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Auditing Audits: Exploring the Connection Between State Punitiveness  
and Prison Rape Elimination Act (PREA) Audit Robustness

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### Abstract

Sexual assault in prisons is a shameful phenomenon in the United States. According to the Department of Justice, over 200,000 individuals are sexually abused in confinement annually. In response to this human rights crisis, Congress passed the Prison Rape Elimination Act (PREA) in 2003 with the intention of creating measures to protect inmates from this abuse. Since then, PREA standards for different types of confinement facilities were passed, auditing of facilities began, and changes regarding the auditing process were made as various shortcomings became apparent. In prior research, I explored if PREA audit-related reforms were successful in resulting in higher quality prison audits than had previously been conducted (specifically, in Alabama). Disappointingly, I found that they were not and that Alabama's audits were alarmingly inadequate. This led me to my present question, which seeks to uncover whether increased state punitiveness is correlated with decreased PREA audit robustness. Based on the auditor application and certification process, I hypothesize that a relationship between state punitiveness and audit robustness does not exist. To answer this question, I examine three audits from each of three different states that vary significantly in their supposed punitiveness. I explore five distinct factors that I believe are indicative of audit robustness and examine how each of the nine audits performs in relation to these factors. I find that, based on these measures, increased state punitiveness does not appear to be associated with decreased audit robustness.

*Disclaimer: This research is an expansion of research done on a similar topic using the same methods in the fall of 2019. As such, where applicable, portions of the previous paper—with their original citations and with permission from my academic advisor—have been included in the Introduction, Methods and Research Strategy, Background, Findings and Analysis, and Conclusion sections.*

## **I. Introduction**

The rates of both sexual assault and incarceration in the U.S. are alarming. Every 98 seconds, someone is sexually assaulted in the U.S. (Bureau of Justice Statistics, 2017). At the same time, with about 5% of the world's population, the U.S. lays claim to 25% of the world's prisoners, meaning that we imprison our population at a rate 6-10 times higher than any other industrialized country and more frequently even than repressive regimes (Alexander, 2011). Through my research, I explore the intersection of these two phenomena and examine the role that legislation and policy implementation have in protecting inmates from sexual assault in confinement.

The Prison Rape Elimination Act (PREA) was signed into law in 2003 as a means of addressing sexual assault behind bars. As part of this legislation, in 2012, the Department of Justice released PREA national standards for confinement facilities to abide by, with the intention that 1) compliance with these standards would create environments in which inmates were protected from sexual assault in the first place and 2) if an inmate did experience sexual assault, there would be an effective system in place to report the incident and have it investigated. In order to determine compliance, these standards also require that the facilities be audited once every three years (Department of Justice, 2012).

After the first audit cycle ended in 2016, the PREA Management Office (PMO)—the body within the Department of Justice responsible for audit oversight—concluded that audits were not being completed as thoroughly as desired. Thus, in 2017 and 2018, changes in how auditors are trained and how audits are conducted were implemented with the hope that they would increase audit robustness (J. Abbate, personal communication, October 17, 2018).

The research I completed in the fall looked to explore the impact of these reforms. It asked the question, “How did changes that occurred in 2017 and 2018 regarding PREA prison audits affect the robustness of these audits?”. Comparing the 2016 audits (pre-reform) of two Alabama prisons with each facility’s respective 2018 audit (post-reform), I found that—at least based on my selected robustness measures—the changes did not appear to improve audit robustness.

## **II. Question and Hypothesis**

I was surprised to find that the 2017 and 2018 PREA audit-related changes did not result in more robust audits, and I was also alarmed by just how poor the Alabama audits appeared to be. This spurred curiosity about whether or not audits across the country are equally as weak. Furthermore, I was aware that Alabama is one of the most punitive states in the country, and so I wondered if the punitiveness of a given state had any relationship to the quality of PREA audits completed on that state’s incarceration facilities.

Thus, I was lead to the research question I explore in this paper, that is, “How does a state’s punitiveness relate to the robustness of the PREA prison audits conducted within its borders?”.

After doing some research on the PREA auditor application and certification process, I hypothesize that the supposed punitiveness of a state should not have a correlation with the quality of its PREA audits. The auditor certification process will be discussed in more detail below, but in short, all auditor candidates must complete the same, federally-organized certification process. No specific training is done at the state level (National PREA Resource Center, 2018c). Therefore, in theory, all auditors go through the same certification process and

there is no reason to believe that an auditor conducting audits in a more punitive state should be any less equipped than an auditor conducting audits in a less punitive state.

What is more, once you become a certified auditor, you may conduct audits in any state (J. Abbate, personal communication, October 17, 2018). Indeed, I was surprised to find that for all nine of the facility audits I examine, the auditors had traveled from their states of residence in order to conduct the audit. With this in mind, even if one wanted to make the (rather unsound) claim that perhaps an auditor from a more punitive state might also be of a more punitive mindset and thus less caring toward inmates and less meticulous in their audits, that argument would not be relevant here.

### **III. Methods and Research Strategy**

As mentioned above, the intent of this research is to examine PREA audits on prisons in states of different punitiveness in order to see if the harshness of the state's incarceration practices has any noticeable relationship to the quality of its audits. In 2016, the Pew Research Center assigned each of the U.S. states a "punishment rank" (1-50) based on its perceived punitiveness (Pew Charitable Trusts, 2016). I use this ranking system to select a relatively punitive state (ranked 1-10), a relatively non-punitive state (ranked 40-50), and a state that falls in the middle (20-30), and examine three recent PREA prison audits from each of those selected states (so, nine audits in total).

Given the relatively short amount of time I had to complete this research, I chose to re-use Alabama (punishment rank: 9) audits I had examined in my initial research so that I could do my best to maximize the total number of audits I include in this paper. Thus, I re-use findings from the 2018 Elmore Correctional Facility audit and the 2018 Easterling Correctional Facility

audit. I then randomly selected one more recent Alabama PREA prison audit, which ended up being on Holman Correctional Facility in 2017.

