583

MARYLOU SUDDERS

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| CHARLES D. BAKERGovernorKARYN E. POLITOLieutenant Governor |

April 14, 2015

Thomas Bowler, Sheriff

Berkshire County Jail and House of Corrections

467 Cheshire Road

Pittsfield, MA 01201

Re: Facility Inspection - Berkshire County Jail and House of Corrections, 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 Corrections on April 7, 2015 accompanied by ADS Mazzeo, Captain Katherine Sonsini, EHSO, and Paul Halfmann, Community Sanitation Program. Violations noted during the inspection are listed below including 82 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**

105 CMR 451.126 Water Supply: No cold water supplied to handwash sink

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

**STAFF GYM**

 No Violations Noted

**Janitor’s Closet**

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

**Female Locker Room**

No Violations Noted

**Male Locker Room**

No Violations Noted

**INTAKE/BOOKING**

**Medical Screening Room**

No Violations Noted

**Search Room # 1 & 2**

No Violations Noted

**Cells**

105 CMR 451.353 Interior Maintenance: Floor paint damaged in cell # BR04, BR05, and BR15

**Male Staff Bathroom**

105 CMR 451.123 Maintenance: Ceiling vent dusty

**Female Staff Bathroom**

 No Violations Noted

**Janitor’s Closet**

 No Violations Noted

**PROPERTY**

 No Violations Noted

**VISITATION AREA**

105 CMR 451.353 Interior Maintenance: Ceiling vent dusty

**A POD**

**Control**

 No Violations Noted

**Control Bathroom**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, handwash sink leaking

105 CMR 451.123 Maintenance: Handwash sink dirty

105 CMR 451.123 Maintenance: Floor dirty

**Storage Room**

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No soap at handwash sink

**Cells**

105 CMR 451.103 Mattresses: Mattress damaged in cell # 104

105 CMR 451.350 Structural Maintenance: Wall cracked in cell # 217

105 CMR 451.353 Interior Maintenance: Wall dirty in cell # 108, 113, 116, and 206

105 CMR 451.353 Interior Maintenance: Wall paint damaged in cell # 109

105 CMR 451.353 Interior Maintenance: Ceiling dirty in cell # 113 and 211

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 116 and 206

**Janitor’s Closet Lower**

105 CMR 451.340 Illumination: Insufficient lighting, light out

**Janitor’s Closet Upper**

 No Violations Noted

**Showers**

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-7

105 CMR 451.123 Maintenance: Soap scum on wall tiles in shower # 1, 2, 3, 4, and 5

105 CMR 451.123 Maintenance: Ceiling light rusted in shower # 2, 3, and 5

105 CMR 451.123 Maintenance: Floor dirty in shower # 2

105 CMR 451.123 Maintenance: Wall vent dusty

**Sub Day Room Shower**

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123\* Maintenance: Wall vent dusty

**Counselor’s Room**

105 CMR 451.353 Interior Maintenance: Ceiling vent dusty

**B POD** (Not in Use)

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, water fountain not draining properly

**Staff Bathroom**

 No Violations Noted

**Cells**

 No Violations Noted

**Showers**

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-7

105 CMR 451.123 Maintenance: Soap scum on wall tiles in shower # 2, 3, 4, 5, 6, and 7

105 CMR 451.123 Maintenance: Ceiling vent dusty in shower # 1 and 2

105 CMR 451.353 Interior Maintenance: Ceiling vent rusted in shower # 5

**Sub Day Room Shower**

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123\* Maintenance: Soap scum on wall tiles

105 CMR 451.123 Maintenance: Floor dirty

**Janitor’s Closet Lower**

 No Violations Noted

**Janitor’s Closet Upper**

 No Violations Noted

**C POD**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, water fountain not draining properly

**Staff Bathroom**

105 CMR 451.123 Maintenance: Handwash sink dirty

**Cells**

105 CMR 451.140 Adequate Ventilation: Inadequate ventilation, wall ventilation grille blocked in
cell # 107, 206, 209, and 216

