



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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MONICA BHAREL, MD, MPH
 Commissioner

Tel: 617-624-6000
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February 9, 2021

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:

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 2013 Food Code; 105 CMR 500.000 Good Manufacturing Practices for Food; and 105 CMR 205.000 Minimum Standards Governing Medical Records and the Conduct of Physical Examinations in Correctional Facilities; the Department's Community Sanitation Program (CSP) conducted an inspection of the Berkshire County Jail and House of Correction on February 5, 2021 accompanied by Lieutenant Ian Taylor, Compliance and Training Supervisor, Captain Robert Mckluskey, and Captain Thomas Morton. Violations noted during the inspection are listed below including 53 repeat violations:

Should you have any questions, please don't hesitate to contact me.

Sincerely,

Scott Koczela
 Environmental Analyst, CSP, BEH

cc: Monica Bharel, MD, MPH, Commissioner, DPH
 Jan Sullivan, Acting Director, BEH
 Steven Hughes, Director, CSP, BEH
 Marylou Sudders, Secretary, Executive Office of Health and Human Services (electronic copy)
 Carol A. Mici, Commissioner, DOC (electronic copy)
 Thomas Turco, Secretary, EOPSS (electronic copy)
 Timothy Gotovich, Director, Policy Development and Compliance Unit (electronic copy)
 Brad Little, Acting Superintendent (electronic copy)
 Alan Cetti, Fire and Safety Officer (electronic copy)
 Lieutenant Ian C. Taylor, Compliance and Training Supervisor (electronic copy)
 Gina Armstrong, Health Director, Pittsfield Board of Health (electronic copy)
 Clerk, Massachusetts House of Representatives (electronic copy)
 Clerk, Massachusetts Senate (electronic copy)

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

FRONT ENTRY

Lobby No Violations Noted

Mail Room No Violations Noted

Female Bathroom No Violations Noted

Male Bathroom No Violations Noted

ADMINISTRATION (OUTSIDE)

Female Staff Bathroom
105 CMR 451.126* Hot Water: Hot water temperature recorded at 99⁰F at handwash sink

Male Staff Bathroom No Violations Noted

Break Room No Violations Noted

STAFF GYM

No Violations Noted

Break Area No Violations Noted

Janitor's Closet No Violations Noted

Female Locker Room
105 CMR 451.126* Hot Water: Hot water temperature recorded at 62⁰F at handwash sink

Male Locker Room
105 CMR 451.123 Maintenance: Light not working in right side shower
105 CMR 451.123 Maintenance: Shower curtain missing in handicapped shower

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

105 CMR 451.353

Interior Maintenance: Wall vent blocked in cell # B117

Lower Janitor's Closet

No Violations Noted

Storage 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: Soap scum on walls in shower # 7

