

FAQs for the State PREA Submissions Website

This document provides answers to frequently asked questions (FAQs) about the Bureau of Justice Assistance's (BJA) State PREA Submissions Website. These FAQs supplement the information provided on this website, clarify what PREA audit information can and cannot be accessed from this site, explain how the site is organized by PREA Audit Years and PREA Audit Cycles, and provide links to additional PREA-related resources that may be of interest to visitors to this website. Updated versions of this document will be created over time, as necessary.

Question 1: What PREA audit information is available via this website?

Answer: This website provides links to a specific subset of final PREA audit reports. This subset includes only audit reports for confinement facilities that are covered by the PREA Standards, and that are under the operational control of states'¹ governors and their executive branches of government. For more information about the term "operational control," please see this FAQ issued by the Department of Justice (DOJ) PREA Working Group.

Confinement facilities that are under the operational control of the executive branch of government are typically overseen by a statewide agency. One common example of such an agency is a statewide department of corrections. PREA audit reports covering these facilities are included on this website.

Facilities that are operated by locally-based agencies are typically not under the operational control of the executive branch of government. Common examples are county sheriffs' departments, and city or municipal police departments. PREA audit reports covering these facilities are not included on this website.

Question 2: Are there facilities under the operational control of states' executive branches of government that have not, to date, received a PREA audit?

Answer: Yes. There are confinement facilities under the operational control of states' executive branches of government that have not, to date, received a PREA audit. This site lists such facilities, but includes a "Not Available" notation related to the PREA audit report, because no such report is available.

Achieving compliance with the more than 300 specific requirements in the PREA Standards is difficult. This is one reason cited by agencies to explain why not all of their confinement facilities have had PREA audits to date. In many facilities, work is ongoing to address the numerous provisions in the PREA Standards, and to achieve readiness for a PREA audit.

Question 3: Does this website list any facilities that are under the operational control of states' executive branches of government that have been audited, but whose audit reports are not linked to via this website?

Answer: There may be a very small number of facilities listed on this website that have received PREA audits, but DOJ has not been made aware of these audits. As required by the PREA Amendment under the Justice For All Reauthorization Act (JFARA) of 2016, DOJ has requested that all of the nation's governors send to DOJ all PREA audit reports for facilities under the operational control of the

¹ In this FAQ document, the terms "state" and "states" refer to states, U.S. territories, and the District of Columbia.

executive branch of government. For various reasons, not all governors responded fully to this request. To access [JFARA](#).

However, DOJ is working to provide links on this website to all PREA audit reports for facilities nationwide that are under the operational control of states' executive branch of government, regardless of whether governors, as requested by DOJ, submitted audit reports to DOJ. It is possible that DOJ has not located all PREA audit reports posted online for these facilities, and/or that agencies have not posted all such audit reports, as required by PREA Standard 115.403(f). This standard states, "The agency shall ensure that the auditor's final report is published on the agency's website if it has one, or is otherwise made readily available to the public."

For facilities where DOJ has been informed that a PREA audit was conducted, but DOJ is not in possession of the audit report or a link to the report, this website lists the PREA Audit Year and the PREA Audit Cycle in which the audit occurred.

Question 4: Are there links on this website to PREA audit reports for facilities that are now closed?

Answer: Yes. DOJ has identified a small number of facilities under the operational control of states' executive branch of government across the nation that received PREA audits and that are now closed. DOJ has communicated the expectation to the field that such reports should remain posted on agency websites. Such facilities have been identified on this website with a "Closed" notation under the facility name.

Question 5: How do I know what facilities in a given state are under the operational control of the governor and the executive branch of government?

Answer: For each state, this website includes a list of the facilities that DOJ believes to be under the operational control of the executive branch of government. These lists are based on information provided to DOJ by the nation's governors, and they may change over time. Such changes will be reflected on this website.

Question 6: Why is there at least one U.S. territory with no facilities listed under the operational control of its executive branch of government?

Answer: As described elsewhere in this document, DOJ has requested information from all governors regarding PREA audit activity in facilities that are under the operational control of the executive branch of government. In at least one instance, DOJ has not yet received the information requested and has not been able to obtain any information related to such facilities. If this information becomes available, DOJ will include it on this website.

Question 7: There are many facilities across the nation that are not under the operational control of states' executive branches of government, and are not, therefore, included on this website. How do I search for a PREA audit report for such a facility?

Answer: Visitors to this website who are interested in finding a PREA audit report for a facility that is not listed on this website because it is not under the operational control of the executive branch of government should contact, or visit the website of, the agency that oversees the facility. As described above, if the facility has been audited, the agency that oversees the facility is required by PREA Standard 115.403(f) to make it publicly available.

Question 8: I am looking for PREA information that is not related to PREA audit reports specifically. Where should I go for this information?

Answer: The specific purpose of this website is to meet the DOJ requirement in JFARA to make publicly available PREA audit reports for confinement facilities that are under the operational control of the nation's governors. As a result, this site is not intended to serve as a comprehensive resource on PREA-related issues. The National PREA Resource Center (PRC) serves as a clearinghouse for information on PREA. The PRC provides assistance to individuals, agencies, and jurisdictions implementing the PREA Standards, and to DOJ-certified auditors conducting PREA audits. The BJA website's PREA page summarizes DOJ's PREA related efforts, including PREA funding opportunities. Visitors are encouraged to access these sites if they are seeking information related to PREA that is not offered on this site.

