

Bad Check Victim Information

As a victim of a Bad Check, you may submit this report to the Whitley County Prosecuting Attorney, provided there is sufficient information and that the check meets all eligibility guidelines. The Whitley County Prosecuting Attorney's Office will seek full restitution for victims whenever possible; however, please keep in mind that the Whitley County Prosecutor's Office can make no recovery guarantees. By submitting the check to the Whitley County prosecuting Attorney, you surrender control of the check to criminal process and forego the opportunity to pursue civil debt collections at that time.

Check writers are encouraged to make payments in full. Should a partial payment be received, the payment will be allocated to the victim. "Restitution" refers to the face value of all the checks listed on this report.

A check will be determined NOT eligible and returned to you to pursue a civil remedy, if a filed check is later determined to be:

- A stop payment check, where the issuer acted in good faith and with reasonable cause in stopping payment.
- A check issued by someone not competent or of legal age.
- A check dishonored due to bank error or failure to notify the checkwriter of bank adjustment of a check.
- A check issued to pay an obligation arising from an illegal transaction.

Instructions for Submitting Crime Report

1. Complete the "Bad Check Crime Report" and return to the Whitley County Prosecutor's Office by US mail or by bringing it to the office.
2. Attach copies of all checks and all supporting documents including the Certified Mail Return Receipt or Undelivered Letter, and Copy of the Statutory Notice, etc.
3. **Do not accept payment from the check writer after submitting the Crime Report. Please refer the check writer to our office at 260-244-3000.**

What to Do After Submitting the Crime Report

- You may contact the Whitley County Prosecutor's Office for updates. Please allow 90 days to pursue restitution.
- If the check writer does not comply, the case will be reviewed for prosecution.
- If we are unable to recover restitution and/or the check is not eligible for prosecution, you will be notified so you may pursue civil remedy if you choose to do so.
- **Do not accept payment from the check writer after submitting the Crime Report. Please refer the check writer to our office at 260-244-3000.**

Bad Check Crime Report

Step 1 – Confirm Eligibility

The following types of checks are NOT eligible for the program:

*Two-party checks

*Partially Repaid Checks

*Fraudulent Checks or Checks Stamped
Lost/Stolen/Forged/Stop Payment

*Payroll or Credit Card Checks

*Post/Predated or Altered Checks

*Checks You Agreed to Hold Before Depositing

* Checks Passed Outside of Whitley Co.

*Checks Which are Repayment of Loan or Civil Contract Agreement

*A "Statutory Notice" must be sent to recover the bad check(s) in question to the check writer via US Certified Mail including a return receipt. If no attempt has been made, the check is not eligible for prosecution. (A sample "Statutory Notice" is on page 3 of this form).

Step 2 – Victim Information

Victim/Merchant Name: _____

Contact Name: _____ Title: _____

Contact Information (Required): Email: _____ Phone #: _____

Address: _____ City: _____ State: _____ Zip: _____

Step 3 – Check Writer Information

Check Writer's Name _____

Address: _____ City: _____ State: _____ Zip: _____

Phone #: _____ SSN _____ DOB (Required): _____ DLN (Required): _____

Step 4 – Check Information

Check #	Date Passed	Amount \$	Name of Person Accepting Check
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Can this Person Identify the Check Writer? Yes No

Did this Person Compare a Photo ID with the Check Writer? Yes No

Address Where Check was Accepted (if different than in Step2): _____ City: _____

State: _____ Zip: _____

Bad Check Crime Report

Step 5 – Victim Verification

- I will not accept direct payment from the check writer after submitting this report with the Whitley County Prosecutor's Office. Please refer check writer to 260-244-3000.
- I understand the check writer has the option to dispute this claim in writing with the Bad Check Recovery Program.
- If this Crime Report Form is not filled out completely it may prevent or delay this case from moving forward for prosecution and review.
- I attest that I have sent a Statutory Notice to the check writer via certified mail including return receipt and after 10 days it remains unpaid.
- I have reviewed the submission instructions. I hereby affirm and attest under penalty of perjury, that all information provided on this crime report is true to the best of my knowledge.

Signature (Required): _____

Date: _____

Printed Name: _____