

**FY 2024 List of Certification and Assurance Submissions for
Audit Year 1 of Cycle 4
August 20, 2022 – August 19, 2023**

On September 14, 2023, the Office of Justice Programs (OJP) Assistant Attorney General 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 2024 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 4, which impact FY 2024 grant funds, was October 16, 2023.

The Justice for All Reauthorization Act of 2016 (Pub. L. No. 114-324) (JFARA) made several significant changes to the PREA statute. Among them, the JFARA required that the assurance option would sunset as of December 16, 2022. The JFARA also provided that, for two years following the sunset of the assurance option, a governor who can certify that the state has audited at least 90 percent of the facilities under his/her operational control may request that the Attorney General allow the submission of an emergency assurance form. See 34 U.S.C. § 30307(e)(2)(D)(iii). An emergency assurance means the state will use not less than 5 percent of certain DOJ grant funds solely for the purpose of enabling the state to achieve and certify full compliance with the standards in future years.¹

Below is a list of states and territories that submitted certifications and assurances or declined to make a submission for Audit Year 1 of the fourth three-year PREA audit cycle.

States that certified full compliance (26), plus the District of Columbia (27)		
Alabama	Maine	Ohio
Arizona	Maryland	Oklahoma
Delaware	Massachusetts	Pennsylvania
District of Columbia	Missouri	Tennessee
Florida	Montana	Texas
Georgia	Nebraska	Virginia
Hawaii	New Jersey	West Virginia
Iowa	New Mexico	
Kansas	New York	
Louisiana	North Dakota	

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. 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 (23)		
American Samoa	Mississippi	Washington
California	Nevada	Wisconsin
Colorado	New Hampshire	Wyoming
Connecticut	North Carolina	
Guam	Oregon	
Idaho	Puerto Rico	
Illinois	Rhode Island	
Kentucky	South Carolina	
Michigan	South Dakota	
Minnesota	Vermont	

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
Arkansas
Commonwealth of the Northern Mariana Islands
Indiana
U. S. Virgin Islands
Utah