

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

Northampton, MA 01060

Telephone: 413-586-7525, ext. 5863196

Facsimile: 413-784-1037 / TTY: 800-769-9991

Peter.Wheeler@state.ma.us

DEVAL L. PATRICK
GOVERNOR

JOHN W. POLANOWICZ
SECRETARY

CHERYL BARTLETT, RN
COMMISSIONER

April 30, 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; 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 16, 2014 accompanied by Lieutenant Katherine Sonsini, Compliance Officer. Violations noted during the inspection are listed below including 67 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

Kitchen

FC 5-202.13

Plumbing System, Design: Air gap between (inlet) pipe and flood rim, air gap less than twice the diameter of the pipe, sprayer drops below flood rim

FC 4-501.11(A)

Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, missing light bulb on hood vent

FC 4-501.11(A)

Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, light bulb not operable on hood vent

Dry Storage

No Violations Noted

Chemical Storage

	No Violations Noted
<i>Inmate Dining</i>	No Violations Noted
<i>Staff Dining</i> FC 6-501.11	Maintenance and Operation; Repairing: Facility not in good repair, damaged back rest on 2 booth benches
<i>Bakery</i>	No Violations Noted
<u>Visitations Area</u>	No Violations Noted
<u>Property</u>	No Violations Noted
<u>Medical triage</u> 105 CMR 451.353	Interior Maintenance: Damaged examination table bench cushion
<u>Laundry</u>	No Violations Noted
<u>Medical Suite</u>	No Violations Noted
<u>Commissary</u>	No Violations Noted
<u>Vocational Education</u>	No Violations Noted
<u>Inmate Bathroom</u>	No Violations Noted
<u>Staff Bathroom</u>	No Violations Noted
<u>Classrooms</u>	No Violations Noted
<u>Booking</u>	No Violations Noted
<u>Recreational Area</u>	No Violations Noted
<u>Transportation Room</u>	No Violations Noted
<u>Intake</u>	No Violations Noted

A Pod

Cells

105 CMR 451.353 Interior Maintenance: Debris on light in cell # 209
105 CMR 451.353 Interior Maintenance: Debris in air vent in cell # 216

Day Room

105 CMR 451.353* Interior Maintenance: Ceiling sained in common area
105 CMR 451.353 Interior Maintenance: Mop stored in bucket

Showers

105 CMR 451.123 Maintenance: Floors not easily cleanable in showers 1-7
105 CMR 451.123 Maintenance: Black substance on shower walls 1-7
105 CMR 451.123 Maintenance: Showers leaking into back chase area
105 CMR 451.123 Maintenance: Expansion joints hold stagnant water in showers 1-7

Sub Dayroom Shower

105 CMR 451.123 Maintenance: Floor not easily cleanable
105 CMR 451.123 Maintenance: Black substance on shower walls
105 CMR 451.123 Maintenance: Air vent dusty
105 CMR 451.123 Maintenance: Shower leaking into back chase area

B Pod

Cells

105 CMR 451.353 Interior Maintenance: Debris in air vent in cell # 206, 209, 210, and 216
105 CMR 451.353 Interior Maintenance: Blocked air vent in cell # 105 and 205
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
105 CMR 451.103 Mattresses: Mattress damaged in cell # 209

Day Room

105 CMR 451.353 Interior Maintenance: Water fountain drains slow

Staff Bathroom

105 CMR 451.353 Interior Maintenance: Air vent rusted

Showers

105 CMR 451.123 Maintenance: Floors not easily cleanable in showers 1-7
105 CMR 451.123 Maintenance: Black substance on shower walls 1-7
105 CMR 451.123 Maintenance: Showers leaking into back chase area
105 CMR 451.126 Hot Water: Hot water temperature recorded at 95⁰F

Sub Dayroom Shower

105 CMR 451.123 Maintenance: Floor not easily cleanable
105 CMR 451.123 Maintenance: Black substance on shower walls
105 CMR 451.123 Maintenance: Shower leaking into back chase area