As a control, I decided to study audits from states with relatively similar population sizes. Accordingly, I looked at the states with punishment rankings 20-30 and 40-50 and saw which ones were closest in population size to Alabama. Upon looking for audit records, I found that a number of states do not have them publicly available online, making them inaccessible for my purposes (to request hard copies would have taken perhaps weeks to process). In sum, I ended up examining audits from the two states that fell into the 20-30 punishment rank window and the 40-50 window, whose populations were closest to that of Alabama's and whose audits were accessible online. These two states are Oregon (punishment rank: 29) and Minnesota (punishment rank: 46).

I quasi-randomly selected three recent (conducted between 2017 and 2019) audits from each of these two states. The only non-random aspect of the facility selection process at this time was that I chose not to examine two audits conducted by the same auditor. Thus, if I randomly selected an audit and it happened to be conducted by the auditor of one of the facilities already chosen, I would move on to the next randomly selected audit until I had three facility audits from both Oregon and Minnesota, all conducted by different auditors.

I re-use a number of the robustness measures I had created for my initial research. These include: Was each PREA standard addressed in full? Was policy existence used as the sole proof of policy implementation? Was the required minimum number of inmates interviewed? Was inmate interview evidence cited where appropriate? Was there any contradictory evidence?

To collect my data, I read each audit line by line. I looked at the compliance determinations for all of the 43 PREA national standards and paid particularly close attention to

the Auditor Discussion sections for each standard because these discussions are required to include “the comprehensive discussion of *all the evidence* [italics mine] relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions” (National PREA Resource Center, 2018b, p. 7). I noted each time something in an audit appeared to be deficient regarding any of my five chosen robustness measures. For each measure, I summed the number of deficiency instances for each state and found the percentage of total standards affected by this deficiency. I compared these three percentages, deeming that the findings supported my hypothesis if there did not exist a trend indicating that increased state punitiveness correlated with decreased audit robustness.

#### **IV. Background**

##### *A. Origin of PREA*

Sexual assault has likely run rampant in U.S. confinement facilities since their inception. Even in recent years, experts estimate that around 200,000 individuals annually are sexually abused under conditions of confinement (Just Detention International, 2016). For a number of reasons, sexual abuse behind bars was ignored throughout most of U.S. history. Often, people were unaware of the abuse, denied the phenomenon’s reality, or else would simply claim that the mistreatment of inmates was permissible due to the belief that inmates are “criminal.” However, beginning in the late 1970s, more and more victims began to speak out about their abuse and seek reparations. One individual, prison rape survivor Russell Smith, went so far as to found an organization dedicated to addressing the crisis. People Organized to Stop the Rape of Imprisoned Persons—now known as Just Detention International (JDI)—was founded in 1980 and remains the only organization in the U.S. devoted exclusively to ending sexual assault in confinement (Just Detention International, 2016).



Throughout the 1980s and 1990s, prison sexual assault survivors continued to be vocal and take their cases to court. Media representation further amplified their voices, and soon the phenomenon of sexual assault behind bars became common knowledge. Finally, in 2002, a letter from then-JDI-president Tom Cahill inspired congressional representatives to begin the push for legislation to address the crisis. Their efforts came to fruition in 2003, when the Prison Rape Elimination Act (PREA) was passed unanimously by both chambers of Congress and signed into law by President George W. Bush (Just Detention International, 2016).

The act states that it intends “to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape” (108<sup>th</sup> Congress, 2003, p. 1). The legislation further claims that it has nine purposes ranging from “establishing a zero-tolerance standard for the incidence of prison rape in prisons in the United States” to “standardizing the definitions used for collecting data on the incidence of prison rape” (108<sup>th</sup> Congress, 2003, p. 3). Another of these purposes is to “develop and implement national standards for the detection, prevention, reduction, and punishment of prison rape” (108<sup>th</sup> Congress, 2003, p. 3). To meet this end, it established the eight-member bipartisan National Prison Rape Elimination Commission (NPREC).<sup>1</sup> To pressure facilities into compliance, PREA establishes that any state whose facilities are not in accordance with the future standards will receive a 5% reduction in the annual federal grant money allocated to the state for prison purposes (108<sup>th</sup> Congress, 2003, p. 15).<sup>2</sup>

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<sup>1</sup> The Chair of NPREC was Federal district judge, Reggie B. Walton. Vice-chair was John A. Kaneb. Other Commissioners include James E. Aiken, Jamie Fellner, Pat Nolan, Gustavus A. Puryear IV, Brenda V. Smith, and Cindy Struckman-Johnson (National Prison Rape Elimination Commission, 2009).

<sup>2</sup> Each year, every state is expected to submit to the Attorney General a certification of compliance with the PREA national standards. Compliance must be proven with the results of the most

### *B. Release of PREA National Standards*

In 2012, nine years after the commission was created, NPREC submitted its final PREA national standards to the Department of Justice for approval and release. Notably, the final standards diverge from the original PREA legislation in that they go beyond merely addressing rape in prisons and instead address all forms of sexual assault in all types of confinement facilities (Department of Justice, 2012).

The standards are broken up into 13 sections— “Prevention Planning,” “Responsive Planning,” “Training and Education,” “Screening for Risk of Sexual Victimization and Abusiveness,” “Reporting,” “Official Response Following an Inmate Report,” “Investigations,” “Discipline,” “Medical and Mental Care,” “Data Collection and Review,” “Audits,” “Auditing and Corrective Action,” and “State Compliance” (Department of Justice, 2012). Each of these respective sections contains a number of standards (for example, Standard 115.11), and the vast majority of these standards is then further divided into lettered subsections (for example, Subsections 115.11(a), 115.11(b), and 115.11(c)). In total, there are 43 standards for which the audits must determine compliance (Department of Justice, 2012).

