

GORHAM POLICE DEPARTMENT

BAD CHECK GUIDELINES

It is the policy of the Gorham Police Department to investigate all bad check complaints. NH [RSA 638:4](#), Issuing Bad Checks, requires that certain steps be accomplished before this offense can be prosecuted as a criminal offense. The following guidelines will help the Department investigate and prosecute the offense:

- Send a certified letter to the issuer at the address shown on the check. See sample letter.
- Send the certified letter with a “Return Receipt” requested.
- Do not agree to accept partial payment or time payments.
- The person that accepted the check must be able to positively identify the person that issued the check. A photo ID should be presented before accepting checks; at a minimum, you should record the name, address, phone number and ID number.
- The original check, bank documentation, certified letter with return receipt must be provided at the time of the complaint.
- Checks returned from the bank stamped "**STOP PAYMENT**" will not be investigated.

These cases will be determined a civil matter and you will be referred to the court.

Sample Letter for Bad Checks

RE: Check #_____

Dear _____:

On _____, you issued the above referenced check, in the amount of \$_____, drawn on the _____ Bank. That check was returned to me by said bank on _____, marked: "Insufficient Funds or Account Closed"

This letter is to inform you that in accordance with New Hampshire Law **RSA 638:4**, you have fourteen (14) days from the receipt of this letter to pay the amount of the check, plus all costs and protest fees. If you fail to do so, this information will be turned over to law enforcement officials, who will initiate prosecution for this offense.

Please clear this matter up within the fourteen (14) day period. Thank you for your prompt attention to this matter