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February 17, 2021

TO: The Honorable Maggie McIntosh
Chair, Appropriations Committee

FROM: The Office of the Attorney General

RE: HB 756 – Office of Legislative Audits – Acceptance and Investigation of Allegations of
Fraud, Waste, and Abuse – **Support with Amendment**

We are writing to express the Office of the Attorney General's support for House Bill 756, provided that the bill is amended as proposed. The bill's original provisions, aimed at fostering a greater sharing of information regarding criminal investigations, were overly broad and could blur the lines between the functions of the Office of Legislative Audits and those of law enforcement and prosecutorial agencies.

The Office of Legislative Audits does extraordinary work in combatting fraud and they are our valued partners; however, their role is inherently distinct from that of law enforcement or prosecutors. Criminal investigators and legislative auditors are both vested with powers and responsibilities that are carefully calibrated to their specific roles and often incompatible with others. Any change in the relationship between these roles must be carefully crafted with the input of all parties to ensure that unintended consequences are minimized, a process which has not yet occurred but can proceed under the bill as amended.

In supporting the bill as amended, we look forward to working with the Office of Legislative Audits in the months to come to enhance our collaboration with that office in ways that safeguard the integrity of ongoing criminal investigations. We also note our support for the provisions of the bill concerning the formal establishment of a fraud hotline. Hotlines are often effective in facilitating the reporting of fraud, waste, and abuse, and are a vital tool in focusing the efforts of fraud investigators.

cc: Members of the Appropriations Committee