

Bad Check Unit

1. In General

a. The Bad Check Unit attempts to resolve as many bad check complaints as possible without the need for court action. The procedures outlined below are basically designed to afford the bad check writer the opportunity to make the check good before criminal charges are approved. Certainly there are many reasons why a check may be returned for insufficient funds, and the Bad Check Unit procedure permits the negligent check writer the opportunity to correct his mistake without further difficulty.

b. A major ingredient of the Bad Check Unit administrator's job is to keep a record of every complaint made. This information is necessary so that frequent bad check writers can be identified and treated accordingly. Because the procedures utilized by the Bad Check Unit are not statutorily required, if an individual is a frequent offender, the procedures may be foregone and charges instituted immediately. Further, many times the checks are paid after the issuance of a warrant and in cases where restitution is made by a previous offender, the warrant will not necessarily be stricken as may be done in other cases.

c. The basic policy of the Bad Check Unit is that if a warrant has been issued, but the restitution is received before service of the warrant, absent special circumstances (i.e., past history), the matter will be closed. Once the warrant has been served and a trial date set, the charges will not be dismissed unless there are special circumstances.

d. American Corrective Counseling Service Information (ACCS)

(1) ACCS has taken over the responsibility for new cases as of March, 2000. They are tasked with notifying the check writer, making collections of the check amounts, \$25.00 collection fees, and \$125.00 diversion class fees.

(2) Merchants must contact ACCS directly if they have not received restitution in order to obtain a status of their case. In the old program, a notification was mailed to each merchant stating that we had received their complaint and were working on it.

(3) Schedules check writers for the diversion class.

(4) Keeps statistics via computer as to repeat offenders, monies collected, number of cases, etc.

(5) Return files on cases which fail the program to existing Bad Check Unit with diskette of case information to finish preparing charging documents as mentioned above.