



# Westerly Police Department

5 Union St., Westerly, Rhode Island 02891 · (401) 596-2022 · Fax (401) 596-7501

## CHECK COMPLAINT PROCESS

1. Complaints filed with the Westerly Police Department will be for PROSECUTION and NOT FOR COLLECTION.
2. Checks received in another jurisdiction, post dated checks and second party checks WILL NOT BE ACCEPTED.
3. The person cashing the check must produce proper identification such as a valid operator's license. The police cannot successfully prosecute without positive identification. DATE OF BIRTH IS REQUIRED.
4. It is required that prior to filing a complaint, the check writer has to be contacted and informed of the check by CERTIFIED [RETURN RECEIPT REQ.] LETTER, at the writers last known address. The writer is to be informed that he/she has seven (7) days to make restitution. At the end of this period a report will be taken by this department. If the letter is not deliverable at the writers last known address the complainant must sign an affidavit (notarized) stating that the person does not reside at that address. If this is not done the Court will dismiss the case.
5. The person receiving the check must be willing to testify in Court in the event that the defendant wants a trial. If the person receiving the check fails to appear in Court after being notified, the case will be dismissed and the check returned to the complainant.
6. If a check is returned "stolen", "forged", etc. a complaint may be filed immediately.
7. All complaints will be filed in person and will be accompanied by a return completed Complaining Witness Statement. All original checks, return receipts, and a copy of the certified letter must accompany the statement.
8. All complaints must be filed WITHIN 45 days of the offense. It is important that once a check is returned from the bank for stated reasons, the above steps to be taken immediately.