Individuals who wish to make a report of sexual abuse or sexual harassment in a confinement facility are encouraged to contact the PREA Coordinator directly in the agency that oversees the facility. Contact information for PREA Coordinators and/or instructions on how to report sexual abuse and sexual harassment are often available on the PREA pages of agencies' websites.

Question 9: How is this website organized, and how do I go about accessing the list of facilities that are under the operational control of the executive branch in a given state, and specific PREA audit reports for such facilities that have been audited?

Answer: As explained briefly on this website, it is organized by PREA Audit Years and PREA Audit Cycles. Per the PREA Standards, the first year of the initial three-year PREA Audit Cycle began on August 20, 2013. The timing of the first PREA audit cycle is as follows:

Audit Year 1 of Cycle 1: August 20, 2013 – August 19, 2014

Audit Year 2 of Cycle 1: August 20, 2014 – August 19, 2015

Audit Year 2 of Cycle 1: August 20, 2015 – August 19, 2016

Each Audit Cycle thereafter follows the same timeline.

As noted elsewhere in this document, this website lists the confinement facilities identified by the nation's governors that are under their operational control, and is designed so that visitors can determine if and when during each three year Audit Cycle a given facility was audited. PREA Standards 115.401(a) and 115.401(b), which are listed below, require agencies to audit all facilities at least once every three years, and to audit one-third of each facility type covered by the Standards (prisons and jails, community confinement facilities, lockups, and juvenile facilities) every year.

115.401(a) – “During the three-year period starting on August 20, 2013, and during each three year period thereafter, the agency shall ensure that each facility operated by the agency, or by a private organization on behalf of an agency, is audited at least once.”

115.401(b) – “During each one year period starting on August 20, 2013, the agency shall ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency is audited.”

Question 10: What are PREA Certifications and Assurances?

Answer: Each year, all of the nation's governors are required by the PREA Statute to submit to DOJ either a Certification of full compliance with the PREA Standards, or an Assurance that their jurisdiction will use portions of specific DOJ grants for prison purposes to come into compliance with the PREA Standards in the future. Jurisdictions where governors choose not to submit a Certification or an Assurance to DOJ lose 5 percent of DOJ grant funds for prison purposes. JFARA added additional information that governors are required to submit to DOJ each year, including PREA audit reports.

This website is structured so that visitors can determine what each state, territory, and the District of Columbia submitted (i.e., Certification, Assurance, or neither) to DOJ for each PREA Audit Year, starting with the first PREA submission that covered Audit Year 1 of Audit Cycle 1 (August 20, 2013 – August 19, 2014).

Question 11: Will this website be updated over time to reflect governors' most recent submissions to DOJ and new audit reports?

Answer: Yes. In order for DOJ to comply with JFARA's requirement to make publicly available PREA audit reports for confinement facilities under the operational control of the nation's governors, this site will be updated regularly to include links to new PREA audit reports, and to reflect the most recent Certification and Assurance submissions to DOJ.

Question 12: Who are PREA auditors and how do they get certified by DOJ?

Answer: PREA auditors are not federal employees, but rather private individuals who are trained and certified by DOJ to conduct PREA audits. The PREA Standards establish minimum qualifications for PREA auditors, and direct DOJ to establish processes for auditor certification, recertification, and decertification. These processes are explained in detail in the [PREA Auditor Handbook](#). There are hundreds of [DOJ-certified PREA auditors](#) across the country listed on the PRC website.

Question 13: How does an agency or facility identify a DOJ-certified PREA auditor to conduct an audit?

Answer: PREA audits are conducted at the request of any federal, state, local, or private confinement facility, or any agency that oversees such a facility. A facility or agency may contact a DOJ-certified auditor directly, or seek the services of a certified auditor through procurement announcements, advertisements, or other means. DOJ-certified auditors themselves can also solicit auditing work. An agency or facility in need of a PREA audit typically contracts independently with a DOJ-certified auditor, or with a private organization that employs certified auditors. Jurisdictions may also establish circular auditing arrangements in which a consortium of three or more states, or three or more local jurisdictions, agrees to perform PREA audits of confinement facilities in other consortium jurisdictions. For more information about circular auditing arrangements, please see the frequently asked questions issued by the DOJ PREA Working Group and located on the PRC website and the PREA Auditor Handbook.

Question 14: What is DOJ doing to promote high quality, reliable, objective, and comprehensive PREA audits?

Answer: In order to uphold the integrity of PREA audits, BJA's PREA Management Office (PMO) is instituting a robust PREA Audit Oversight function. The purpose of Audit Oversight is to promote high quality, reliable, objective, and comprehensive audits that hold agencies and facilities accountable for keeping individuals in their custody safe from sexual abuse and sexual harassment. The PMO's oversight efforts are described in the PREA Auditor Handbook.