

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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| DEVAL L. PATRICKGOVERNORJOHN W. POLANOWICZSECRETARYEILEEN M. SULLIVANACTING COMMISSIONER |

December 31, 2014

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 December 2, 2014 accompanied by Captain Katherine Sonsini. Violations noted during the inspection are listed below including 152 repeat violations:

**HEALTH AND SAFETY VIOLATIONS**

(*\* indicates conditions documented on previous inspection reports*)

**Front Entry**

*Female Bathroom*

105 CMR 451.123 Maintenance: Ceiling vent dusty

*Male Bathroom*

No Violations Noted

**Kitchen**

*Walk-in Freezer*

 No Violations Noted

*Walk-in Cooler*

No Violations Noted

*Reach-in Freezer*

FC 4-501.11(A) Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, condenser was leaking

*Changing Room*

No Violations Noted

*Dry Storage*

No Violations Noted

*Inmate Bathroom*

 No Violations Noted

*Storage Room*

No Violations Noted

*Chemical Storage*

No Violations Noted

*Inmate Dining*

No Violations Noted

**Staff Dining**

FC 4-501.11(A) Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, refrigerator out-of-service

**Bakery**

 No Violations Noted

**Visitation Area**

 No Violations Noted

**Property**

 No Violations Noted

**Laundry**

 No Violations Noted

**Commissary**

 No Violations Noted

**Vocational Education**

*Inmate Bathroom*

No Violations Noted

*Staff Bathroom*

No Violations Noted

*Classrooms*

 No Violations Noted

**Recreational Area**

 No Violations Noted

**Intake/Booking**

*Medical Triage*

105 CMR 451.353 Interior Maintenance: Examination table bench cushion damaged

*Transportation Room*

No Violations Noted

*Cells*

 No Violations Noted

**HSU**

*Medical Waste Storage*

 No Violations Noted

*Dental Office*

 No Violations Noted

*Exam Rooms*

 No Violations Noted

*Tub Room*

 No Violations Noted

*Staff Bathroom*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 1060F

**A Pod**

*Staff Bathroom*

 No Violations Noted

*Cells*

105 CMR 451.103 Mattresses: Mattress damaged in cell # 209

*Day Room*

105 CMR 451.353\* Interior Maintenance: Ceiling stained in common area

*Showers*

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

105 CMR 451.123\* Maintenance: Showers leaking into back chase area

105 CMR 451.123\* Maintenance: Expansion joints hold stagnant water in shower # 1, 2, and 3

*Sub Dayroom Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123\* Maintenance: Air vent dusty

*Janitor Closet*

 No Violations Noted

**B Pod**

*Staff Bathroom*

105 CMR 451.123 Interior Maintenance: Air vent rusted

*Cells*

105 CMR 451.353\* Interior Maintenance: Air vent blocked in cell # 105 and 205

105 CMR 451.353 Interior Maintenance: Air vent blocked in cell # 106

105 CMR 451.353\* Interior Maintenance: Air vent rusted in cell # 106, 107, 109, 110, 202, 203, 204, 207, 208, 211, 212, 214, 215, and 217

*Day Room*

No Violations Noted

*Showers*

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

105 CMR 451.123\* Maintenance: Black substance on shower walls # 1-7

105 CMR 451.123\* Maintenance: Showers were leaking into back chase area

*Sub Dayroom Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123 Maintenance: Soap scum on shower walls

105 CMR 451.123\* Maintenance: Shower were leaking into back chase area

*Janitor’s Closet*

 No Violations Noted

**C Pod**

*Staff Bathroom*

105 CMR 451.123 Maintenance: Ceiling vent dusty

105 CMR 451.126 Hot Water: Hot water temperature recorded at 1060F

*Cells*

105 CMR 451.353\* Interior Maintenance: Debris in air vent in cell # 104, 105, 108, 110, 112, 213, and 214

105 CMR 451.353\* Interior Maintenance: Air vent rusted in cell # 107, 109, 110, 111, 114, 115, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 215, 216, 217, and 218

*Showers*

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

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

105 CMR 451.123\* Maintenance: Showers were leaking into back chase area

105 CMR 451.123\* Maintenance: Expansion joints hold stagnant water in showers # 1, 2, and 3

*Sub Dayroom Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123\* Maintenance: Black substance on shower walls

*Janitor’s Closet*

FC 6-501.11 Maintenance and Operation; Repairing: Facility not in good repair, rusted door jamb

**D Pod**

*Staff Bathroom*

 No Violations Noted

*Cells*

 No Violations Noted

*Showers*

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

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

105 CMR 451.123\* Maintenance: Showers were leaking into back chase area

*Sub Dayroom Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123\* Maintenance: Shower was leaking into back chase area

*Janitor’s Closet*

 No Violations Noted

**E Pod**

*Staff Bathroom*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 1020F

*Cells*

105 CMR 451.353\* Interior Maintenance: Air vent rusted in cell # 101, 103, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 117, 204, 206, 207, 208, 209, 210, 211, 214, 215, 216, and 217

105 CMR 451.353\* Interior Maintenance: Air vent rusted in cell # 116, 202, 205, and 212

*Showers*

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

105 CMR 451.123 Maintenance: Black substance on shower walls # 1-7

*Sub Dayroom Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123 Maintenance: Soap scum on shower walls

*Janitor’s Closet*

 No Violations Noted

**F Pod**

Under Renovation-Not in Use

**G Pod**

*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: Black substance on shower walls # 1-7

105 CMR 451.123\* Maintenance: Showers were leaking into back chase area on 1st floor

*Sub Dayroom Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123 Maintenance: Soap scum on shower walls

*Janitor’s Closet*

 No Violations Noted

**H Pod – Regional Lockup**

*Staff Bathroom*

 No Violations Noted

*Cells*

 No Violations Noted

*Showers*

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

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

*Sub Dayroom Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable

105 CMR 451.123 Maintenance: Soap scum on shower walls

*Janitor’s Closet*

 No Violations Noted

**Warehouse**

105 CMR 451.350 Structural Maintenance: Entry door not rodent proof and weathertight

*Staff Bathroom*

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

*Walk-in Cooler*

 No Violations Noted

*Freezer*

FC 4-501.11(A)\* Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, missing light bulb

FC 4-501.11(A) Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, ice build-up on ceiling by door

**Observations and Recommendations**

1. The inmate population was 245 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)”.

This inspection report is signed and certified under the pains and penalties of perjury.

Sincerely,

Paul Halfmann, MPH

Assistant Director, CSP, BEH

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

 Steven Hughes, Director, CSP, BEH

 John W. Polanowicz 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

 Andrea Cabral, Secretary, EOPS