

**SUBJECT:** Bad Checks Received in the Town of Bourne

If a check has been returned from the bank marked “NO ACCOUNT, ACCOUNT CLOSED, FOREGED, ALTERED, or COUNTERFEITED” the incident is to be reported to the police department and investigated as a criminal offense.

If a check has been returned marked “INSUFFICIENT FUNDS”, the recipient(s) of the check must handle the matter themselves, by following the procedure below:

1. Notify the maker of the check by registered letter that the check has been returned, demanding payment. Failure of the recipient to make the check good within the statutory period of two days (after notice) renders him/her liable to criminal prosecution. An enclosed form letter can be used to make the notification. Make sure you keep a copy after it is filled out.
2. Read the attached Bad Check Crime Report. If eligible, after answering the first five questions, fill out the form and mail it to the District Attorneys Bad Check Restitution program, along with the originals of all checks, bank notices, and notification documents. Be sure to photocopy them for your records before mailing them. The maximum amount for one or more checks cannot exceed \$2500, and the complaint must be submitted within 90 days of the date of the check, or
3. Go to the Falmouth District Court (161 Jones Rd, Falmouth) and sign a criminal complaint for larceny by check (Chapter 266 Section 37) in the Clerk’s Office. They will require that you appear at a hearing at a later date with the originals of the refused check and the receipt for the certified mail.
4. If determined to be civil, file a small claims case at the Falmouth District Court.

You may initially use either step #2 or #3, unless you do not qualify for step #2. All steps require step #1 be completed first.

For more information visit <http://www.bournepolice.com> or contact the department at 508-759-4420.