

# Check Enforcement Program

## Commonwealth's Attorney Creates Program to Fight Bad Checks

From now on, bad check writers are going to have a tougher time in Chesterfield, Hanover, Henrico Counties and the City of Richmond. Metro Richmond Commonwealth's Attorneys are turning up the heat in the fight against bad checks with a three-part program designed to benefit everyone in the region.

The new service gives merchants and other victims an effective, **no-cost** way to recover funds lost to bad checks. It also helps businesses avoid bad checks in the first place. Finally, it helps bad check offenders avoid writing bad checks in the future. Fewer bad checks mean a healthier economic climate.

"By the time a check reaches this program, it's very likely a criminal offense," says Henrico County Commonwealth Attorney Wade Kizer. "That's how the case is treated. Under Virginia statutes the case could go directly to prosecution. But prosecuting every criminal bad check isn't necessarily the best way to address the crime."

Similar to other diversion programs, the Check Enforcement Program offers bad check writers the opportunity to resolve the bad check offense without having to face a possible criminal record. To steer clear of a visit to the judge, bad check writers must fulfill the conditions of the program. The first condition is to make full restitution to the victims and pay a service fee to cover the costs incurred as a result of the bad check. Check writers will also pay the fees required to administer the Program. In this way, there is no cost to victims, the Commonwealth's Attorney's Office or other taxpayers. **Check writers pay the entire cost of this program.**

The Check Enforcement Program deals with checks that were dishonored because of **Insufficient Funds, Closed Account or No Account**. Check forgeries or counterfeit checks should be referred to the police immediately – there is no chance that these offenders would avoid prosecution.

"The solution fits the crime," states Kirby Porter, Commonwealth Attorney in Hanover County. "Everybody gets what they're seeking." Victims of bad checks universally need their money and the Check Enforcement Program will return 100 percent of any check that's recovered plus a victims' service fee.

The Check Enforcement Program for Chesterfield, Hanover, Henrico Counties and The City of Richmond are the same as several successful programs that are working throughout the country. In Virginia, the cities of Newport News, Virginia Beach and Hampton, and the counties of Loudoun, Orange and York have started such a program in the last couple of years and have seen excellent results. Nationally, the programs have

returned several millions of dollars to merchants and other victims of bad check crime at no cost to anyone but the check writers who have passed bad checks.

The Check Enforcement Program will have “teeth” to go after those people who have passed bad checks with the intent of never making them good, but there is also a strong prevention component in the Check Enforcement Program. For example, the Program will provide merchants with free information and materials to help them avoid accepting bad checks in the first place. The Program guidelines detail exactly how to handle all checks – but especially bad checks – so the Commonwealth’s Attorney can pursue them, should it come to that.

As a final requirement of the Program, bad check writers must complete an educational course that teaches them how to manage their finances better. This will help them avoid writing future bad checks. Experience in other jurisdictions shows this prevention measure works well, significantly lowering the number of repeat offenders.

Chesterfield Commonwealth Attorney, Billy Davenport believes this is a positive step toward crime prevention. In his words, “Prevention is always preferable to prosecution.”

City of Richmond’s Commonwealth Attorney, Mike Herring says he’s looking forward to making this a beneficial program for everyone in the Metro Region. “Business owners and citizens win because we keep the cost of doing business down, and the check writers win because they avoid the disabilities associated with an arrest, prosecution, and a criminal record.” Getting involved is a simple process.

Merchants or individuals can contact the various Commonwealths’ Attorneys Check Enforcement Programs at the following numbers and web sites:

<b>Hanover County</b>	<b>888-528-2107</b>	<b><u><a href="http://www.hotchecks.net/hanover">www.hotchecks.net/hanover</a></u></b>
<b>City of Richmond</b>	<b>888-454-8994</b>	<b><u><a href="http://www.hotchecks.net/richmond">www.hotchecks.net/richmond</a></u></b>
<b>Chesterfield County</b>	<b>866-531-7107</b>	<b><u><a href="http://www.hotchecks.net/chesterfield">www.hotchecks.net/chesterfield</a></u></b>
<b>Henrico County</b>	<b>888-871-9430</b>	<b><u><a href="http://www.hotchecks.net/henrico">www.hotchecks.net/henrico</a></u></b>

You can register on these websites as well as download forms and get other valuable information about the programs.