### *C. 2017 and 2018 PREA Developments*

Beginning in August of 2013, it became required for each U.S. incarceration facility to be audited at least once every three years (Department of Justice, 2012, p. 34). Thus, the first audit cycle ran from 2013-2016. After looking through this initial batch of audit results, the PREA Management Office (PMO)— who received the audits at the time— concluded that the audits

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recent audits on that state’s facilities. If the state is not in compliance, it receives the 5% reduction in federal prison grant money. The state also has the option to submit a statement of assurance (as opposed to a certification of compliance) claiming that the state’s facilities are not currently in compliance with the standards, but that they are working toward compliance. In this case, the state will be given its federal prison grant money in full, but at least 5% of that money is required to be used exclusively to achieve full compliance with the PREA national standards (108<sup>th</sup> Congress, 2003).

were not being conducted thoroughly enough, and that far too often, auditors were deeming facilities in compliance with given standards, but not adequately providing evidence supporting these compliance determinations. Consequently, the office sought to begin decertifying the auditors it found to be inadequate. However, the Department of Justice's General Counsel advised PMO against decertification, claiming that the decertified auditors could sue with the argument that they had never been adequately trained or provided resources to conduct effective audits in the first place. This dispute between PMO and the Department of Justice General Counsel led PMO to implement a number of PREA audit-related reforms over the course of 2017 and early 2018, with the intention that these changes would improve auditor training and reporting and make auditor expectations abundantly clear. Then, if PMO continued to find that audits remained inadequate during the next audit cycle, it would have sufficient evidence to prove that the auditors had been properly equipped to conduct thorough audits, and therefore could be decertified if their audits were found to be of poor quality (J. Abbate, personal communication, October 17, 2018).

The first of these changes was the introduction of PREA Auditor Candidate Field Training as part of the auditor certification process. Before the implementation of this field training (during which auditor candidates conduct practice audits on real facilities and receive constructive criticism and advice), auditors were merely required to meet a set of minimum qualifications,<sup>3</sup> pass a pre-training exam, complete the 40-hour in-class training program, and pass the post-training exam to become provisionally certified auditors.<sup>4</sup> But beginning with the

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<sup>3</sup> These qualifications include: three years of prior auditing experience, completion of a bachelor's degree, references from professionals in the field, and approval after a criminal background check (PREA Management Office, 2017).

<sup>4</sup> The auditors are found to be fully certified if the PREA Management Office determines that their first two audits were completed adequately (J. Abbate, personal communication, 2018).

auditor class of July 2017, all auditor candidates were required to complete field training to become certified (J. Abbate, personal communication, October 17, 2018).

The second change was the introduction of the PREA Auditor Handbook and Auditor Certification Agreement, which were released in conjunction with one another in August 2017 (J. Abbate, personal communication, October 17, 2018). The Auditor Handbook serves as a comprehensive resource for auditors to refer back to throughout the audit process. It contains information regarding the expectations PMO has of auditors, how audits should be conducted, and potential consequences for not abiding by the given standards. Meanwhile, the Auditor Certification Agreement lays out conditions of auditor certification and auditor requirements established by the Department of Justice. The final step to become a provisionally certified auditor is to sign this agreement, indicating that you have completed all requirements and will continue to abide by the listed responsibilities, and acknowledging that if your work is found to be inadequate by PMO, that the office has the right to decertify you (PREA Management Office, 2017).

The final change regards a restructuring of the Auditor Report Template. In early 2018, an updated template was released on the National PREA Resource Center website.<sup>5</sup> This template aimed to make the compliance determinations more clear and thorough. As such, it was more explicit in its expectations of auditor justifications for rulings of compliance/non-compliance for each standard, as well as more detailed, allowing for all lettered subsections within each of the 43 standards to be addressed individually, as opposed to simply the standard in its entirety (as was the case in the template previously used).

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<sup>5</sup> The National PREA Resource Center is funded by the Bureau of Justice Assistance, a body within the Department of Justice (J. Abbate, personal communication, 2018).

*D. Audit Process Details*

As mentioned above, each agency is required to be audited once every three years. The onus is on the agency itself to schedule the audit and it does so by booking an auditor as an independent contractor or through an accreditation body (National PREA Resource Center, 2018a).

Prior to the audit, the auditor provides the facility's PREA Compliance Manager with a Pre-Audit Questionnaire to complete. This questionnaire includes questions regarding general facility details (population, number of housing units, etc.), as well as questions related to each of the 43 PREA standards. In answering the latter, the Compliance Manager is also required to provide supporting documentation (National PREA Resource Center, 2014b).

Before the onsite audit takes place, the facility must post notice of the audit with the auditor's contact information in case inmates would like to engage in confidential communication with the auditor. Furthermore, the auditor is required to establish contact with victim advocacy groups in the area and solicit their opinion regarding inmate safety at the facility (National PREA Resource Center, 2014c). The onsite audit generally takes two to three days and includes a facility tour, staff and inmate interviews, and review of records. The auditor is required to tour the entire facility and has been trained to make specific observations such as the location of any blind spots and the level of supervision in a given room. The auditor is also encouraged to ask questions of the staff and inmates they come across on the tour, but these conversations are not considered to be part of the formal interviews (National PREA Resource Center, 2014d).

As far as the official interviews go, the auditor is provided distinct sets of questions to ask different types of staff members, as well as interview guidelines for the random and targeted

inmate interviews (National PREA Resource Center, 2014a). During the staff interviews, the auditor is expected to ask any questions they may have regarding information included in the Pre-Audit Questionnaire documentation, and can request additional records if they believe they are needed (J. Abbate, personal communication, October 17, 2018).

Once the onsite audit is complete and the auditor has acquired all of the information they need, they input each of their 43 compliance determinations and justifications into the Auditor Report Template and submit the report (at this point considered an “interim report”) to the agency that oversees the facility. If the auditor finds that the facility is not in compliance with any standard, they work with the facility staff to develop a plan to achieve compliance. The facility then has 180 days (known as the corrective action period) to implement these changes and establish compliance. Within 30 days after the corrective action period ends, the auditor again submits the report (now considered the “final report”) to the agency. Within 15 days of submitting the final report to the agency, the auditor must also submit this report to the National PREA Resource Center. If the agency would like to contest the final audit findings, it has 90 days from when it receives the report to contact the Department of Justice (National PREA Resource Center, 2014c).

