

## THE PROCESS

After the merchant has exhausted their own collection efforts, the check (s) are referred to the BCU. They in turn attempt collections through a series of letters and phone calls. If the check writer responds and either pays in full or sets up a payment plan, they are placed in a diversion program and avoid prosecution. The final step in the diversion program is attendance in a four hour Financial Management class.



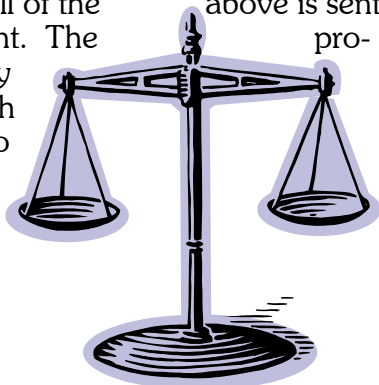
If the check writer refuses collection/diversion attempts, an investigation is initiated for possible criminal prosecution. If convicted, the check writer faces probation, additional court costs and restitution for all bad checks.

## RESTITUTION

The DA/BCU collects:

- ✓ Face Value of the check (s) and
- ✓ Out of pocket bank fees

If collected, all of the above is sent to the merchant. The program is entirely funded through fees charged to and collected from the check writer. No cost to the citizens of Butte County.



## ELIGIBILITY

Anyone receiving a bad check in Butte County is eligible to participate in the program if the following conditions are met:

- ✓ The check must have been accepted in Butte County
- ✓ The victim (acceptor) must submit the check to the bank before referring it to the program
- ✓ The victim will not accept any payment on checks referred to the DA/BCU

### INELIGIBLE CHECKS

- ✓ Post or Pre dated checks
- ✓ Checks held for an agreed time period
- ✓ Checks already sent to a collection agency

### WE WORK WITH LOCAL POLICE ON THE FOLLOWING

- ✓ Forged Checks
- ✓ Stolen Checks
- ✓ Counterfeit Checks

## HOW TO APPLY

The victim must complete a Preliminary Bad Check Report for each check. This form takes less than a minute to complete and is easily obtained by mail, email, fax or in person.

## FOR MORE INFORMATION:

*CALL:*  
(530) 538-7089

*WRITE:*

Butte County District Attorney  
Bad Check Unit  
3-B County Center Drive  
Oroville, CA 95965

DA's Bad Check Program vs. Collection Agencies	
65-70% collection rate	18% collection rate
No cost to victim	33-50% commission
Access to criminal records	No access to criminal records
Upon conviction, defendant must pay through the Bad Check Unit	Does not apply
Defendants who fail to appear for court will have statewide warrants issued for their arrest	Does not apply
Warrants stay in effect indefinitely	Does not apply
Bad Check writers pay for program via an administrative fee	Victims pays for collection via commission
Bankruptcy is not a criminal defense	Bankruptcy may stop any collection or lawsuit effort.
Bad check warrants assist law enforcement agencies' investigations of drug cases and other serious offenses.	Does not apply



## HOW TO CHECK ID

Following these steps can provide a high level of confidence in accepting personal and payroll checks. Always insist on identification. Either California drivers license, California ID card or Military ID.

1. **Compare signatures.** This is more of an art than science but once you do it a few times, recognizing inconsistent handwriting becomes reasonably accurate. Ask your customer to provide their CDL. Hold the check above or below the license. If not similar, ask for another form of picture/signature ID.
2. **Compare the picture.** While the license is out, look at the picture and at the customer. You would be surprised how often this simple task is not done.
3. **Review the check!** Make sure the information on the check matches the information on the identification. The check must have a current address, phone number, Driver's License Number and the acceptor's initials.



MICHAEL L. RAMSEY  
District Attorney

The true costs of crime are often hidden. Nowhere is this more apparent than with the problem of bad checks. Bad Checks cost everyone money. Businesses in Butte County lose hundreds of thousands of dollars each year as a result of these bad checks. When businesses are forced to raise prices to cover such losses, we, the consumers, bear the cost of this criminal activity.

In an effort to stop the bad check writer, return money to the victim and, whenever possible, rehabilitate the offender, my office has developed the Bad Check Restitution/Prosecution Unit.

This Unit, staffed by attorneys, investigators and clerical support, vigorously pursues restitution owed to victims of bad checks and offers the bad check writer an alternative to prosecution. Those who do not, or will not, respond to incentives provided by the program and who have violated the bad check laws will be prosecuted.



## Butte County District Attorney Bad Check Unit

*"To do justice as no one is above the law, nor beneath it's protection"*

530-538-7089