C Pod

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

105 CMR 451.103 Mattresses: Mattress damaged in cell # 203

105 CMR 451.353 Interior Maintenance: Wall paint damaged in cell # 111

Showers

105 CMR 451.123 Maintenance: Floors not easily cleanable in showers 1-7

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

105 CMR 451.123 Maintenance: Showers leaking into back chase area

105 CMR 451.126 Hot Water: Shower hot water temperature recorded at 46⁰F at shower # 6

105 CMR 451.126 Hot Water: Shower hot water temperature recorded at 78⁰F at shower # 2

105 CMR 451.123 Maintenance: Expansion joints hold stagnant water in showers 1-3

Sub Dayroom Shower

105 CMR 451.123 Maintenance: Floor not easily cleanable

105 CMR 451.123 Maintenance: Black substance on shower walls

105 CMR 451.123 Maintenance: Shower leaking into back chase area

D Pod

Cells

No Violations Noted

Showers

105 CMR 451.123 Maintenance: Floors not easily cleanable in showers 1-7

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

105 CMR 451.123 Maintenance: Showers leaking into back chase area

Sub Dayroom Shower

105 CMR 451.123 Maintenance: Floor not easily cleanable

105 CMR 451.123 Maintenance: Black substance on shower walls

105 CMR 451.123 Maintenance: Shower leaking into back chase area

E Pod

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, 217, and 218

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

105 CMR 451.353 Interior Maintenance: Debris on air vent in cell # 109

Showers

105 CMR 451.123 Maintenance: Floors not easily cleanable in showers 1-7

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

105 CMR 451.123 Maintenance: Showers leaking into back chase area

Sub Dayroom Shower

105 CMR 451.123 Maintenance: Floor not easily cleanable

105 CMR 451.123 Maintenance: Black substance on shower walls

105 CMR 451.123 Maintenance: Shower leaking into back chase area

F Pod

Cells

105 CMR 451.353* Interior Maintenance: Air vent rusted in cell # 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 203, 205, 208, 209, 210, 214, and 215
105 CMR 451.353 Interior Maintenance: Air vent rusted in cell # 106, 201, 202, 203, 204, 207, 211, 212, 213, 215, 216, 217, and 218
105 CMR 451.353 Interior Maintenance: Debris on air vent in cell # 209
105 CMR 451.126 Water Supply: Low hot water pressure in cell # 205

Showers

105 CMR 451.123 Maintenance: Floors not easily cleanable in showers 1-7
105 CMR 451.123 Maintenance: Black substance on shower walls 1-7
105 CMR 451.123 Maintenance: Showers leaking into back chase area

Sub Dayroom Shower

105 CMR 451.123 Maintenance: Floor not easily cleanable
105 CMR 451.123 Maintenance: Black substance on shower walls
105 CMR 451.123 Maintenance: Shower leaking into back chase area

F Pod

Cells

105 CMR 451.353* Interior Maintenance: Air vent rusted in cell # 106 and 112
105 CMR 451.353 Interior Maintenance: Air vent rusted in cell # 109 and 115
105 CMR 451.104 Beds: Inmates sleeping on floor in cell # 213

Showers

105 CMR 451.123 Maintenance: Floors not easily cleanable in showers 1-7
105 CMR 451.123 Maintenance: Black substance on shower walls 1-7
105 CMR 451.123 Maintenance: Showers leaking into back chase area

Sub Dayroom Shower

105 CMR 451.123 Maintenance: Floor not easily cleanable
105 CMR 451.123 Maintenance: Black substance on shower walls
105 CMR 451.123 Maintenance: Shower leaking into back chase area

H Pod

Cells

105 CMR 451.103 Mattresses: Mattress damaged in cell # 108

Showers

105 CMR 451.123 Maintenance: Floors not easily cleanable in showers 1-7
105 CMR 451.123 Maintenance: Black substance on shower walls 1-7
105 CMR 451.123 Maintenance: Showers leaking into back chase area

Sub Dayroom Shower

105 CMR 451.123 Maintenance: Floor not easily cleanable
105 CMR 451.123 Maintenance: Black substance on shower walls
105 CMR 451.123 Maintenance: Shower leaking into back chase area

Warehouse

FC 4-204.112(A) Design and Construction, Functionality: No functioning thermometer in refrigerator

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

Observations and Recommendations

1. The inmate population was 275 at the time of inspection.

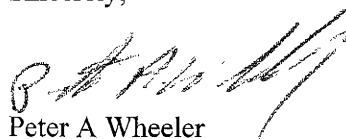
This facility does not comply with the Department's Regulations cited above. In accordance with 105 CMR 451.404, please submit a plan of correction within 10 working days of receipt of this notice, indicating the specific corrective steps to be taken, a timetable for such steps, and the date by which 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 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 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".

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

Sincerely,



Peter A Wheeler
Environmental Health Inspector, 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~~
Luis S. Spencer, Commissioner, DOC
John J. Quinn, Jr., Superintendent
Lieutenant Katherine Sonsini, EHSO
Gina Armstrong, Health Director, Pittsfield Board of Health
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate
Andrea Cabral, Secretary, EOPS