



Benson

Police Department

BAD CHECK DIVERSION PROGRAM

A RESTITUTION GUIDE FOR
MERCHANTS AND RESIDENTS



Dear Benson Merchants and Residents:

As consumers and taxpayers, we all pay higher prices due to losses associated with people issuing worthless checks. Law enforcement spends significant resources investigating and prosecuting people who issue worthless checks. The number of worthless check cases increases every year.

In response to concerns regarding worthless checks, the Benson Police Department has implemented a worthless check diversion program.

The main goals of the program are:

- Restitution for victims
- Increase the accountability for people who issue worthless checks
- Educate and assist Benson merchants and residents in reducing the number of worthless check cases
- Reduce the investigation and prosecution costs associated with worthless check cases

This program is at no cost to the taxpayer or merchants. It is funded solely by fees from the people who issue the worthless checks.

If you have further questions after reviewing this packet, please contact the Check Diversion Program at 1-800-880-5420.

Sincerely,

Chief of Police

PROGRAM SUMMARY

- A. Check writer pays the Check Diversion Program - 100% of the face value of the check is returned to the merchant plus bank fees, if paid.
- B. Offender completes a financial counseling program offered by the Check Diversion Program.
- C. Check writer fails to pay – the check is sent for prosecution review and proceedings.

CHECKS ELIGIBLE FOR THE PROGRAM

- NSF, Account Closed, Refer to Maker, Stop Payment, Business to Business, Rent and Electronic Checks received within city limits that do not exceed \$1500.00.
If your check exceeds \$1500.00, please bring it directly to Benson Police Department.
- Worthless checks submitted LESS THAN 120 DAYS from the date issued by the check writer. (Exception: first time program users can send checks up to 2 years old)

CHECKS NOT ELIGIBLE FOR THE PROGRAM

- **Promissory notes and/or arrangement to hold the check for deposit or credit extensions**
- **Second party checks**
- **Checks that are currently in collections by a collection agency or attorney (law firm)**
(checks can be forwarded to check diversion program after agency has sent them back)

STEPS TO FILING A COMPLAINT FORM

The two documents below must be completed before any checks can be processed in the program.

1. The “**Memorandum of Understanding.**” Send this with your first checks.
***You need to send this in one time only.
2. A completed “**Preliminary Worthless Check Report**” form must accompany each batch of check(s) submitted.

You must submit the original check(s) stamped by the bank with the reason it was returned to you.

Mail checks to: Benson Check Diversion Program
P.O. Box 29
Red Wing, MN 55066

WORTHLESS CHECK PROGRAM REPORTING

For information on checks sent in call 1-800-880-5420

Restitution recovered will be handled as follows:

- Paid in full restitution will be deposited into a trust account and paid back monthly.
- Payment plans will be deposited into a trust account and paid back after final payment is received.

WHEN TO CONTACT THE BENSON POLICE DEPARTMENT

Call the Police to report:

- Counterfeit check(s)
- Altered checks
- Forged checks of any amount
- Checking account opened using fraudulent information
- Stolen checks

When you are a victim of the above crimes, call the Benson Police Department at 320-843-4790 to file a police report. A police officer will take an initial report. **You must report these crimes immediately upon knowing.**

SIGNAGE

The following signage is required by Minnesota law to allow merchants to enforce collection of service charges and civil penalties. This must be posted where your customers can see the service charge at the time the check is accepted by the merchant. Copy as needed.

