

PREA Discussion

Office of Justice Programs
BJA's PREA Management Office (PMO)
PREA Resource Center (PRC)
Raising the Bar Coalition

August 12, 2014
10:30am - 12noon



Agenda

- Introductions, welcome, opening remarks
- Responses to numbers questions
- Auditing update
- Current priorities and next steps
- Quality assurance process
- Discussion of other key topics and questions

Responses to Numbers Questions

Auditor Training Update

Training Information

- 40-hour training and post-training examination
- 6 trainings completed to date
- Currently 349 DOJ-Certified Auditors
- Additional trainings in 2014 – Columbia, SC
 - September 29-October 3
 - November 3-7
- Anticipated number of certified auditors by end of 2014
 - Approximately 600

Auditor Training Update (cont.)

Training Information

- Summary of what is known about auditors' affiliations with private organizations, and with local/state/federal justice agencies.
- Auditor independence is key.

BJA Grant Funding Related to PREA: FY2004 – Present

FY2004

- 16 awards made to 16 states in the total amount of \$10,695,078.

FY2006

- 29 awards made to 28 states and Puerto Rico in the total amount of \$22,574,056.

FY2007

- 1 supplemental award made to an FY 2006 grantee in the total amount of \$3,805.

FY2010

- The National PREA Resource Center (PRC) is established via cooperative agreement between the Bureau of Justice Assistance and the National Council on Crime and Delinquency.
- The PRC is funded through September 2016.

BJA Grant Funding Related to PREA: FY2004 – Present (cont.)

FY2011

- First year of the current PREA Demonstration Program to establish “zero tolerance” cultures related to sexual abuse and sexual harassment in confinement facilities.
- 18 awards made to 18 states in the total amount of \$9,279,198.

FY2012

- 12 awards made to 12 states in the total amount of \$3,963,217.
- The PRC made 43 awards to 43 local/county jurisdictions in the total amount of \$4,835,659.

FY2013

- 12 awards made to 12 states in the total amount of \$2,924,095
- 7 awards made to 7 local/county jurisdictions in the total amount of \$1,549,719.

BJA Grant Funding Related to PREA: FY2004 – Present (cont.)

FY2014

- BJA plans to make additional state and local/county grant awards.
- To be announced by September 30, 2014.

States and territories not in receipt of PREA grants from BJA: FY2004 – FY2013

- Alaska
- American Samoa
- Arizona
- Connecticut
- Guam
- Hawai'i
- Mississippi
- Nevada
- North Dakota
- Northern Marianas Islands
- Oklahoma
- U.S. Virgin Islands
- Utah
- West Virginia

Auditing Update

Auditing Update

- PREA audits are being scheduled and occurring across the country, in the Bureau of Prisons, and in states that include: Alabama, California, Colorado, Connecticut, Florida, Georgia, Idaho, Maryland, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, Washington, and Wyoming.
- Collecting information about audits in the past, present, and future will be part of the quality assurance efforts to be undertaken by DOJ.
- To date, DOJ has not requested that an agency conduct an expedited audit of a facility.



Auditing Update (cont.)

- PREA audit tools for the four facility types are now available.
- The PMO and the PRC are collecting feedback on the tools from many sources:
 - Other OJP/DOJ components
 - DOJ-Certified PREA Auditors
 - Faculty members from the auditor training
 - Agencies and facilities using the tools
 - Others
- The tools are being updated as needed based on the feedback collected.
- The PMO and the PRC welcome and encourage feedback on the tools from members of the Raising the Bar Coalition.

Current Priorities and Next Steps

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Focus of OJP's/PMO's Work to Date, in Collaboration with the PRC

- Implementing the PREA audit function, including training and certifying auditors, and developing the audit tools.
- Leading the efforts of DOJ's PREA Working Group to issue interpretative guidance related to the standards.
- Providing technical assistance and training to the field.
- Supporting the work of BJA's PREA Grantees.
- Conducting proactive outreach to, and seeking input from, key constituent groups.

Current Priorities and Next Steps (cont.)

Looking to the Future

- Continue:
 - Issuing interpretative guidance
 - Providing TTA
 - Supporting BJA's PREA Grantees
 - Conducting proactive outreach and seeking input from external constituents
 - Focusing on the PREA audit function
- Work with and monitor the activities of states that provided DOJ with an assurance or certification.
- Work with states that submitted neither an assurance nor a certification, so they may submit next year.
- Implement a quality assurance processes to support and enhance the PREA audit function.

Quality Assurance Process

Quality Assurance Process

Overview

- Process to be finalized and published this fall.
- Potential purposes include:
 - Collecting and sharing information about past, planned, ongoing, and completed PREA audits
 - Identifying trends in agencies' and facilities' efforts and ability to comply with the standards
 - Helping to guide PREA training and technical assistance, and BJA's PREA Grant Program
 - Ensuring certified auditors meet or exceed expectations as defined in the PREA Auditor Training, and forthcoming PREA Auditor Handbook

Discussion of Other Key Topics and Questions

Other Key Topics and Questions

- Juvenile staffing ratio requirement
- 5% spending commitment
- Police custody outside of lockups
- Responses to letters from governors
- Sunset for assurances
- Provision for youthful inmates in adult facilities
- Costs of compliance
- Misuse of “PREA policies” at the facility level
- 115.313(b) and/or other cross-gender provisions of the Final Rule –
Creation of a bona fide occupational qualification (BFOQ)

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