



JUL 03 2014

Dear Child Residential Services Provider:

In 2003, the Prison Rape Elimination Act (PREA) was signed into law. PREA aims to eliminate sexual abuse and sexual harassment in confinement facilities. As a result, National Standards to Prevent, Detect, and Respond to Prison Rape were published in the Federal Register and can be found at http://www.ojp.usdoj.gov/programs/pdfs/prea_final_rule.pdf.

Some facilities that are licensed as child residential facilities pursuant to 55 Pa.Code Chapter 3800 may be required to follow the standards set forth by PREA. The PREA Juvenile Facility Standards defines a "Juvenile Facility" as a facility primarily used for the confinement of juveniles pursuant to the juvenile justice system or criminal justice system. If a majority of a juvenile facility's residents are under the age of 18 and under the jurisdiction of a juvenile court for delinquency related matters, the PREA standards will apply, even if non-delinquent youth are part of the facility's population.

Beginning August 20, 2013, facilities that must comply with PREA standards are required to have audits at specific intervals. These audits must be completed by an auditor that is certified by the United States Department of Justice (DOJ). A list of certified PREA Auditors has been published by DOJ and can be found at www.prearesourcecenter.org.

In December of 2013, I notified you that the Bureau of Human Services Licensing (BHSL) would take on a limited role in monitoring compliance with PREA. This letter serves to notify you of BHSL's intended procedures to assist with the monitoring of PREA standards.

Beginning August 21, 2014, as a part of every annual inspection, representatives of BHSL will ask the Director to self-certify whether the facility is required to follow PREA standards. A certification form will be provided by BHSL. If a facility is not required to comply with PREA standards, no further action will be taken.

If a facility is required to comply with PREA standards, representatives of BHSL will request and review the facility's PREA audit results. If an audit report identifies areas of non-compliance with PREA, BHSL will make a note and check at the following year's inspection to ensure that the facility submitted their corrective action plan to the PREA auditor and that all issues have been fully resolved. If an audit was required, but not completed, BHSL may issue a regulatory violation to the facility. However, the reason why a required audit was not completed and the steps taken to obtain an audit will be taken into consideration. All potential violations of PREA will be reviewed in BHSL Headquarters prior to issuance to assure continuity across regions.

We look forward to working through this process with you, and appreciate your ongoing commitment to serving our vulnerable juvenile populations.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew J. Jones", written over a horizontal line.

Matthew J. Jones
Director