Oversight of the audits by the PREA Management Office is not as thorough as one might expect. Initially, when auditors are considered to be only provisionally certified, they must submit their first two audit reports to PMO for review. If PMO finds that the auditor completed the audits well, then the auditors are deemed officially certified. However, aside from that, auditors are not required to submit their final reports to PMO. While an audit oversight plan<sup>6</sup> is

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<sup>6</sup> The Auditor Handbook states “on a regular basis, the PREA Management Office uses information collected from auditors through audit reporting forms, audit reports, complaints submitted by third party sources, their performance and engagement during oversight interventions...and the requested audit documentation to evaluate an auditor’s performance and identify targeted interventions and/or

in place, the vast majority of audits are never reviewed after they are completed, which results in many inadequate audits slipping through the cracks (J. Abbate, personal communication, October 17, 2018).

Although all audits are submitted to the National PREA Resource Center and a depository of all completed audit reports exists on the Bureau of Justice Assistance website, a list of past failed audits does not exist. Interestingly, due to the existence of the corrective action period and the fact that it is intended to address any issues of noncompliance before the final audit report is submitted, it is quite possible that a facility has never failed an audit (J. Abbate, personal communication, October 17, 2018). With that said, if a facility were to fail an audit, the state would not be in compliance with the PREA standards and it would lose 5% of its federal prison grant money (108<sup>th</sup> Congress, 2003).

#### *E. Summary of My Initial Research*

As previously stated, the research done for this paper expands upon research I completed in the fall of 2018. My fall research looked to see if the PREA audit-related changes that took place in 2017 and 2018 appeared to have a positive impact on the quality of audits. Thus, it compared the robustness (measured by criteria that I created) of audits on the same facilities from before the reforms were implemented and after the reforms were implemented to look for changes over time. Disappointingly and surprisingly, I found that these reforms did not appear to improve audit robustness. With that said, the study had only examined four audits in total from two different facilities in the same state (Alabama), and hence could not be said to be a

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sanctions that are responsive to the needs of and/or deficiencies identified with the auditor's work" (PREA Management Office, 2017, p. 72). Four of these interventions/sanctions (Quality Improvement Program, Peer Review, Disciplinary Review, and Remediation) exist, and if they don't adequately improve the auditor's performance, then the auditor may be decertified (PREA Management Office, 2017).

representative sample. My findings left me wondering if this audit weakness was unique to Alabama (as Alabama is known to be rather harsh regarding incarceration practices) or present in states across the country. Motivated by this curiosity, in this present study, I look to examine audits across multiple states of different levels of punitiveness to potentially discover patterns related to audit robustness.

#### *F. Punishment Rankings*

Imprisonment rates—“the number of people in prison per 100,000 residents” (Pew Charitable Trusts, 2016)—are commonly used to measure how severely a given jurisdiction punishes crime. However, researchers at the Pew Research Center argue that this proxy for punishment, while useful, is incomplete. As such, the center has worked to develop a different, more nuanced metric, which it has dubbed a “punishment rate” (Pew Charitable Trusts, 2016).

As opposed to the imprisonment rate, which “captures only the small subset of offenders who are apprehended, prosecuted, convicted, and sentenced to prison” and reflects “only the ratio of those inmates to residents,” the punishment rate “calculates the use of prison relative to the frequency and severity of reported crime in each jurisdiction” (Pew Charitable Trusts, 2016). It does so through the use of two distinct data points. The first is a jurisdiction’s imprisonment rate. The second is what Pew calls the jurisdiction’s “severity-weighted crime rate,” which:

captures the frequency and seriousness of reported crime per 100,000 residents, as measured by the seven specific offenses for which reliable, national data are available and that the FBI classifies as Part I offenses: criminal homicide, rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft. To account for differences in the severity of the offenses, Pew constructed a scale that assigns a weight



to each crime according to the average period of imprisonment served by offenders convicted and sentenced for it (Pew Charitable Trusts, 2016).

Thus, the punishment rate seeks to contextualize imprisonment rates and serve as a more strategic measure of a jurisdiction's punitiveness. Any given state may be more or less punitive than its imprisonment rate alone might indicate (Pew Charitable Trusts, 2016).

In 2016, using data from 1983 up to 2013 (which was the most recent reliable data available at the time), Pew released its list of state punishment rankings. It compared these rankings to the states' imprisonment rankings, and interestingly, found that the two rankings for some states were quite similar, while the two rankings for others differed dramatically (Pew Charitable Trusts, 2016). If it is indeed true that the imprisonment rate leaves something to be desired, then the fact that the punishment rank can differ by 10+ for a significant number of states from those states' imprisonment ranks provides some support for the claim that the punishment rate has the potential to be utilized as an important and insightful analytical tool. Consequently, this ranking system was the one I chose to rely upon when selecting states of different punitiveness to study.

## **V. Findings and Analysis**

### *A. Addressing the Standard in Full*

As previously mentioned, during each audit, the auditor is responsible for determining the facility's compliance or non-compliance with 43 different PREA standards (Department of Justice, 2012). Again, within each of these standards are lettered subsections, and the auditor is expected to provide evidence proving compliance with each one. As I combed through the audits, I discovered that often the auditor would rule that the facility complies with a standard as a whole, but would not address all the lettered subsections of the standard in question. In the

Auditor Discussion sections for many standards, some of the subsections (or parts of the subsection) were outright unmentioned.

### **Example 1**

Subsection 115.71(j) states, “The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation” (Department of Justice, 2012, p. 27). This standard includes subsections A-L. While the auditor for the Two Rivers 2019 audit provides evidence for the majority of these subsections in the Auditor Discussion for this standard, she does not mention anything at all about subsection J. Despite not addressing *all* aspects of this standard, she rules that the facility is in compliance with the standard in its entirety (Cotton, 2019, p. 92-95).

### **Example 2**

Subsection 115.64(a) states:

Upon Learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to: (1) Separate the alleged victim and abuser; (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and (4) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating (Department of Justice, 2012, p. 25).

While the auditor for the Rush City 2017 audit provides evidence for parts one through three of this subsection, he does not mention anything about part four of this subsection. Regardless, he rules that the facility is in compliance with the standard as a whole (Zeegers, 2017, p. 16). While the previous example shows that sometimes auditors do not address certain subsections at all, this example displays that it is also sometimes the case that the auditors do address each subsection within a standard, but they fail to address all parts of the subsection.

