

Brooklyn Police Department Policy and Procedure Manual

Worthless Checks

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- I Purpose:** It is the intent and purpose of the Brooklyn Police Department to provide policy and procedure guidelines to its staff regarding processing of worthless check complaints.
- II Policy:** It is the policy of this agency to provide its staff with guidelines on how to process worthless check complaints for consistent processing.
- III Scope:** This directive applies to all Brooklyn Police Department staff.
- IV Procedure:**
- A. The Brooklyn Police Department works as a partner with businesses and victims in the Village of Brooklyn to enforce the issuance of a worthless check through its Village Ordinance. In order to establish this relationship, the Brooklyn Police Department has developed a process that must be followed by the business or victim. Below is listed the material that has been developed by the Brooklyn Police Department for use by a business or victim to help resolve the issuance of a worthless check.
1. Appendix A: Letter written by the Police Chief that accompanies Appendix B-D for the business or victim that establishes the process they must follow before the Brooklyn Police Department will intervene. (Form BPD-031)
 2. Appendix B: Step-by-Step Protocols to be followed by the business or victim of a worthless check. (Form BPD-032)
 3. Appendix C: Example of a letter to be completed and forwarded to the issuer of the worthless check by the business or victim with a copy being retained by the business or victim. A copy must also be supplied to the Brooklyn Police Department. This information may be placed on their own letter head if they so desire. (Form BPD-033)
 4. Appendix D: Complaint form that must be completed and filed with the Brooklyn Police Department by the business or victim who has been issued a worthless check. (Form BPD-034)

**BY ORDER OF THE CHIEF OF POLICE
JAMES F. BARGER**

BROOKLYN POLICE DEPARTMENT

APPENDIX – A

Worthless Checks

The Village of Brooklyn through correct procedures by the Brooklyn Police Department and its merchants/victim pursues enforcement actions enforcing the Village of Brooklyn's ordinance against worthless check violators.

Although the Brooklyn Police Department is not a collection agency for our local merchants/victims, we do consider restitution an important part of the Worthless Check Procedure. The Brooklyn Police Department is not required to, nor will we accept every check returned to a merchant/victim. The Brooklyn Police Department will only accept checks that fall within the scope of the Village of Brooklyn's Ordinance and those that are reported completely and accurately by the merchant/victim, following the Brooklyn Police Departments Procedures. If the Police Department declines, returns the check(s) or dismisses the worthless check complaint, the merchant/victim may seek alternative actions against the check issuer.

The Brooklyn Police Department will accept worthless checks for prosecution and will make every attempt to resolve or prosecute the issuer. Therefore before the Brooklyn Police Department will investigate and prosecute offenders of the Village of Brooklyn worthless check Ordinance, the merchant/victim must follow the established Brooklyn Police Department Protocols.

The purpose of this information is to educate the merchants/victims on the procedures/protocols involved in prosecuting a worthless check violation. It will also assist and ensure that the Brooklyn Police Department will do everything possible to completely investigate and prosecute violators.

The first defense against violators of this ordinance, like all others laws come from informed and knowledgeable merchants and citizens.

By following the enclosed procedures, you will greatly assist the Brooklyn Police Department in its effort to fully investigate and prosecute worthless check offenders under Village of Brooklyn Ordinance. If you have any questions, please feel free to contact the Brooklyn Police Department at 608-455-2131.

Respectfully,

James F. "Harry" Barger
Chief of Police
Brooklyn Police Department

APPENDIX – B

BROOKLYN POLICE DEPARTMENT

Issuance of Worthless Checks Case Protocols

- Merchant/Victim receives Check(s)
- Merchant/Victim submits Check(s) for payment to the Financial Institution
- Merchant/Victim receives correspondence from Financial Institution, i.e. NSF, Account closed
- Merchant/Victim sends courtesy letter in an attempt to correct the check
- Merchant/Victim receives to reply to courtesy letter and sends certified letter on Business Letterhead allowing 20 days to correct Check
- Merchant/Victim has Certified letter is returned, contact financial institution to obtain updated information
- Merchant/Victim forwards matter to Brooklyn Police Department (**See Attached Required Worksheet**)
- Merchant/Victim completes attached worksheet and submits to the Brooklyn Police Department
- Disposition:
Issuer paid in full
Arrangements made by Merchant/Victim and Issuer

APPENDIX – C

WORTHLESS CHECK

DATE: _____

ADDRESS: _____

DEAR: _____

On _____ a check issued by you was returned to us/me marked _____. Your check number; _____ was drawn on an account at the _____ in the amount of \$_____.

You did not reply to our courtesy letter and are hereby given notice that by issuing this check you have violated Village of Brooklyn Municipal Ordinance number 23.10.

You will receive no further notices from this business in reference to this matter. If payment is not made along with the \$_____ return check fee, action will be commenced through the Village of Brooklyn Police Department and Village of Brooklyn Municipal Court to resolve this matter.

Your worthless check will be turned over to the Brooklyn Police Department and held there until this matter is resolved either by payment or by legal action if necessary. Payment must be made by cash certified check or money order. Payment of the check and return fee in the amount of \$_____ can be mailed or paid in person at:

(Business Name): _____

(Address): _____

Upon payment your check will be returned to you. If no action is taken by you within the following twenty (20) days, action through the Brooklyn Police Department and Brooklyn Municipal Court will be commenced against you.

Sincerely:

APPENDIX – D

BROOKLYN POLICE DEPARTMENT
ISSUANCE OF WORTHLESS CHECK
COMPLAINT FORM

Business/Victim Information:

Name of Business/Victim: _____ Phone Number: _____

Address: _____

Business Owner's Name: _____ Phone Number: _____

Name of Person Accepting Check: _____ Phone Number: _____

Issuers Information:

Name: _____ MI _____ DOB _____

Current Address: _____

_____ State: _____ Zip: _____

Current Phone number: (H) _____ (C) _____

DL # _____ State: _____

How Was Issuer Identified? _____

(DL, SS Card, Photo ID etc)

Financial Institution Information:

Name Of Institution: _____ Phone Number _____

(Listed on Check)

Account Number: _____

(Listed on Check)

Date Check Issued: _____

Name Of Account Holder: _____

Address of Account Holder: _____

Check Number(s): _____, _____, _____, _____, _____

Amount of Check(s): _____, _____, _____, _____, _____

Total Amount: _____

Account Status: _____
(NSF, Closed, No Account)

Dates Check(s) Presented to Bank: ____/____/____/____/____

Vehicle Information: (if obtained)

Make: _____ Model: _____ Color: _____ 2dr/4dr _____

Plate Number: _____ State: _____

Contact/Correspondence with Issuer:

- 1) Verbal Contact: Yes _____ No _____
- 2) Business Letter Sent: Yes _____ No _____, **If yes attach copy**
- 3) Certified Letter: Yes _____ No _____, **If yes attach copy (mailing)**
- 4) Phone Contact: Yes _____ No _____, **if yes, Number** _____

Did Person Ask You to Hold The Check For Some Time? Yes _____ No _____

Was Check Post Dated? Yes _____ No _____

What Was Purchased With Check? _____ Cash Given? _____

Business Name: _____

Person Completing This Form: _____

Additional Information:
