


STRATFORD POLICE DEPARTMENT 	Type of Directive: Policy and Procedure	Updated: 10-14-2019
	Title: Fraudulent Checks	No. 8.14
	Issuing Authority: Chief Joseph McNeil	Issued: 10-14-2019
	Reference:	

PURPOSE:

In the course of doing business individuals or businesses occasionally accept checks drawn on bank accounts, which have been closed, insufficient funds, or are part of a larger criminal act.

POLICY:

The Stratford Police Detective Bureau will make every effort to apprehend and prosecute individuals attempting to violate the law under Connecticut General Statutes.

DEFINITIONS:

Insufficient Funds: Check(s) that have been written on an account that does not have enough money to cover such check(s). Individuals writing this type of check may or may not have criminal intent. Pattern of issuing this type of check and the period of time over which these checks were issued would determine criminal intent.

Account Closed: Checks written on an account, which has been closed prior to the check clearing the bank. Individuals writing this type of check may or may not have criminal intent.

Pattern of issuing this type of check and the period of time over which these checks were issued would determine criminal intent.

Stolen, Lost: Individuals writing checks that have been reported stolen or lost are guilty of violating Connecticut General Statutes.

Criminal Impersonation:

Forgery, Alteration: Individuals using fraudulent identification, forging signatures, or altering the check in any way are guilty of violating Connecticut General Statutes.

Stop Payment: Checks that have been marked "Stop Payment" are considered a civil matter and will not be prosecuted by the courts.

PROCEDURES:

Insufficient Funds or Account Closed

Check to make sure the transaction took place in Stratford. The Check must be for over \$75.00, or show a pattern of an individual issuing multiple checks, marked with proper identification (Motor Vehicle Operators License number, etc.)

Checks must have the name and address of the issuer printed on the top of the check.

Send a certified return receipt letter to the maker of the check. The Letter must request that restitution be made within 8 days of the date the letter was mailed and must state that if restitution is not made within that time period an arrest warrant will be applied for under Connecticut General Statute 53a-128. Wait for the end of the 8-day period. The individual should be cautioned that any expectance of partial payment will cause the check to now become a promissory note and cannot be collected upon by the police.

If the letter is returned to the sender unclaimed, the individual must still wait the 8 days. If restitution is not made the individual should bring the following items to the Police Department.

- Original Check
- Copy of the letter sent
- Signed Receipt or the entire letter, marked "Unclaimed" if delivery was not made

The individual must file a formal complaint with the Police Department and request that an arrest warrant application be drawn up and sent to court.

Stolen, Lost, Criminal Impersonation, Forgery, Alteration

Make sure the check transaction took place in Stratford. Bring all documentation of the transaction and any other supporting evidence to the police department. File a formal complaint with the Police Department.

Police Procedures

Insufficient Funds or Account Closed

Detective assigned to case involving Insufficient Funds or Account Closed will first verify that the civilian procedures pertaining to these types of checks have been properly completed. If any of the above steps have not been properly completed the assigned detective will assist the individual in correcting the problem.

Assign a case number and make out an incident report. Make an attempt to contact the maker of the check to obtain mitigating information on the incident.

While the Stratford Police department is not a collection agency, if the individual wants to make restitution at this time an attempt will be made to settle the matter. Prosecution will be at the discretion of the detective and will be based on the past check passing history of the individual.

Once the warrant application is made out restitution will not stop the warrant application from going to court.

Detectives will not accept money nor be a conduit for the exchange of monies.

Detective assigned to case involving Stolen, Lost, Criminal Impersonation, Forgery, Alteration will first make sure the check transaction occurred in Stratford.

Assign a case number and make out an incident report.

Complete a regular arrest warrant application. All checks given to the same individual may be listed on the application.