105 CMR 451.123*

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

105 CMR 451.123*

Maintenance: Ceiling vent dusty in shower # 4 and 7

105 CMR 451.123

Maintenance: Floor dirty in shower # 7

105 CMR 451.123

Maintenance: Ceiling paint peeling outside shower # 7

Upper Janitor's Closet

No Violations Noted

Sub Day Room

No Violations Noted

Cells

No Violations Noted

Shower

105 CMR 451.130*

Plumbing: Plumbing not maintained in good repair, shower fixture damaged

105 CMR 451.123*

Maintenance: Soap scum on floor in shower

105 CMR 451.123*

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

C-POD

Triage Office

No Violations Noted

Offices

No Violations Noted

Staff Bathroom

No Violations Noted

<i>Recreation Deck</i>	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Lower Janitor's Closet</i>	No Violations Noted
<i>Storage Closet</i>	No Violations Noted
<i>Lower Showers # 1-3</i> 105 CMR 451.123* 105 CMR 451.123	Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged Maintenance: Soap scum on walls in shower 1
<i>Upper Showers # 4-7</i> 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 # 6 Maintenance: Soap scum on walls in shower # 5 Maintenance: Floor not easily cleanable in shower # 4-7, floor finish damaged Maintenance: Ceiling vent rusted in shower # 4 Maintenance: Paint peeling on ceiling vent in shower # 5 and 6
<i>Upper Janitor's Closet</i>	No Violations Noted
Sub Day Room	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Shower</i> 105 CMR 451.123*	Maintenance: Floor not easily cleanable in shower, floor finish damaged
<u>D-POD</u>	
<i>Offices</i>	No Violations Noted
<i>Staff Bathroom</i> 105 CMR 451.126*	Hot Water: Hot water temperature recorded at 100 ⁰ F at handwash sink
<i>Recreation Deck</i>	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Lower Janitor's Closet</i>	No Violations Noted
<i>Storage Closet</i>	No Violations Noted

<i>Lower Showers # 1-3</i> 105 CMR 451.123*	Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged
<i>Upper Showers # 4-7</i> 105 CMR 451.123*	Maintenance: Floor not easily cleanable in shower # 4-7, floor finish damaged
<i>Upper Janitor's Closet</i>	No Violations Noted
Sub Day Room	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Shower</i> 105 CMR 451.123*	Maintenance: Floor not easily cleanable in shower, floor finish damaged
<u>E-POD</u>	
<i>Triage Office</i>	No Violations Noted
<i>Offices</i>	No Violations Noted
<i>Staff Bathroom</i> 105 CMR 451.126	Hot Water: Hot water temperature recorded at 103 ⁰ F at handwash sink
<i>Recreation Deck</i>	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Lower Janitor's Closet</i>	No Violations Noted
<i>Storage Closet</i>	No Violations Noted
<i>Lower Showers # 1-3</i> 105 CMR 451.123*	Maintenance: Floor not easily cleanable in shower # 1-3, floor finish damaged
<i>Upper Showers # 4-7</i> 105 CMR 451.123* 105 CMR 451.123*	Maintenance: Ceiling vent dusty in shower # 6 Maintenance: Floor not easily cleanable in shower # 4-7, floor finish damaged
<i>Upper Janitor's Closet</i>	No Violations Noted
Sub Day Room	No Violations Noted
<i>Cells</i>	No Violations Noted

Shower
105 CMR 451.123* Maintenance: Floor not easily cleanable in shower, floor finish damaged

F-POD

Unable to Inspect – Decommissioned and Not in Use

G-POD

Triage Room
No Violations Noted

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

Upper Showers # 4-7
105 CMR 451.123 Maintenance: Soap scum on floor in shower # 4, 6, and 7
105 CMR 451.123* Maintenance: Soap scum on walls in shower # 4, 5, and 6
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
No Violations Noted

MULTI-PURPOSE ROOMS (Outside G and H PODS)

No Violations Noted

GYM

No Violations Noted

Weight Room
105 CMR 451.353

Interior Maintenance: Padding damaged on universal machine

Office # RE07

No Violations Noted

Storage # RE05

No Violations Noted

Janitor's Closet # RE04

No Violations Noted

Staff Bathroom # RE03
105 CMR 451.126

Hot Water: Hot water temperature recorded at 101⁰F at handwash sink

Inmate Bathroom # RE02
105 CMR 451.123

Maintenance: Floor dirty

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

The following Food Code violations listed in **BOLD** were observed to be corrected on-site.

Handwash Sink
105 CMR 451.126

Hot Water: Hot water temperature recorded at 101⁰F at handwash sink

Cart Room
FC 6-501.11

Maintenance and Operation; Repairing: Facility not in good repair, ceiling paint peeling