**IT'S AGAINST THE LAW TO WRITE A BAD
CHECK IN MINNESOTA**

**Checks returned to us for nonpayment
are subject to a service charge of**

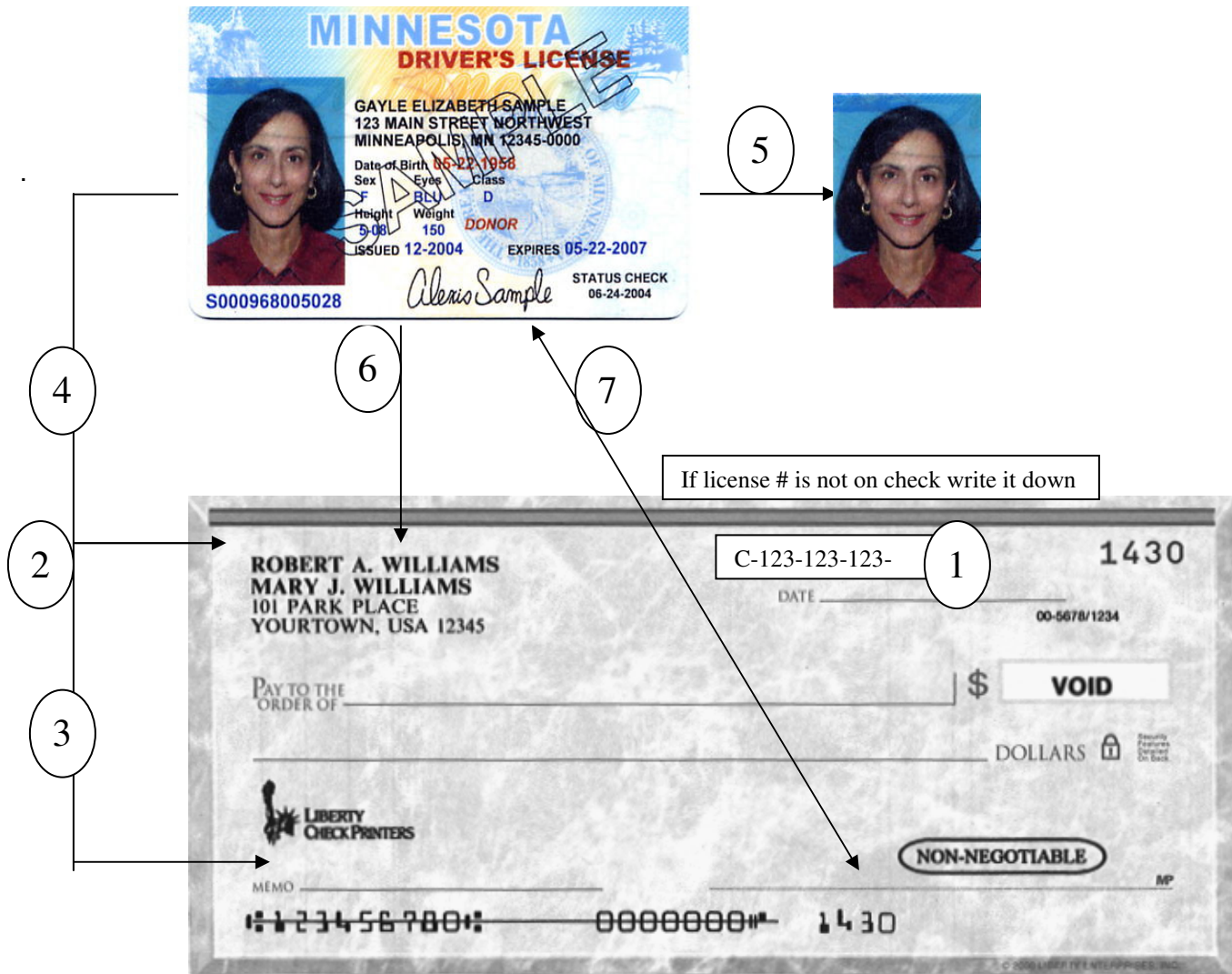
\$30

Additional civil penalty may be imposed
on checks returned for nonpayment after 30 days.

MN Statute 604.113

Minnesota Retail Merchants Association

CHECK ACCEPTANCE PROCEDURES



1. Record the identification number (DL # D-123-123-123-123)
2. Have employee initial upper left corner
3. Record home, work, or cell number
4. Record date of birth (i.e. DOB 1/29/72)
5. Make sure photo on identification card matches customer
6. Make sure the identification card matches name and address on the check
If time permits, write down good address as indicated by customer
7. Check the signatures on the identification card and match this signature to the signature on the check (endorsement line). If these signatures do not match, acceptance should be declined.

PRELIMINARY WORTHLESS CHECK REPORT AND REQUEST FOR COMPLAINT

Mail to: Benson Check Diversion Program
P.O. Box 29
Red Wing, MN 55066

VICTIM OR FIRM NAME	ADDRESS	BANK FEE PER CHECK
PERSON FILING COMPLAINT	CITY, STATE, ZIP CODE	BUSINESS PHONE ()
SUSPECT COMPARED WITH ID? YES NO	EMAIL ADDRESS	BUSINESS FAX ()
<p>CAN EMPLOYEE/INDIVIDUAL WHO ACCEPTED THE CHECK IDENTIFY THE CHECK WRITER BY PHOTO LINE UP OR IN PERSON? (Please check yes or no)</p> <p style="text-align: center;">YES (ATTACH THE SINGLE CHECK WITH THIS FORM) NO (ATTACH AS MANY CHECKS AS YOU WOULD LIKE)</p>		
NAME OF EMPLOYEE/CHECK ACCEPTOR PHONE NUMBER ADDRESS DOB	NAME OF ADDITIONAL WITNESS PHONE NUMBER ADDRESS DOB	
DO YOU HAVE VIDEO RECORDING CUSTOMER? YES (if it is still available, please make still images and attach to form) NO		
PHONE CALL DATES:		
COMMENTS:		

The check(s) in question is (are) submitted for criminal prosecution. By submitting this check(s) for prosecution, I agree NOT to accept restitution from the suspect or his/her agent. I certify that this report is true, accurate and complete to the best of my knowledge.

Date Victim Signature and Title Company