

CHECK POLICY FOR IOSCO COUNTY

This policy establishes guidelines to be used by all law enforcement agencies in Iosco County when a business or a citizen requests an investigation of a check law violation.

IDENTIFICATION

1. Identification of the check writer is crucial to prosecution of check complaints. Proper identification (i.e. photo ID, driver's license) **MUST** be obtained from the check writer at the time the check is accepted. Checks presented to the police should include the following information.
 - a) Check writer's operator's license number or photo identification number.
 - b) Check writer's date of birth.
 - c) Person accepting the check should write the above a), b), and their name or initials on the check being accepted.

FIVE DAY NOTICE

1. Complainant is responsible for sending the required five (5) day notice. You may obtain a copy of a five-day notice from any local law enforcement agency. Also, attached is a copy of the five-day notice.
 - a) Delivery of this document **MUST** be **Restricted Return Receipt** to the writer of the check.

FORMS

The attached form (Worthless and Forged Document Information Sheet) **MUST** be filled out in its entirety for each bad check. Before turning the originals over to your local law enforcement agency, please retain a copy of this form, the five-day notice, and a copy of the check (front & back) for your records.

CIVIL TRANSACTIONS

The following types of checks **SHALL NOT** be accepted for prosecution:

- a) Postdated checks.

DURATION OF CASE

Once a check is turned over to the police, the case will proceed through the criminal justice system. Law enforcement is **NOT** a collection agency for individuals or businesses. When business/individuals are served a subpoena to testify they are expected to appear. Failure to appear pursuant to a subpoena will result in a show cause why the business/individual should not be held in contempt of court. That business/individual will risk the possibility that bad checks will no longer be prosecuted.