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Bad Check unit sets brisk pace

LIBERTY, Mo. - If his Bad Check Division keeps up its torrid pace the unit will threaten a three-year-old record in collections says Clay County Prosecutor Daniel White.

During the first six months of 2006, the division collected nearly \$560,000 in bad checks and fees. If it keeps up the current pace, the unit's collections will threaten the old record of \$1.15 million set in calendar year 2003.

"We've seen bad check collections and fees average nearly \$100,000 a month this year," said White. In the calendar year ending December 31, 1998, bad check restitution and fees for the entire year totaled just \$358,644.

White attributed the growth in the collections to a series of steps his office has taken in recent months.

"Last year we alerted all the merchants and businesses in Clay County to this service. We shipped 7,000 check packets to merchants in Clay County. Several new businesses started using us. Plus, it's free and in these times of increasing transportation and energy costs, anything free is attractive to merchants," added the prosecutor.

The packets include new counter cards alerting bad check writers of the information the merchant needs before accepting a check, plus forms the merchant can use should he or she receive a bad check from a customer or client. Packets are still available from the prosecutor's office said White.

Additionally, White's staff has been working closely with area businesses helping to improve communications and let merchants and managers know what the prosecutor needs to successfully collect a bad check.

A victim must be able to accurately identify the bad check writer, stressed White. Once the check has been dishonored and returned by the writer's bank, the victim presents the check to the prosecutor's Bad Check Division which will generate 10-day notice letter, and collect the check and victim fee.

"Collecting the victim fee reduces bad check costs," stressed White. "Every time a check bounces, the victim is dunned for a returned check fee. By the time we get it for collection, the merchant might well be out thirty or forty dollars. It's only fair we collect the face value of the check plus a fee to cover the victim's expenses," said White.

"Our process is flexible and equitable to the victim while giving check writers who simply made a math error ample opportunity to correct the mistake," added White.

Many check writers don't realize passing a bad check is a property crime with a range of punishment from one day in the county jail to four years in prison, and fines up to \$5,000.

"Some hot check writers think a victim needs to pursue a time-consuming and frustrating civil remedy," said the prosecutor.

Checks written on closed accounts are automatically felonies no matter what the face value of the check is, added White.

Certain requirements need to be met to obtain a conviction.

"Proper identification of the person passing the bad check is absolutely essential if charges are to be pursued. But most people who take checks require a driver's license as proof of identification, and information from a driver's license is generally sufficient to pursue a criminal charge," White said.

Details on just what is needed to pursue bad check writers are available from Kristi Fouts, supervisor of the Check Division of the Office of the Clay County Prosecuting Attorney, 11 South Water Street, Liberty, Missouri 64068, (816) 792-7662. Email requests may be sent to info@claycopa.com.

Additionally, the check division has free display cards a merchant or store manager can exhibit at checkout counters. The card details what is required before a bad check can be pursued, and is a useful warning to potential bad check writers, said White.

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For more information, contact Jim Roberts or Daniel White at (816) 792-7657