105 CMR 451.353 Interior Maintenance: Ceiling paint damaged in cell # 207

**Showers**

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-7

105 CMR 451.123\* Maintenance: Soap scum on wall tiles in shower # 1-7

105 CMR 451.123 Maintenance: Ceiling vent dusty in shower # 3

105 CMR 451.123 Maintenance: Ceiling vent rusted in shower # 5

**Sub Day Room Shower**

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123 Maintenance: Soap scum on wall tiles

**Janitor’s Closet Lower**

 No Violations Noted

**Janitor’s Closet Upper**

 No Violations Noted

**D POD**

**Staff Bathroom**

105 CMR 451.353 Interior Maintenance: Ceiling vent dusty

**Cells**

105 CMR 451.123 Maintenance: Toilet dirty in cell # 115

**Showers**

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-7

105 CMR 451.123\* Maintenance: Ceiling light rusted in shower # 1-7

105 CMR 451.123 Maintenance: Drain flies observed in shower # 4

105 CMR 451.123 Maintenance: Black substance around the bottom perimeter of shower # 5

105 CMR 451.123 Maintenance: Floor not easily cleanable in shower # 1-7

105 CMR 451.123 Maintenance: Ceiling vent dusty in shower # 6

**Sub Day Room Shower**

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123 Maintenance: Soap scum on wall tiles

105 CMR 451.123 Maintenance: Black substance around the bottom perimeter of shower

105 CMR 451.123 Maintenance: Ceiling vent dusty

**Janitor’s Closet Lower**

105 CMR 451.353 Interior Maintenance: Ceiling vent dusty

**Janitor’s Closet Upper**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink

**E POD**

**Staff Bathroom**

105 CMR 451.126\* Hot Water: Hot water temperature recorded at 900F

**Cells**

105 CMR 451.103 Mattresses: Mattress damaged in cell # 102

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, handwash sink continually running in cell # 112

105 CMR 451.353 Interior Maintenance: Wall vent dirty in cell # 114 and 115

**Showers**

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-7

105 CMR 451.123 Maintenance: Soap scum on wall tiles in shower # 2, 3, 4, and 5

105 CMR 451.123 Maintenance: Floor dirty in shower # 4

105 CMR 451.123 Maintenance: Ceiling vent rusted in shower # 5

**Sub Day Room Shower**

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower

105 CMR 451.123\* Maintenance: Soap scum on wall tiles in shower

**Janitor’s Closet Lower**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink

**Janitor’s Closet Upper**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink

**F POD**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, water fountain not working

**Staff Bathroom**

 No Violations Noted

**Sub Day Room Shower**

105 CMR 451.123 Maintenance: Soap scum on wall tiles

**Cells**

 No Violations Noted

**Showers**

105 CMR 451.123 Maintenance: Floor not easily cleanable in shower # 1-7

105 CMR 451.123 Maintenance: Soap scum on wall tiles in shower # 1-7

105 CMR 451.123 Maintenance: Soap scum on bench in shower # 3

105 CMR 451.123 Maintenance: Ceiling vent rusted in shower # 5, 6, and 7

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, shower # 3 leaking

105 CMR 451.123 Maintenance: Showers leaking into back chase area on first floor

**Janitor’s Closet Lower**

105 CMR 451.353 Interior Maintenance: Wet mop stored in slop sink

**Janitor’s Closet Upper**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot or cold water handles on slop sink

**G POD**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, water fountain not draining properly

**Staff Bathroom**

 No Violations Noted

**Cells**

 No Violations Noted

**Showers**

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-7

105 CMR 451.123 Maintenance: Soap scum on wall tiles in shower # 1-7

105 CMR 451.123 Maintenance: Floor dirty in shower # 1-7

105 CMR 451.123 Maintenance: Black substance around bottom perimeter of shower # 4

**Sub Day Shower**

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123\* Maintenance: Soap scum on wall tiles

