

“Don’t be a Victim of Bad Checks!”

Eric J. Smith
Prosecuting Attorney

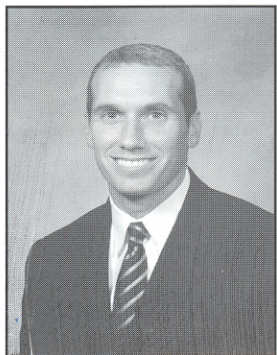


**Bad Check
Restitution Program**



**The Office of the Prosecuting Attorney,
Macomb County, MI**

A Message From Eric J. Smith, Prosecuting Attorney



As your Prosecuting Attorney, I'm always concerned about the negative impact of bad checks passed to local businesses. Millions of dollars are lost every year by merchants as a result of this ongoing problem. Bad checks affect everyone in terms of higher consumer costs that

must be passed on to offset losses, and increased taxes to cover the additional costs for law enforcement and prosecution.

In an effort to combat this problem, I have organized the Bad Check Restitution Program to assist local merchants with bad check losses. The primary goal of the program is to create a self-supporting program that obtains restitution for the victim while deterring repeat offenders.

First time bad check offenders are given the opportunity to avoid criminal prosecution by attending a mandatory intervention class, in addition to paying restitution. All of this is accomplished without any cost to the taxpayers.

Your interest and participation in this special program will benefit all law-abiding citizens and help your business improve its bottom line!

Cutting Your Losses As Easy As 1-2-3

1. Make personal contact with the check writer. If you are unsuccessful, send a statutory certified notice. **The check writer has 5 days to respond and remit payment.**
2. If you do not hear from the check writer or receive payment, contact the Bad Check Restitution Program at **1-888-344-9853** for a crime report.
3. Fill out the crime report, keep copies and attach originals of all checks and notification documents, such as return receipts and bank notices, and mail to:

Macomb County Prosecuting Attorney Bad Check Restitution Program

P.O. Box 577
Mount Clemens, MI 48046-0577
(postal address only)

If you do not receive restitution within 60 days, contact the Macomb County Prosecuting Attorney Bad Check Restitution Program.

Macomb County Prosecuting Attorney Bad Check Restitution Program works because...

- Bad check reports are easy to file, and follow-up action is prompt.
- Upon recovery, 100% of the face value of the check is returned to the merchant.
- There is no minimum dollar restriction on a bad check.
- Offenders must complete an educational class at their expense.
- The program operates at no cost to the county or taxpayers.

Check Screening Tips

Note the check's date.
Post-dated checks normally
cannot be prosecuted.

Be wary of new accounts.

Get a complete street address, not just a P.O. Box and verify phone.

John Doe
123 Somewhere Ave.
Anytown, USA 12345
(999) 999-0000

1002

4/21/2005

Your Business

\$75.20

Seventy Five Dollars & 20/100

John Doe

Make sure written and figure amounts match.

Observe the writer's signature and make sure the signature matches their I.D.

A check is **ELIGIBLE** for this program if:

- The amount is no more than \$5,000 (or multiple checks do not exceed this limit). There are no minimum dollar restrictions.
- The check was received in the Macomb County, deposited in a bank in exchange for goods or services and was presumed "good" at the time of acceptance.
- A "Statutory Certified Notice" was sent to check writer allowing 5 days to make check good.
- The check is submitted to the program within 120 days from the date of the check.
- A photo I.D. (driver's license, state identification card) was recorded at the time of transaction.

A check is **INELIGIBLE** if:

- It is post-dated.
- Both parties knew there were insufficient funds at the time of transaction.
- It is a government check.
- It is made payable to cash.
- The identity of the check writer is unknown.
- There is no amount, date, or signature on the check.
- It has been partially paid.
- The check involves an "extension of credit" or was payment on an account.

Checks ineligible for the Macomb County Prosecuting Attorney Bad Check Restitution Program may be pursued via Small Claims Court process or by a private collection agency.

Check Acceptance Tips:

- Institute a check acceptance policy. A clearly posted policy for your employees and customers can reduce your losses.
- Accept checks written only with today's date. Post-dated checks are civil matters and are not accepted in the Macomb County Prosecuting Attorney Bad Check Restitution Program.
- Trust your instincts! If something doesn't seem right, ask questions or ask for another form of payment. You are not obligated to accept a check.

Macomb County Prosecuting Attorney Bad Check Restitution Program

P.O. Box 577
Mount Clemens, MI 48046-0577
(postal address only)

www.checkprogram.com/macombcountymi

1-888-344-9853

Brochure not printed at taxpayer expense.