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November 25, 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: Minimum Requirements for the Management of 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 November 19, 2015 accompanied by Ron Snyder, Fire Safety Officer; Alan Cetti, Fire Safety Officer in Training; Tom Grady, Assistant Deputy Superintendent; Captain Sean Aitken; and Captain Katherine Sonsini, EHSO. Violations noted during the inspection are listed below including 95 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*  
FC 4-204.112(A)

Design and Construction, Functionality: No functioning thermometer in refrigerator

**Intake/Booking**

*Search Room Female # 1 and Male # 2*

105 CMR 451.353 Interior Maintenance: Ceiling vent dusty in female cell # 1

*Male Staff Bathroom*

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, hot water faucet leaking

*Cells*

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

105 CMR 451.353 Interior Maintenance: Floor paint damaged in cell # BR09

*Medical Screening Room*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 90<sup>0</sup>F

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

*Female Staff Bathroom*

No Violations Noted

*Inmate Changing Room*

No Violations Noted

**Property**

No Violations Noted

*Janitor's Closet*

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

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

*Lab*

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

**A Pod**

*Cells*

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

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

105 CMR 451.353 Interior Maintenance: Wall paint damaged in cell # 111, 113, and 209

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

105 CMR 451.353 Interior Maintenance: Ceiling dirty in cell #102 and 108

105 CMR 451.353\* Interior Maintenance: Ceiling paint damaged in cell # 116

*Janitor's Closet Upper*

No Violations Noted

*Showers*

105 CMR 451.123\* Maintenance: Floor dirty in shower # 2

105 CMR 451.123 Maintenance: Floor damaged in shower # 5, 6, and 7

105 CMR 451.123 Maintenance: Wall dirty in shower # 6 and 7

*Janitor's Closet Lower*

No Violations Noted

*Sub Day Room Shower*  
105 CMR 451.130

Hot Water: Shower water temperature recorded at 90<sup>0</sup>F

*Storage Room*  
105 CMR 451.110(A)\*

Hygiene Supplies at Toilet and Handwash Sink: No soap at handwash sink

*Counselor's Room*

No Violations Noted

### **A and B Pod Control**

No Violations Noted

*Control Bathroom*  
105 CMR 451.123\*  
105 CMR 451.124

Maintenance: Floor dirty  
Water Supply: Insufficient water supply in quantity and pressure at handwash sink

### **B Pod**

*Cells*

No Violations Noted

*Janitor's Closet Upper*  
105 CMR 451.130

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

*Showers*

105 CMR 451.123\*  
105 CMR 451.123  
105 CMR 451.123  
105 CMR 451.123\*  
105 CMR 451.123  
105 CMR 451.123  
105 CMR 451.123\*  
105 CMR 451.123

Maintenance: Floor not easily cleanable in shower # 1-7  
Maintenance: Floor damaged in shower # 6 and 7  
Maintenance: Soap scum on floor in shower # 3, 4, 5, and 6  
Maintenance: Soap scum on wall tiles in shower # 2, 3, 4, and 7  
Maintenance: Mold observed on tile grout in shower # 4  
Maintenance: Mold observed on ceiling in shower # 1  
Maintenance: Ceiling vent dusty in shower # 1  
Maintenance: Shower control dirty in shower # 5 and 6

*Janitor's Closet Lower*

No Violations Noted

*Sub Day Room Shower*  
105 CMR 451.123\*  
105 CMR 451.123\*  
105 CMR 451.123

Maintenance: Floor not easily cleanable  
Maintenance: Floor dirty  
Maintenance: Walls dirty

*Staff Bathroom*

No Violations Noted

### **C Pod**

*Cells*

105 CMR 451.140  
105 CMR 451.353  
105 CMR 451.353\*  
105 CMR 451.103

Adequate Ventilation: Inadequate ventilation, wall vent blocked in cell # 105 and 109  
Interior Maintenance: Wall paint damaged in cell # 101 and 201  
Interior Maintenance: Ceiling paint damaged in cell # 207  
Mattresses: Mattress damaged in cell # 105

*Janitor's Closet Upper*  
105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, hot water handle missing on slop sink

*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, 5, and 7  
105 CMR 451.123 Maintenance: Wall tiles damaged in shower # 2, 3, 4, and 7  
105 CMR 451.123\* Maintenance: Ceiling vent dusty in shower # 3

*Janitor's Closet Lower*

No Violations Noted

*Sub Day Room Shower*

105 CMR 451.123\* Maintenance: Floor not easily cleanable  
105 CMR 451.123 Maintenance: Walls dirty  
105 CMR 451.130 Hot Water: Shower water temperature recorded at 90<sup>0</sup>F

*Staff Bathroom*

105 CMR 451.123 Maintenance: Ceiling tile water stained

**D Pod**

*Cells*

105 CMR 451.101 Blankets: Blanket damaged in cell # 105

*Janitor's Closet Upper*

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

*Showers*

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

*Janitor's Closet Lower*

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, hot water handle missing on slop sink