**Table 1: Standards Not Fully Addressed by Facility**

Facility	State	Year	Number of Unaddressed Subsections	Number of Standards Not Fully Addressed	Percentage of Standards Not Fully Addressed <sup>7</sup>
Holman	Alabama	2017	19	10	23.26%
Easterling	Alabama	2018	106	28	65.12%
Elmore	Alabama	2018	10	7	16.28%
Santiam	Oregon	2018	1	1	2.33%
Two Rivers	Oregon	2018	4	3	6.98%
Warner Creek	Oregon	2018	2	2	4.65
Shakopee	Minnesota	2017	6	4	9.30%
Rush City	Minnesota	2017	28	14	32.56%
Willow River	Minnesota	2018	16	9	20.93%

*Created with data gathered directly from the official audit reports.*

**Table 2: Standards Not Fully Addressed by State**

State	Punishment Rank	Total Number of Unaddressed Subsections	Total Number of Standards Not Full Addressed	Percentage of Standards Not Fully Addressed <sup>8</sup>
Alabama	9	135	45	34.88%
Oregon	29	7	6	4.65%
Minnesota	46	50	27	20.93%

<sup>7</sup> Calculations are my own. There are 43 standards in total, so I divided the number of standards I found to be affected by 43 to get the percentages.

<sup>8</sup> Calculations are my own. There are 43 standards included in each audit, and three audits studied for each state, meaning that there are 129 standards examined for each state. Thus, I divided the total number of deficiency instances in each state by 129 to get the overall percentage of standards affected in each state.

The data from the tables above indicate that, collectively, the three Oregon audits were the most robust based on this measure, followed by Minnesota, and then Alabama. The Pew punishment rankings list that Alabama is a more punitive state than Oregon, which is a more punitive state than Minnesota. Thus, if the quality of audits decreased with increased state punitiveness, we would expect Minnesota to perform best based on this measure, followed by Oregon, and then Alabama. Since this trend is not reflected in the data, this measure appears to support my hypothesis that increased audit quality does not necessarily follow from decreased state punitiveness.

### *B. Policy Existence as Sole Proof of Policy Implementation*

The purpose of these PREA audits is to ensure that PREA policies are being translated into practice. Those who developed the audits recognized that mere policy existence is not enough. Rather, the audits are intended to find proof that the policy is actually being enforced (J. Abbate, personal communication, 2018). However, I find that in some cases, the only evidence cited in the Auditor Discussion to justify that a standard subsection is met is existence of a policy that addresses that subsection.

#### **Example 1**

Standard 115.76 states:

(a) Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. (b) Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse. (c) Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary

history, and the sanctions imposed for comparable offenses by other staff with similar histories. (d) All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies (Department of Justice, 2012, p. 29).

In the Auditor Discussion for the Santiam 2018 audit, the auditor states:

Agency policy 40.1.13 (09/01/2016), section XI. A-D (page 12), outlines PREA-related disciplinary sanctions for staff and includes all standard requirements. Policy indicates that, “Termination shall be the presumptive discipline for staff who has engaged in sexual abuse.” This policy (section XI.C. page 12) also specified that, “Disciplinary actions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories” (Schubach, 2018, p. 102).

Thus, we see that the auditor claims that the policy in place addresses all aspects of the standard. While she could have strengthened her discussion using further evidence such as documentation of disciplinary reports or staff interviews to prove that the policy is actually being enforced, she does no such thing. Regardless, she rules that since the Agency policy 40.1.13 exists, the facility is in compliance with Standard 115.76 (Schubach, 2018, p. 103).

### **Example 2**

Subsection 115.42(f) states, “Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates” (Department of Justice, 2012, p. 20). The

Auditor Discussion for the Holman 2017 audit states, “Alabama Department of Corrections Administrative Policy 454 states (Page 16)... ‘...Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates’” (Taylor, 2017, p. 24). So, we see that there is a policy in place that addresses Subsection 115.42(f). However, as in the last example, no further evidence is provided to prove that this portion of the policy is being translated into practice. Zero evidence of effective policy enforcement is presented. Despite this lack of evidence, the auditor determines that the facility is in compliance with Standard 115.42 (Taylor, 2017, p. 24).

**Table 3: Policy Existence as Sole Proof of Policy Implementation by Facility**

Facility	State	Year	Number of Subsections Deemed in Compliance w/ Only Policy as Proof	Number of Standards Inadequately Deemed in Compliance	Percentage of Standards Inadequately Deemed in Compliance
Holman	Alabama	2017	11	7	16.28%
Easterling	Alabama	2018	0	0	0.00%
Elmore	Alabama	2018	12	7	16.28%
Santiam	Oregon	2018	11	3	6.98%
Two Rivers	Oregon	2018	0	0	0.00%
Warner Creek	Oregon	2018	3	1	2.33%
Shakopee	Minnesota	2018	17	6	13.95%
Rush City	Minnesota	2017	32	13	30.23%
Willow River	Minnesota	2018	3	2	4.65%

*Created with data gathered directly from the official audit reports.*

**Table 4: Policy Existence as Sole Proof of Policy Implementation by State**

State	Punishment Rank	Total Number of Subsections Deemed in Compliance w/ Only Policy as Proof	Total Number of Standards Inadequately Deemed in Compliance	Percentage of Standards Inadequately Deemed in Compliance
Alabama	9	23	14	10.85%
Oregon	29	14	4	3.10%
Minnesota	46	52	21	16.28%

The data from the tables above indicate that, collectively, the three Oregon audits were the most robust based on this measure, followed by Alabama, then Minnesota. Again, based on the Pew punishment rankings, if increased audit quality was correlated with decreased state punitiveness, we would expect Minnesota to perform best based on this measure, followed by Oregon, and then Alabama. Since the data does not reflect such a pattern, this measure is found to be in support of my hypothesis.

