

BAD CHECK CRIME REPORT

YORK COUNTY DISTRICT ATTORNEY

TOM KEARNEY



Victim Services, Inc. Mail Processing
Bad Check Program:
 P.O. Box 1417
 Lancaster, PA 17608-1417

Bad Check Program Contact:
 (866) 909-8431 - Victim Hotline
 (866) 434-1440 - Check Writer Hotline
 (Please refer check writer to the "check writer" hotline)

For more information: www.checkprogram.com/yorkcountypa

Step 1
 Confirm Eligibility

The following types of checks are ineligible for the program:

*Two-party checks	*Partially re-paid checks	*Fraudulent or stamped lost/stolen/forged
*Payroll checks	*Post/pre dated or altered checks	*Checks you agreed to hold before depositing
*Checks passed outside of York County		

Step 2
 Victim Information

Victim/Merchant Name: _____

Contact Name: _____ **Title:** _____

Victim Contact Information: (Required) **Email:** _____

Phone:(_____) _____ **Fax:**(_____) _____

- *Email and/or fax are required for acknowledgement receipt of check and/or Program communication*

Address: _____ **City:** _____ **State:** _____ **Zip Code:** _____

Pennsylvania Statute 4105(e-3) provides for the recovery of a bad check service fee provided that notice of this service fee is conspicuously displayed on your premises. *Please refer to the back of this report for an explanation of service fee.

Is a notice of your service fee conspicuously displayed on your premises? Yes or No

If yes, what is the service fee on your notice? Fill in amount here \$ _____

Step 3
 Check Writer Information

Check Writer's Name: _____

Address: _____ **Apt:** _____

City: _____ **State:** _____ **Zip Code:** _____

Home Phone: (_____) _____ **Other Phone:** (_____) _____

Driver's License # / Other ID #: _____

State: _____ **Date of Birth:** _____/_____/_____

Other ID: (if applicable) _____

A "Courtesy Notice" must be sent to recover the bad check(s) in question via U.S. Certified Mail including return receipt. If no attempt has been made, the check is not eligible for prosecution. (See sample notice on back.)

Step 4
 Check Information

<u>Ck. No.</u>	<u>Date Passed</u>	<u>\$ Amount</u>	<u>Name of person accepting check</u> <small>(if no longer employed please list manager)</small>	<u>Can person ID check writer?</u>
_____	_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

Address where check was accepted (if different than above in Step 2): _____ **(Required)**

City: _____ **State:** _____ **Zip Code:** _____

Step 5
 Victim Verification

- I will not accept direct payment from the check writer after filing this report with the Program. Please refer check writer to (866) 434-1440.
- I understand that the check writer has the option to dispute this claim in writing with the Bad Check Program.
- If this crime report is not completely filled out it may prevent or delay this case from moving forward for prosecution review.
- I attest that I have sent courtesy notice to the check writer via U.S. Certified Mail including return receipt and after 10 days it remains unpaid.
- I have reviewed the filing instructions, I hereby affirm and attest under penalty of perjury, that all information provided on this crime report is true to the best of my knowledge.

X _____

Signature of Person Filing (Required) **Print Name of Person Filing** **Date Filed**

Staple original or bank-generated substitute check here

Sample "Courtesy Notice"

Date

Dear Check Writer:

You are hereby notified that a check numbered _____ in the face amount of \$ _____, issued by you on _____ drawn upon _____ bank, and payable to _____, has been dishonored. You have 10 days from receipt of this notice to tender payment of the full amount of such check plus a service fee of \$ _____, the total amount due being \$ _____.

Unless this amount is paid in full within the time specified above, we may turn over the dishonored check and all other available information relative to this incident to the York County District Attorney's Office for potential criminal prosecution.

Closing,
Your name/address

Service Fee

Per Pennsylvania Consolidated Statute 4105(e-3), the maximum fee that may be charged for a return check is \$50.00. If you charge a fee, (to recover postage and other handling costs) that fee and the return check fee your bank charges constitutes your service fee and may not exceed \$50.00. You must have a written notice of the service fee conspicuously displayed on the premises when check was issued (i.e. by your cash register/checkout).

***The only exception is if the fee your bank charged exceeds \$50.00, then you may recover the actual fee charged, but only that fee.**

Bad Check Program Information

As a victim of a bad check you may file this report with the York County District Attorney, provided there is sufficient information, and that the check meets all eligibility guidelines. The York County District Attorney's Office will seek full restitution for victims whenever possible; however, please keep in mind that the Bad Check Restitution Program can make no recovery guarantees. By submitting the check to the program you surrender control of the check to criminal process and forego the opportunity to pursue civil debt collections.

Check writers are encouraged to make payments in full. Should a partial payment be received, the payment will be allocated between the victim and the Bad Check Program. "Restitution" refers to the face value of all checks listed on this report along with all "stated" bank charges assessed by your bank.

A check will be deemed ineligible and returned to you to pursue a civil remedy, if a filed check is later determined to be:

- A stop payment check where the issuer acted in good faith and with reasonable cause in stopping payment,
- A check issued by someone not competent or of legal age,
- A check dishonored due to bank error or failure to notify the check writer of bank adjustment of a check,
- A check issued to pay an obligation arising from an illegal transaction.

What to do after my crime report is filed with the Program

- Please **do not** accept direct payments from check writers. Should the check writer contact you to make payment, refer them to the Check Writer Hotline at (866) 434-1440.
- You may contact Victim Services for case updates at (866) 909-8431 anytime.
- Please allow a minimum of 90 days to pursue restitution.
- If the check writer does not comply with the Program, the case may be reviewed for possible criminal prosecution.
- If we are unable to recover restitution and/or the check is not "eligible" for prosecution, you may request the check(s) be returned to pursue a civil remedy.

Filing Instructions

1. Fill out Crime Report completely or go to www.checkprogram.com/merchants for electronic filing (requires scanner).
2. Attach copies of original or legal copies of all checks (including front and back of checks) and all supporting documents such as CERTIFIED MAIL RETURN RECEIPT OR UNDELIVERED LETTER, COPY OF "COURTESY NOTICE," "RETURN ITEM" NOTICE FROM THE BANK (WITH FEES).
3. Mail Bad Check Crime Report and all other correspondence to:
Victim Services, Inc. Mail Processing York County Bad Check Restitution Program
P.O. Box 1417, Lancaster, PA 17608-1417
4. Once a report has been filed: ALL restitution payments must be coordinated by the District Attorney's Office. Should the check writer contact you to make payment, direct them to the Bad Check Restitution Program at (866) 434-1440.
DO NOT ACCEPT PAYMENT DIRECTLY FROM CHECKWRITER.