*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: Shower makes loud rattling noise when turned on

*Staff Bathroom*

105 CMR 451.123 Maintenance: Ceiling tile water stained

**E Pod**

*Cells*

105 CMR 451.113 Toilet and Handwashing Sink in Locked Cells: No hot running water in cell # 118

*Janitor's Closet Upper*

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, no hot or cold water handle on slop sink  
105 CMR 451.353 Interior Maintenance: Debris on floor

*Showers*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-7  
105 CMR 451.123 Maintenance: Wall dirty in shower # 2  
105 CMR 451.123 Maintenance: Wall damaged in shower # 4  
105 CMR 451.123 Maintenance: Shower control dirty in shower # 5  
105 CMR 451.123 Maintenance: Ceiling vent dusty in shower # 3

*Janitor's Closet Lower*

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

*Sub Day Room Shower*

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

*Staff Bathroom*

No Violations Noted

**F Pod**

*Cells*

105 CMR 451.103 Mattresses: Mattress damaged in cell # F202 and F208  
105 CMR 451.117 Toilet Fixtures: Toilet fixtures dirty in cell # F102, F204, and F214  
105 CMR 451.353 Interior Maintenance: Floor dirty outside cell # F107  
105 CMR 451.353 Interior Maintenance: Debris on floor throughout cell # F203  
105 CMR 451.353 Interior Maintenance: Wall dirty in cell # F112

*Janitor's Closet Upper*

Unable to Inspect – Locked

*Showers*

105 CMR 451.123\* Maintenance: Floor not easily cleanable in shower # 1-7  
105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, shower # 6 leaking  
105 CMR 451.123 Maintenance: Wall dirty in shower # 4 and 6  
105 CMR 451.123 Maintenance: Floor dirty in shower # 4, 5, and 7  
105 CMR 451.123 Maintenance: Ceiling vent dusty in shower # 2 and 3  
105 CMR 451.123 Maintenance: Standing water left in bucket in shower # 5

*Janitor's Closet Lower*

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

*Sub Day Room Shower*

105 CMR 451.123 Maintenance: Floor not easily

*Staff Bathroom*

105 CMR 451.123 Maintenance: Ceiling tile water stained

**G Pod**

*Cells*

105 CMR 451.117 Toilet Fixtures: Toilet fixture dirty in cell # G103

*Janitor's Closet Upper*

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

*Showers*

105 CMR 451.123\*  
105 CMR 451.123  
105 CMR 451.123\*  
105 CMR 451.123

Maintenance: Floor not easily cleanable in shower # 1-7  
Maintenance: Floor damaged in shower # 5  
Maintenance: Soap scum on wall tiles in shower # 1  
Maintenance: Ceiling vent dusty in shower # 1 and 2

*Janitor's Closet Lower*

105 CMR 451.130\*

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

*Sub Day Shower*

Unable to Inspect – In Use

*Staff Bathroom*

105 CMR 451.123

Maintenance: Ceiling vent dusty

*Triage Room*

No Violations Noted

**Sub Day Rooms outside of G and H Pod**

No Violations Noted

**H Pod – Regional Lock Up**

*Cells*

No Violations Noted

*Janitor's Closet Upper*

105 CMR 451.130\*

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

*Showers*

105 CMR 451.123\*  
105 CMR 451.123  
105 CMR 451.123  
105 CMR 451.123  
105 CMR 451.123

Maintenance: Floor not easily cleanable in shower # 1-7  
Maintenance: Debris on floor in shower # 5 and 6  
Maintenance: Shower control dirty in shower # 1  
Maintenance: Ceiling vent dusty in shower # 1, 2, 3, and 4  
Maintenance: Floor drain dirty in shower # 5

*Janitor's Closet Lower*

105 CMR 451.130\*  
105 CMR 451.353

Plumbing: Plumbing not maintained in good repair, no hot water handle on slop sink  
Interior Maintenance: Wet mop stored in bucket

*Sub Day Room Shower*

105 CMR 451.123\*

Maintenance: Floor not easily cleanable

*Staff Bathroom*

No Violations Noted

*Triage Room*

No Violations Noted

**Gym**

No Violations Noted

*Weight Room*

105 CMR 451.353

Interior Maintenance: Floor damaged

<i>Janitor's Closet</i>	No Violations Noted
<i>Inmate Bathroom</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<b><u>J Pod</u></b>	
<i>Cells</i>	No Violations Noted
<i>Shower</i> 105 CMR 451.123	Maintenance: Floor damaged
<b><u>Commissary</u></b>	Unable to Inspect - Locked
<b><u>Kitchen Hallway</u></b>	
<i>Female Staff Bathroom</i>	No Violations Noted
<i>Male Staff Bathroom</i>	No Violations Noted
<b><u>Kitchen</u></b>	
<i>Cart Room</i>	No Violations Noted
<i>Dry Storage</i>	No Violations Noted
<i>Walk-in Cooler</i>	No Violations Noted
<i>Walk-in Freezer</i> FC 6-501.12(A)*	Maintenance and Operation; Cleaning: Facility not cleaned properly, floor dirty
<i>Produce Cooler</i>	No Violations Noted
<i>Office</i>	No Violations Noted
<i>Bakery</i>	No Violations Noted
<i>Changing Room</i>	No Violations Noted
<i>Changing Room Bathroom</i>	Unable to Inspect – In Use