### *C. Meeting Interview Requirements*

In 2017, as part of the Auditor Handbook, requirements were made regarding the minimum number of inmates the auditors have to interview based on the facility's inmate population size. The requirements demand that a minimum number of both random and targeted inmates are interviewed. The categories for targeted inmates relate to things such as age, disability status, sexuality, and history of past abuse (PREA Management Office, 2017).<sup>9</sup>

**Table 5: Meeting Inmate Interview Requirements by Facility**

Facility	State	Year	Required Minimum Number of Random Inmate Interviews	Actual Number of Random Inmate Interviews	Required Minimum Number of Targeted Inmate Interviews	Actual Number of Targeted Inmate Interviews	Required Overall Minimum Number of Inmate Interviews	Actual Overall Number of Inmate Interviews
Holman	AL	2017	15	26	15	8*	30	34
Easterling	AL	2018	20	22	15	22	40	44
Elmore	AL	2018	20	29	15	19	40	48
Santiam	OR	2018	13	24	13	7*	26	31
Two Rivers	OR	2018	20	30	20	21	40	51
Warner	OR	2018	13	14	13	16	26	30

<sup>9</sup> There are ten categories of targeted inmates in total: "Youthful Inmates," "Inmates with a Physical Disability," "Inmates who are Blind, Deaf, or Hard of Hearing," "Inmates who are LEP [Limited English Proficient]," "Inmates with a Cognitive Disability," "Inmates who Identify as Lesbian, Gay, or Bisexual," "Inmates who Identify as Transgender or Intersex," "Inmates in Segregated Housing for High Risk of Sexual Victimization," "Inmates Who Reported Sexual Abuse," and "Inmates Who Reported Sexual Victimization During Risk Screening" (PREA Management Office, 2017).

Creek								
Shakopee	MN	2018	15	21	15	9*	30	30
Rush City	MN	2018	20	Unknown	20	Unknown	40	Unknown
Willow River	MN	2018	20	37	20	13*	40	50

*Created with data gathered directly from the official audit reports, as well as requirements from the PREA Prisons and Jails Standards.*

*\*Although this number is lower than the total minimum number of targeted inmate interviews required, the auditor explicitly states that the shortage is due to the fact that certain categories of targeted inmates were not present at the facility. Thus, the shortage of interviews is not considered to be a sign of lack of robustness; it is merely an indicator that certain categories of targeted inmates could not be interviewed because they did not exist at the facility being audited.*

**Table 6: Meeting Overall Inmate Interview Requirement by State**

State	Punishment Rank	Did Audits Meet Overall Interview Requirement?
Alabama	9	Yes
Oregon	29	Yes
Minnesota	46	Unknown

As indicated in the tables above, with *perhaps* the exception of the Rush City 2018 audit, all of the audit reports show that the auditors conducted the required amount of inmate interviews. Regarding the Rush City audit, the auditor simply states that he interviewed “offenders,” but does not specify how many he interviewed overall and whether some of them satisfied the targeted inmate interview requirements (Zeegers, 2017, p. 2). Based off of the information provided, there is no way for us to know whether or not he met the interview requirements.

With that said, the general pattern appears to be that auditors across the board are meeting the interview requirements. There is no evidence of lack of interviews being conducted in the most punitive state, nor is there evidence of significant numbers of surplus interviews being conducted in the least punitive state. Thus, there does not appear to be a connection between state punitiveness and audit robustness based on this measure, and the findings are in support of my hypothesis.



*D. Use of Inmate Interviews Where Appropriate*

The categories of inmates to be targeted for interviews were chosen because these inmates are believed to be particularly vulnerable populations (e.g., youth, the disabled) or else likely to have a first-hand understanding of how the prison handles allegations (e.g., inmates who reported sexual abuse, inmates who reported sexual victimization during risk screening). They were selected because they are believed to be able to provide unique insight into what the facilities do and do not do and thus whether or not they are in compliance with given standards (J. Abbate, personal communication, October 17, 2018). However, I find that it is common for these inmates to not be interviewed and cited in the Auditor Discussions regarding the standards that pertain to them.

**Example 1**

Subsection 115.67(c) states:

For at least 90 days following a report of sexual abuse, the agency shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation. Items the agency should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff.

The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need (Department of Justice, 2012, p. 26).

Given the content of this standard and given that inmates who report sexual abuse are one of the categories designated for targeted inmate interviews, it is not unreasonable to believe that input from inmates who have reported sexual abuse should be taken into account when determining

compliance with this standard. However, although the auditor for the Warner Creek 2018 claims she interviewed two inmates who reported abuse, she relies only on evidence such as policy and staff interviews to support her compliance determination for this subsection. She does not use any inmate testimony to bolster her argument (Aiken, 2018, p. 83-84). I would like to make it clear that she is not *required* to use inmate interviews as evidence for any given compliance determination, and by no means am I claiming that her compliance determination is *inaccurate* because she did not provide inmate interview support. However, I do believe that providing inmate testimony would have corroborated her other evidence and lent significant credibility to her compliance determination. To not have included their input in her Auditor Discussion seems a bit incomplete.

### **Example 2**

Subsection 115.81(a) states:

If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening (Department of Justice, 2012, p. 30).

Given the content of this standard and given that inmates who reported sexual victimization during risk screening are one of the categories designated for targeted inmate interviews, one might reasonably think that—if there were inmates available to interview at this facility who had reported sexual victimization during risk screening—then their input would be included to determine compliance with this standard. Indeed, the auditor for the Willow River 2018 audit claims that he interviewed two inmates that made such a report. However, as in the example

above, he only cites policy and staff interviews as evidence of compliance with this standard (Manville, 2018, p. 81). Again, while the lack of inmate testimony does not mean that the compliance determination was inaccurate, his Auditor Discussion would have been strengthened had he included inmate interviews as further proof of compliance.