105 CMR 451.123 Maintenance: Floor dirty

**Janitor’s Closet Lower**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink

**Janitor’s Closet Upper**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot or cold water handles on slop sink

**H POD – REGIONAL LOCKUP**

**Staff Bathroom**

 No Violations Noted

**Cells**

 No Violations Noted

**Showers**

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-7

105 CMR 451.123\* Maintenance: Soap scum on wall tiles in shower # 1, 2, 4, 5, 6, and 7

**Sub Day Room Shower**

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123\* Maintenance: Soap scum on wall tiles

**Janitor’s Closet Lower**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink

**Janitor’s Closet Upper**

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot or cold water handles on slop sink

**J POD**

**Cells**

 No Violations Noted

**Shower**

105 CMR 451.123 Maintenance: Floor not easily cleanable

**HSU**

**Tub Room**

 No Violations Noted

**Staff Bathroom**

105 CMR 451.123 Maintenance: Ceiling vent dusty

**Inmate Bathroom**

 No Violations Noted

**Exam Rooms**

 No Violations Noted

**Dental Office**

 No Violations Noted

**Janitor’s Closet**

 No Violations Noted

**Medical Waste Storage**

105 CMR 480.500(A) Procedures; Records; Record-Keeping Log: Generator had no written procedures for maintaining compliance with 480.000

105 CMR 480.500(A)(3) Procedures; Records; Record-Keeping Log: Generator had no written documentation for blood borne pathogen training

**LAUNDRY**

 No Violations Noted

**Bathroom**

 No Violations Noted

**GYM**

 No Violations Noted

**Janitor’s Closet**

 No Violations Noted

**Inmate Bathroom**

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

105 CMR 451.123 Maintenance: Ceiling vent dusty

**Staff Bathroom**

 No Violations Noted

**EDUCATION AREA**

**Inmate Bathroom**

 No Violations Noted

**Classrooms**

 No Violations Noted

**HUMAN SERVICES**

**Staff Bathroom**

 No Violations Noted

**Break Room**

FC 3-501.16(B) Limitation of Growth of Organisms, Temperature and Time Control: Refrigerator temperature recorded at 480F

FC 4-204.112(A) Design and Construction, Functionality: Thermometer not functioning properly in refrigerator

**VOCATIONAL EDUCATION**

**Inmate Bathroom**

 No Violations Noted

**Staff Bathroom**

 No Violations Noted

**COMMISSARY**

 No Violations Noted

**HALLWAY BEFORE KITCHEN**

**Female Staff Bathroom**

105 CMR 451.353 Interior Maintenance: Ceiling tiles missing

**Male Staff Bathroom**

 No Violations Noted

**KITCHEN**

**Walk-in Freezer**

FC 6-501.12(A) Maintenance and Operation; Cleaning: Facility not cleaned properly, floor dirty

FC 4-501.11(A) Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, door handle broken

**Walk-in Cooler**

 No Violations Noted

**Reach-in Freezer**

 No Violations Noted

**Bakery**

 No Violations Noted

**Changing Room**

 No Violations Noted

**Changing Room Bathroom**

 No Violations Noted

**Dry Storage**

 No Violations Noted

**Inmate Bathroom**

 No Violations Noted

**Storage Room**

 No Violations Noted

**Chemical Storage**

 No Violations Noted

**Worker Dinning Area**

 No Violations Noted

**Staff Dining**

FC 3-501.16(B) Limitation of Growth of Organisms, Temperature and Time Control: Potentially hazardous food not held at the proper cold holding temperature, salad temperature recorded at 480F

**Observations and Recommendations**

1. The inmate population was 213 at the time of inspection.

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,

Kerry Wagner
Environmental Health Inspector, CSP, BEH

cc: Suzanne K. Condon, Associate Commissioner, Director, BEH

 Steven Hughes, Director, CSP, BEH

Jay Youmans, Director of Government Affairs

Marylou Sudders, Secretary, Executive Office of Health and Human Services

Carol Higgins O’Brien, Commissioner, DOC

John J. Quinn, Jr., Superintendent

 Captain Katherine Sonsini, EHSO

 Gina Armstrong, Health Director, Pittsfield Board of Health

 Clerk, Massachusetts House of Representatives

 Clerk, Massachusetts Senate

 Daniel Bennett, Secretary, EOPS