

**FY 2021 List of Certification and Assurance Submissions for
Audit Year 1 of Cycle 3
August 20, 2019 – August 19, 2020**

On August 10, 2020, the Office of Justice Programs (OJP) Principal Deputy Assistant Attorney General (PDAAG) 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 2021 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 1 of Cycle 3, which impact FY 2021 grant funds, was October 15, 2020.

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 1 of the third three-year PREA audit cycle.

States that certified full compliance (21)		
Alabama	Minnesota	North Dakota
Delaware	Missouri	Ohio
District of Columbia	Montana	Oklahoma
Hawaii	Nebraska	South Dakota
Illinois	New Hampshire	Tennessee
Iowa	New Jersey	Vermont
Maine	New York	Virginia

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, territories that submitted an assurance (28), plus the District of Columbia (1)		
Arizona	Kentucky	Pennsylvania
California	Louisiana	Puerto Rico
Colorado	Maryland	Rhode Island
Connecticut	Massachusetts	South Carolina
Florida	Michigan	Texas
Georgia	Mississippi	Washington
Guam	Nevada	West Virginia
Idaho	New Mexico	Wisconsin
Indiana	North Carolina	Wyoming
Kansas	Oregon	

States and territories subject to a five percent reduction in certain department grant funding after declining to provide an affirmation or certification of compliance (6)
Alaska
American Samoa
Arkansas
Commonwealth of the Northern Mariana Islands
U. S. Virgin Islands
Utah