**Table 7: Lacking Interview Evidence Where Appropriate by Facility**

Facility	State	Year	Number of Subsections Deemed in Compliance w/o Relevant Interview Corroboration	Number of Standards Deemed in Compliance w/o Relevant Interview Corroboration	Percentage of Standards Deemed in Compliance w/o Relevant Interview Corroboration
Holman	Alabama	2017	26	9	20.93%
Easterling	Alabama	2018	53	16	37.21%
Elmore	Alabama	2018	21	9	20.93%
Santiam	Oregon	2018	24	10	23.26%
Two Rivers	Oregon	2018	23	9	20.93%
Warner Creek	Oregon	2018	21	10	23.26%
Shakopee	Minnesota	2018	39	13	30.23%
Rush City	Minnesota	2017	29	11	25.58%
Willow River	Minnesota	2018	23	9	20.93%

*Created with data gathered directly from the official audit reports.*

**Table 8: Lacking Interview Evidence Where Appropriate by Facility by State**

State	Punishment Rank	Total Number of Subsections Deemed in Compliance w/o Relevant Interview Corroboration	Total Number of Standards Deemed in Compliance w/o Relevant Interview Corroboration	Percentage of Standards Deemed in Compliance w/o Relevant Interview Corroboration <sup>10</sup>
Alabama	9	100	34	56.67%
Oregon	29	68	29	48.33%
Minnesota	46	91	33	66.00%

<sup>10</sup> Calculations are my own. Using personal judgment, I decided that 20 of the 43 compliance determinations should be supported with inmate interview evidence. Since I studied three audits from each state, I divided the total number of standards deemed in compliance without relevant interview corroboration by 60 to arrive at this percentage.

The data from the tables above indicate that, collectively, the three Oregon audits were the most robust based on this measure, followed by Alabama, then Minnesota. Again, we see that the robustness pattern is not in agreement with the Pew punishment rankings if it is the case that decreased state punitiveness is connected to increased audit robustness. In fact, in this instance, the least punitive state appears to be performing the poorest. Thus, these findings are in support of my hypothesis.

### *E. Direct Contradictions*

Beginning with the 2018 audit template, auditors are required to check “Yes,” “No,” or “N/A,” to indicate if each subsection for each standard is met. For both 2016 and 2018 audits, the Auditor Discussion section is the portion of the audit where the auditor is provided space to explain the evidence they relied upon to make their compliance determination for each standard (National PREA Resource Center, 2018b). I was surprised to find that, in a few cases, the subsection determinations or the evidence cited in the Auditor Discussion directly contradicts the overall finding of compliance for the standard in question.

#### **Example 1**

Subsection 115.78(d) states:

If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits (Department of Justice, 2012, p. 30).

When asked if the facility is in compliance with this subsection, the auditor for the Easterling 2018 audit checks the “No” box, but then proceeds to give an overall compliance determination of “Meets Standard” (Barkley, 2018, p. 60). This is problematic, because for the facility to

comply with the standard, it must comply with *all* subsections of that standard (PREA Management Office, 2017).

### Example 2

Subsection 115.53(b) states:

The facility shall inform inmates, prior to giving them access [to outside confidential support services], of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws (Department of Justice, 2012, p. 23).

In the Auditor Discussion for this standard in the Elmore 2018 audit, the auditor states:

No addresses could be found and no information to inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws (Cotten, 2018, p.53).

Despite this statement, when asked if the facility is in compliance with this subsection, the auditor checks the “Yes” box, thus directly contradicting the evidence he provides (Cotton, 2018, p. 52).

**Table 9: Contradictory Findings by Facility**

Facility	State	Year	Number of Subsections Deemed in Compliance w/ Contradictory Findings	Number of Standards Incorrectly Deemed in Compliance	Percentage of Standards Incorrectly Deemed in Compliance
Holman	Alabama	2017	0	0	0.00%
Easterling	Alabama	2018	3	3	.07%
Elmore	Alabama	2018	3	3	.07%
Santiam	Oregon	2018	0	0	0.00%
Two Rivers	Oregon	2018	0	0	0.00%
Warner Creek	Oregon	2018	0	0	0.00%
Shakopee	Minnesota	2018	0	0	0.00%

Rush City	Minnesota	2017	0	0	0.00%
Willow River	Minnesota	2018	0	0	0.00%

*Created with data gathered directly from the official audit reports.*

**Table 10: Contradictory Findings by State**

State	Punishment Rank	Total Number of Subsections Deemed In Compliance w/ Contradictory Findings	Total Number of Standards Incorrectly Deemed in Compliance	Percentage of Standards Incorrectly Deemed in Compliance
Alabama	9	6	6	4.65%
Oregon	29	0	0	0.00%
Minnesota	46	0	0	0.00%

As did all of the other robustness measures, this measure derived from my original research on Alabama prisons. While it was not common to discover contradictory findings in the Alabama audits, the fact that there existed even a few examples of this occurrence was worrisome—there is absolutely no reason why an auditor should directly contradict his/herself. It is encouraging to find that in both the Oregon and Minnesota facilities studied here, there are no such occurrences. Although Alabama is the most punitive of these states according to Pew and is the only state I find to have contradictory findings, the fact that neither Oregon nor Minnesota have any instances of contradictory findings supports the claim that increased punitiveness is not linearly associated with decreased audit robustness. Thus, this robustness measure is in support of my hypothesis.

## **VI. Discussion and Conclusions**

### *A. Summary of Findings*

In sum, albeit with some caveats regarding certain robustness measures that were explained in their respective sections above, the findings in relation to all five of my measures appear to be in support of my hypothesis. Based on the Pew punishment rankings, if it were the

case that increased state punitiveness was correlated with decreased audit robustness, we would expect Minnesota to perform best in terms of any given measure, followed by Oregon, and then Alabama. My data indicates that this pattern is not reflected by any of the five measures.

### *B. Importance of Findings*

My research is important for three primary reasons. The first is due to implications for the auditor certification process and review of audits. The second is due to implications for policy implementation. The third is due to implications for human rights and dignity.

My findings display that audits consistently appear to fall short in at least some, if not many, respects. In no audit that I examined did the auditor perform impressively in terms of all five robustness measures. This is a disheartening finding that indicates a clear problem, but one whose source is not yet clear. Whether it is that applicants are not being vetted properly when being considered for acceptance into the certification program, the certification process itself is inadequate, or some other unclear reason, the end result is that the audits continue to be completed less thoroughly than would be desired, and thus inmates are not being protected as well as they should be.

