

FY 2015 List of Certification and Assurance Submissions

On March 5, 2015, the Office of Justice Programs (OJP) Assistant Attorney General (AAG), Karol V. Mason, and Office on Violence Against Women (OVW) Principal Deputy Director, Bea Hanson, sent letters to the nation's state and territorial Governors and the Mayor of the District of Columbia on behalf of the Department of Justice (DOJ) explaining their responsibilities related to the Prison Rape Elimination Act (PREA) in FY 2015. State Administering Authorities for OJP and OVW grant programs, and Governors' Criminal Justice Policy Advisors were copied on this letter. The deadline for the FY 2015 PREA Certifications and Assurances was Friday, May 15, 2015.

DOJ is very encouraged by the PREA implementation efforts that are underway nationwide. Below is a list of jurisdictions that submitted Certifications and Assurances. Also appended to this list is a compilation of all Certification and Assurance documents submitted by states, territories, and the District of Columbia

Certifications

- Iowa
- Maine
- Mississippi
- Missouri
- New Hampshire
- New Jersey
- North Dakota
- Oregon
- Tennessee
- Washington

Assurances

- Alabama
- American Samoa
- California
- Colorado
- Connecticut
- Delaware
- District of Columbia
- Florida
- Georgia
- Guam
- Hawai'i
- Illinois
- Indiana
- Kansas
- Kentucky
- Louisiana
- Maryland
- Massachusetts
- Michigan
- Minnesota
- Montana
- Nebraska
- Nevada
- New Mexico
- New York
- North Carolina
- Ohio
- Oklahoma
- Pennsylvania
- Puerto Rico
- Rhode Island
- South Carolina
- South Dakota
- Texas
- U.S. Virgin Islands
- Vermont
- Virginia
- West Virginia
- Wisconsin
- Wyoming

Montana

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



ANGELA MCLEAN
LT. GOVERNOR

May 11, 2015

The Honorable Loretta Lynch
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Lynch:

Thank you for the opportunity to report on Montana's progress in implementing the National PREA standards and combating sexual abuse in our adult and youth confinement facilities. As Montana's Governor, I fully support the creation of "zero tolerance" culture for sexual assault throughout my state's correctional facilities. Achieving full compliance remains a primary goal of my administration and the Montana Department of Corrections (DOC).

While we have not yet achieved our ultimate goal, we have substantial progress to report. This time last year, I noted that DOC had not been able to train the auditors necessary to conduct the required audits and had no funding to conduct them. This year, I am happy to report that DOC's PREA Coordinator Andy Jess is now the state's first federally certified PREA auditor for youth and adult secure facilities.

In addition, DOC has secured the funding to conduct PREA audits through a 2014 PREA grant that provides \$90,000 each year of the biennium for that purpose. At this time, we are considering some combination of hiring independent auditors and joining the Western State Consortium to cooperatively audit our adult facilities.

Over the past year, the PREA coordinator and a team from DOC's Office of Quality Assurance have completed full, mock PREA audits at the Montana State Prison, Montana Women's Prison, Riverside Youth Correctional Facility for girls and Pine Hills Youth Correctional Facility for boys.

DOC's PREA coordinator also has updated the department's PREA policy and drafted the first PREA-specific procedures for Montana State Prison, Montana Women's Prison and Riverside Youth Correctional Facility. We have submitted the DOC PREA policy to the PREA Resource Center for review and, based on the feedback we receive, will review and submit our facility-specific procedures.

DOC's Office of Quality Assurance has laid out an ambitious agenda for the next 16 months that includes:

- seeking PREA Resource Center's assistance in further defining the role of Montana's PREA specialist;
- conducting a second round of preliminary audits at Montana State Prison and Montana Women's Prison to fine tune those facilities' readiness for a federal audit;
- by September 2015, commencing the federal PREA audit process at the state's two youth correctional facilities (Riverside and Pine Hills); and
- by August 2016, initiating federal PREA audits at the adult facilities (Montana State Prison, Montana Women's Prison and Treasure State Correctional Training Center)

Montana also has a privately run adult corrections facility, Crossroads Correctional Center (CCC) in Shelby, which is operated by Corrections Corporation of America. That facility intends to engage its own auditor and begin the federal PREA auditing process in August of this year.

When you weigh the significant strides made towards PREA compliance over the past two years, it is clear that the Montana Department of Corrections has made a genuine, long-term commitment to achieving and maintaining PREA compliance. While we are not there yet, we will diligently pursue full compliance within the next 16 months.

Sincerely,



STEVE BULLOCK
Governor

Enc: 2015 Assurance to Utilize Department of Justice Grants to Achieve Full Compliance with the National Standards to Prevent, Detect, and Respond to Prison Rape

Montana Correctional Facilities Under State Operational Control

**Assurance to Utilize Department of Justice Grants to Achieve Full Compliance with
the National Standards to Prevent, Detect, and Respond to Prison Rape**

2015

Pursuant to 42 U.S.C. §15607(e)(2), I assure the U.S. Department of Justice (DOJ) that, subject to the exceptions checked below (if applicable), the State/jurisdiction named below will use not less than 5 percent of its covered DOJ grant funds for FY 2015 to enable the State/jurisdiction to adopt, and achieve full compliance with, the National Standards to Prevent, Detect, and Respond to Prison Rape (28 C.F.R. Part 115), so as to ensure that a certification of full compliance may be submitted in future years.

1. ___ the State/jurisdiction named below has adopted, and is in full compliance with, the National Standards to Prevent, Detect, and Respond to Prison Rape, 28 C.F.R. Part 115, insofar as those standards implicate juvenile facilities, as defined in 28 C.F.R. Part 115, but is not in full compliance with one or more standards insofar as those standards implicate non-juvenile facilities. Accordingly, grants issued by the Office of Juvenile Justice and Delinquency Prevention are not subject to the required set aside of funds for PREA purposes and shall not be used for purposes of the above Assurance.


2. ___ the State/jurisdiction named below has adopted, and is in full compliance with, the National Standards to Prevent, Detect, and Respond to Prison Rape, 28 CFR Part 115, except to the extent that full compliance would require new construction. Accordingly, grants issued by the Office on Violence Against Women are not subject to the require set aside of funds for PREA purposes and shall not be used for the purposes of the above Assurance.

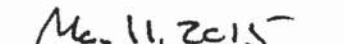
If the State/jurisdiction has checked Box 1 and/or 2, and after the date of signature of this Assurance, credible information should come to the attention of the undersigned (or his or her successor) that casts reasonable doubt on the accuracy (as of the date of signature) of the information relied upon in checking Box 1 and/or 2, the same shall conduct a reassessment and determine whether this selection of such box(es) was accurate as of the date of signature. If the selection of one or both boxes is determined not to have been accurate, the undersigned or a designee will:

1. Within 15 days, notify DOJ via the email address below of the existence of the inaccuracy; and
2. Within 15 days of providing such notice, submit a revised Assurance, signed by the Chief Executive.


Signature of Chief Executive


Printed name of Chief Executive


Name of State/jurisdiction


Date

This form must be received by the Department of Justice, PREA Management Office, by May 15, 2015. A signed, electronic version of this form may be sent to: PREACompliance@usdoj.gov.

A false statement in this certification or in the grant application that it supports may be subject to criminal prosecution, including under 18 U.S.C. § 1001 and 42 U.S.C. § 3795a. DOJ grants, including certifications provided in connection with such grants, are subject to review by the DOJ component that issued the grant and/or by the DOJ Office of the Inspector General.