



## OFFICE OF THE LEGISLATIVE AUDITOR

STATE OF MINNESOTA • James Nobles, Legislative Auditor

Date: March 19, 2019

To: Members, Senate Health and Human Services Finance and Policy  
Members, Senate Human Services Reform Finance and Policy  
Members, House Health and Human Services Finance Division  
Members, House Health and Human Services Policy

From: Jim Nobles, Legislative Auditor

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Re: Transfer of CCAP Investigations

As a result of OLA's recent review of the state's Child Care Assistance Program (CCAP), I believe the Legislature should transfer the responsibility for CCAP investigations—as well as the CCAP investigators and their funding—from the Department of Human Services to the Department of Public Safety, Bureau of Criminal Apprehension (BCA). I make this recommendation for the following reasons:

- The CCAP Investigations Unit conducts criminal investigations. That mission is more congruent with the mission of BCA than it is with the mission of DHS.
- Since it was first created in 2014, the CCAP Investigations Unit has relied on BCA to obtain and serve search warrants. In fact, two agents are assigned to the CCAP Investigations Unit through an interagency agreement between BCA and DHS. Thus, the CCAP investigators already have a close working relationship with the BCA.
- BCA is responsible for determining whether to make a criminal referral of CCAP investigative findings and evidence to the appropriate prosecution office (typically a county prosecutor).
- At BCA, the CCAP investigators would have easier access to relevant legal advice and technical support for their investigations than they do at DHS.
- Finally, BCA is a well-respected, professional law enforcement agency.

If you agree with my recommendation, I would welcome an opportunity to work with you on language and legislative efforts to implement a transfer of CCAP investigative responsibilities from DHS to BCA.

cc: Members, Legislative Audit Commission  
Tony Lourey, Commissioner, Minnesota Department of Human Services  
John Harrington, Commissioner, Minnesota Department of Public Safety  
Drew Evans, Superintendent, Bureau of Criminal Apprehension