<i>Reach-in Freezer</i> FC 4-501.11(A)	Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, freezer out-of-order
<i>Inmate Bathroom # FS07</i> 105 CMR 451.123	Maintenance: Ceiling vent dusty
<i>Storage Room # FS06</i>	No Violations Noted
<i>Worker Serving Line</i> FC 4-903.11(A)(2) FC 6-301.11	Protection of Clean Items, Storing: Single-service items not protected from contamination, disposable silverware left uncovered Numbers and Capacity; Handwashing Facilities: No soap at handwash sink
<i>Dishwashing Area</i> FC 4-501.112(A)(2) FC 4-501.114(C)(2)	Maintenance and Operation, Equipment: Inadequate water temperature in the mechanical warewashing machine Maintenance and Operation; Equipment: Quaternary ammonium solution greater than the manufacturers recommended concentration
<i>Worker Dining Area</i>	No Violations Noted
<i>Ice Machine</i> FC 4-602.11(E)(4)(b)	Cleaning of Equipment and Utensils, Frequency: Interior surfaces of ice machine dirty
<i>Chemical Storage</i>	No Violations Noted
<i>Staff Dining</i> FC 3-501.16(A) FC 3-501.16(B) FC 6-501.12(A) FC 4-204.112(A)	Limitation of Growth of Organisms, Temperature and Time Control: Potentially hazardous food not held at the proper hot holding temperature, hamburger temperature recorded at 122 <sup>0</sup> F Limitation of Growth of Organisms, Temperature and Time Control: Potentially hazardous food not held at the proper cold holding temperature, sliced ham and cheese temperature recorded at 53 <sup>0</sup> F Maintenance and Operation; Cleaning: Facility not cleaned properly, area around handwash sink dirty Design and Construction, Functionality: No functioning thermometer in refrigerator underneath microwave
<b><u>Laundry</u></b> 105 CMR 451.353	Interior Maintenance: Dryer on the left out-of-order
<i>Bathroom</i> 105 CMR 451.123	Maintenance: Soap dispenser not dispensing soap
<i>Storage Room</i> 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, milk cartons temperature recorded at 62 <sup>0</sup> F
<i>Maintenance Closet</i>	No Violations Noted



**Vocational Education**

*Carpentry Shop* No Violations Noted

*Graphic Arts* No Violations Noted

*Staff Bathroom* No Violations Noted

*Inmate Bathroom* No Violations Noted

**Education Area**

*Inmate Bathroom* No Violations Noted

*Library* No Violations Noted

*Classrooms* No Violations Noted

**Human Services**

*Staff Bathroom*  
105 CMR 451.123 Maintenance: Dusty vent

*Break Room*  
FC 3-501.16(B)\* Limitation of Growth of Organisms, Temperature and Time Control: Refrigerator temperature recorded at 51<sup>0</sup>F

**HSU**

*Medical Waste Storage* No Violations Noted

*Janitor's Closet* No Violations Noted

*Dental Office* No Violations Noted

*Exam Rooms* No Violations Noted

*Tub Room* No Violations Noted

*Staff Bathroom* No Violations Noted

*Inmate Bathroom* No Violations Noted

**Visitation Area**

105 CMR 451.353

Interior Maintenance: Ceiling vent dusty in room # V106

*Strip Search Room*

No Violations Noted

**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

**Warehouse**

FC 6-501.112

Maintenance and Operations; Removing Dead or Trapped Birds, Insects, Rodent, and Other Pests: Dead mouse observed in the left exterior corner of refrigerator

FC 7-206.12

Poisonous or Toxic Materials; Pesticides: Rodent traps not covered and tamper resistant

FC 6-501.11

Maintenance and Operation; Repairing: Facility not in good repair, floor damaged in the left exterior corner of refrigerator

*Refrigerator*

FC 4-501.11(A)

Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, 1 wall ventilation fan not working

*Freezer*

FC 4-501.11(A)

Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, ice buildup in back corner

*Bathroom*

No Violations Noted

*Garage*

No Violations Noted

**Observations and Recommendations**

1. The inmate population was 235 at the time of inspection.
2. The Department recommends that all showers be identified with a numbering system. This will assist the Department and correctional employees better recognize where issues exist.
3. During the inspection of the kitchen the warewash machine did not reach the appropriate sanitizing temperature. It was later stated that Eco Lab had been at the facility earlier in the week and had failed to turn the hot water on. By the completion of the inspection the hot water had been returned to the warewash machine and it reached the appropriate sanitizing temperatures.

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](#)”.

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: Jan Sullivan, Acting 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, EOPSS