

**FY 2019 List of Certification and Assurance Submissions for
Audit Year 2 of Cycle 2
August 20, 2017 – August 19, 2018**

On September 7, 2018, the Office of Justice Programs (OJP) Acting Principal Deputy Assistant Attorney General (APDAAG) sent letters to the nation’s state and territorial governors and the Mayor of the District of Columbia on behalf of the U.S. Department of Justice (DOJ) explaining their FY 2019 PREA-related options.¹ State administering authorities for OJP grant programs and governors’ criminal justice policy advisors were copied on this letter. The deadline for certifications and assurances for Audit Year 2 of Cycle 2, which impact FY 2019 grant funds, was October 15, 2018.

The Justice for All Reauthorization Act of 2016, which includes an amendment to the PREA statute, was enacted on December 16, 2016. This change to the PREA statute provides a second option regarding impacts to DOJ grant funds for states that are not able to certify full compliance with the National PREA Standards. For three years following the date of enactment, governors have the option to choose whether affected grant funds are reallocated to the state to use for PREA compliance purposes or are held in abeyance by DOJ pending future action by the state. *See* 42 U.S.C. § 15607(e)(2)(E).²

Below is a list of states and territories that submitted certifications and assurances for Audit Year 2 of the second three-year PREA audit cycle.

States that certified full compliance (19)		
Delaware	New Hampshire	South Dakota
Georgia	New Jersey	Tennessee
Iowa	North York	Vermont
Kentucky	North Dakota	Virginia
Maine	Ohio	Wyoming
Minnesota	Oklahoma	
Missouri	Pennsylvania	

¹ A PREA amendment under the Justice for All Reauthorization Act of 2016 was enacted on December 16, 2016, which exempts grant programs administered by OVW. Therefore, beginning in FY 2017, only OJP grant programs are impacted by PREA.

² Additional information regarding the PREA amendment under the Justice for All Reauthorization Act of 2016 can be found here: https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/jfara-fact-sheet_updated-2017.03.01.pdf.

States and territories that submitted an assurance (31), plus the District of Columbia (32)		
Alabama	Illinois	New Mexico
Alaska	Indiana	North Carolina
Arizona	Kansas	Oregon*
California	Louisiana	Puerto Rico
Colorado*	Maryland	Rhode Island
Connecticut*	Massachusetts	South Carolina
District of Columbia	Michigan	Texas*
Florida	Mississippi	Washington
Guam	Montana	West Virginia
Hawaii	Nebraska*	Wisconsin
Idaho	Nevada	

States and territories subject to a five percent reduction in certain department grant funding after declining to provide an affirmation or certification of compliance (5)
Arkansas
American Samoa
Commonwealth of the Northern Mariana Islands
U.S. Virgin Islands
Utah

* These states have chosen to have impacted DOJ funds held in abeyance pending future action by the state.