Given the apparent shortcomings of the audits, it is not unreasonable to argue that the PREA Management Office should be making a concerted effort to review audits diligently when they are submitted to the National PREA Resource Center. As mentioned above, while each audit is required to be submitted to NPRC and is checked to see if the facility was found to be in compliance, there is no process in place to review the audits in detail and ensure that they are being completed thoroughly. Thus, audits of poor quality have a high chance of never being detected, less-than-acceptable auditors are never flagged for additional training or decertification,

and inmates are left without adequate protective measures in place (J. Abbate, personal communication, October 17, 2018).

Moving on to implications for policy implementation, research shows that translating written policy into actual practice can be exceedingly difficult. Furthermore, even when policies appear to have been implemented well and to be achieving their desired effects, much can be left wanting (Orange, 2016). My findings serve as a supportive example of both of these claims.

PREA legislation exists, but my research indicates that it is not always being enforced. This is likely the case for any number of other pieces of legislation pertaining to any number of other issue areas. Be that as it may, I feel that it is common for people to fall prey to the misconception that once we create a policy, the bulk of the battle is over and the problem is well on its way to being solved. My research shows that this is not the case. Rather, we must continue to follow the development of a policy and how it is being implemented in order to know if it is truly doing what it was intended to do.

Furthermore, my findings show that simply looking at results on paper is not enough. According to the final audit reports, the facilities comply with the national standards, and thus it would appear that PREA policy has been implemented effectively. Yet, as my research displays, if you actually take a closer look at the Auditor Discussions, you see that facilities are being found to be compliant without adequate evidence supporting these determinations. This is a major cause for concern if we are genuinely invested in discovering how well PREA audits are holding facilities accountable.

With that said, most people would not even think to be skeptical of the audit findings. For many, it would be natural to see the overall compliance determinations and be pleased that PREA appears to be doing its job. Thus, the public might begin to hold the false belief that



PREA is achieving more success than it actually is. Believing that the inmate sexual assault epidemic is being adequately handled, they then may not push for further efforts to be undertaken even if they are, in reality, needed.

This same process of misunderstanding and consequently failing to take action likely applies well beyond PREA, affecting all sorts of different issue areas. When results on paper appear to indicate one thing but a closer analysis suggests another, we become at risk of naively and mistakenly believing that problems are being solved when truly they are not. This false sense of security can greatly influence the steps we choose to take (or not take) going forward and thus can severely impact outcomes in any given field.

Beyond policy and policymaking considerations, my findings also have implications for the protection of human rights. Sexual assault is traumatizing and its consequences are often exacerbated when the victim is incarcerated. The adverse effects its survivors experience range from the physical to the emotional to the psychological and can burden a person for a lifetime, leading to dysfunctionality and even further negative social impacts (Rape, Abuse & Incest National Network, 2018). My findings show that the auditing process that PREA put into place to protect inmates from sexual abuse leaves something to be desired. Without the audits adequately fulfilling their purpose, inmates continue to be at risk of experiencing sexual abuse and suffering from all of the negative effects that this abuse entails.

In the Background section of this paper, I mentioned that PREA claims to have nine purposes. Notably, one of these is to “increase the accountability of prison officials who fail to detect, prevent, reduce, and punish prison rape” (108<sup>th</sup> Congress, 2003, p. 4). While accountability may have increased, my findings show that prison officials are far from being held truly accountable. Thus, the overall promise of PREA, “...to provide information, resources,

recommendations, and funding to protect individuals from prison rape” remains unkept (108<sup>th</sup> Congress, 2003).

*C. Shortcomings of Study and Suggestions for Further Research*

It should be explicitly stated that my findings are not meant to be interpreted as *proving* anything. While the study was intended to broaden the scope of my previous research, it still examines only nine particular audits from three particular states conducted during a span of three particular years, and thus its findings cannot be said to be reflective of what we might find if we explored all fifty states over a longer period of time. What’s more, my ability to compile data was at times limited by the information made available in the audits. So, perhaps the findings are representative of national trends, but perhaps not. Given that such a small number of audits is studied—and is studied without the use of any sort of advanced technical tool— to make any sweeping claims regarding robustness patterns would be irresponsible. Moving forward, similar examinations (hopefully utilizing established analytical tools) on audits from all fifty states from a wider range of years would likely prove to be insightful.

Furthermore, my study focuses specifically on the quality of audits on prisons. However, as mentioned above, PREA national standards apply to all types of confinement facilities (e.g., jails, juvenile detention facilities, immigration detention facilities) (Department of Justice, 2012). To attempt to ensure protection of inmates/detainees of all types, it would be helpful for future research to examine audits on these other types of facilities, as they might find that audit robustness varies dramatically based on the type of facility being audited.

My findings support the hypothesis that state punitiveness is not associated with audit quality. By some measures, the audits vary significantly in their robustness, but these differences do not appear to be related to state punitiveness. So, if all auditors go through the same

application and certification process, what could explain differences in audit quality? Is it simply a matter of the individual conducting the audit? Are audits completed by teams of auditors perhaps more thorough than audits completed by a single person? Future research would be wise to explore these questions and others.

Notably, the Oregon audits collectively either perform the best or are tied for the best by all robustness measures. Additionally, as I was going through the audits line by line, the Oregon audits certainly stood out as being the most detailed. As my research only factors in the variable of punitiveness and indicates that punitiveness is not the explanation for varying degrees of audit quality, it leaves us searching for an alternative explanation as to why Oregon outperforms the other states. While my research did not intend to look for patterns related to demographic factors, I did notice an intriguing finding regarding gender. All of the Oregon audits were conducted by women, whereas all of the Alabama and Minnesota audits were conducted by men. As such, it would be insightful to examine a larger selection of audits by auditor gender and see if this trend proves to be more widely applicable. Alternatively, future research could examine audit quality's relationship to variables such as geographic location of facility, age of auditors, years of auditing experience of auditors, or any number of other factors. Through this type of focused research, hopefully we would begin to find answers regarding which factors contribute to producing the highest quality audits. With this deepened understanding, we would be better equipped to serve our country's inmate population and work to provide them the protection that all human beings deserve.

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