Dry Storage

No Violations Noted

Walk-in-Cooler

No Violations Noted

Walk-in-Freezer

No Violations Noted

Produce Cooler

No Violations Noted

<i>Office</i>	No Violations Noted
<i>Bakery</i>	No Violations Noted
<i>Hobart Coolers</i>	No Violations Noted
<i>Hoods</i> FC 4-501.11(A)	Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, 2 lights not working
<i>Handwash Sink</i>	No Violations Noted
<i>Worker's Changing Room</i>	No Violations Noted
<i>Worker's Bathroom # FS09 (located in changing room)</i>	No Violations Noted
<i>Reach-in-Freezer</i>	No Violations Noted
<i>Inmate Bathroom # FS07</i>	No Violations Noted
<i>Storage Closet # FS06</i>	No Violations Noted
<i>Worker's Serving Line</i>	No Violations Noted
<i>Dishwashing Area</i>	No Violations Noted
<i>Handwash Sink</i> 105 CMR 451.126	Hot Water: Hot water temperature recorded at 102 ⁰ F at handwash sink
<i>Worker's Dining Area</i>	No Violations Noted
<i>Ice Machine</i>	No Violations Noted
<i>Chemical Storage</i>	No Violations Noted
Staff Dining Area	No Violations Noted
<i>Serving Line</i>	No Violations Noted

Handwash Sink
105 CMR 451.126
FC 5-205.15(B)

Hot Water: Hot water temperature recorded at 97⁰F at handwash sink
Plumbing System; Operation and Maintenance: Plumbing system not maintained in good
repair, handwash sink not draining

LAUNDRY

No Violations Noted

Bathroom # LA02

No Violations Noted

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

No Violations Noted

IT Office

No Violations Noted

Staff Bathroom
105 CMR 451.126*

Hot Water: Hot water temperature recorded at 72⁰F at handwash sink

Inmate Bathroom

No Violations Noted

Maintenance Area # MA01A

Chemical Closet # MA02

No Violations Noted

Trash Room # MA09

No Violations Noted

Dumpster Area

No Violations Noted

Office Area

No Violations Noted

Bathroom # MA05

No Violations Noted

Bathroom # MA06 No Violations Noted

Supply Closet # MA07 No Violations Noted

Education Area

Classrooms No Violations Noted

Library No Violations Noted

Inmate Bathroom No Violations Noted

HUMAN SERVICES

Staff Bathroom # HS10
105 CMR 451.123 Maintenance: No soap at handwash sink

Break Room # HS13 No Violations Noted

VISITING AREA

Strip Search Room No Violations Noted

Non-Contact Visiting No Violations Noted

CENTRAL CONTROL

Control Bathroom No Violations Noted

Key Room Unable to Inspect – Locked

WAREHOUSE

Office No Violations Noted

Walk-in-Cooler No Violations Noted

Walk-in-Freezer No Violations Noted

Bathroom

No Violations Noted

Storage Room

No Violations Noted

Vehicle Maintenance Garage

No Violations Noted

Observations and Recommendations

1. The inmate population was 136 at the time of inspection.
2. At the time of the inspection the medical waste shipping log was provided to CSP staff for review during the pre-inspection meeting.
3. Hot water temperature range for handwash sinks is 110⁰F to 130⁰F.
4. Hot water temperature range for showers is 100⁰F to 112⁰F.
5. During the COVID-19 pandemic there have been several changes made to the conduct of inspections for the CSP, one of those changes made include reducing the amount of time CSP inspectors spend at one facility during an inspection. During the most recent inspection of your facility the CSP conducted an abbreviated inspection of your facility focusing on those areas that have historically shown up on past reports as well as areas of high concern for health and safety. The focused inspection was conducted in an effort to reduce COVID-19 exposure to facility staff, inmates and CSP inspectors, because of this, the inspection report is significantly shortened. We hope to return to standard inspectional procedures soon.

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 or download a copy, please visit the Food Protection website at www.mass.gov/dph/fpp and click on "Retail food". Then under DPH Regulations and FDA Code click "Merged Food Code" or "105 CMR 590.000 - State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments".

To review the Labeling regulations please visit the Food Protection website at www.mass.gov/dph/fpp and click on "Food Protection Program regulations". Then under Food Processing click "105 CMR 500.000: Good Manufacturing Practices for Food".

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

Sincerely,



Scott Koczela
Environmental Analyst, CSP, BEH