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May 10, 2018

Re: **Hot Check Division**

To Whom It May Concern:

As of June 1, 2018, the Jefferson County District Attorney's Office will no longer accept misdemeanor hot-check cases. Misdemeanor check cases involve an amount between \$5.00 to \$2,499.99. Our office will resolve outstanding check cases that are pending in our office as of May 31, 2018. If you become a victim of a fraudulent misdemeanor check on or after June 1, 2018, you should file a complaint with your local justice of the peace office within your jurisdiction.

There will be no change in the handling of felony hot check cases. Victims of felony hot checks should continue to report to their local law enforcement authority. A felony hot check case involves an amount of \$2,500.00 and above.

Thank you for your assistance in this matter and if you have any questions, please do not hesitate to contact our office at (409) 835-8568.

ACCEPTING CHECKS

(TIPS FOR MERCHANTS CONCERNING CHECKS)

NOTE: Our office will make every effort to collect and/or prosecute hot check cases. However, due to legal and practical restrictions, there are certain checks that we cannot accept. Please review our [“Don’t Get Burned”](#) page to make sure that the checks YOU are accepting do NOT fall into these categories.

PROCEDURE FOR TAKING A CHECK:

- IS THE CHECK DATED TODAY?
 - Post-Dated and Replacement Checks should not be accepted.

- IS THE SIGNATURE LEGIBLE?
 - The checks should be signed in your presence.

 - Print the name on business account checks if you cannot read the signature.

- IS THE ADDRESS COMPLETE?
 - The check should contain a permanent street address, and home and work phone numbers.

- CAN YOU CONFIRM THE IDENTITY OF THE CHECK WRITER?
 - An ID can be forged. If you are suspicious of a photo identification, examine it carefully.

- DO WRITTEN AMOUNTS AND NUMBERS CORRESPOND?
 - Our office must use the amount encoded by the bank, and most banks use the written amount as the governing amount.

- RECORD THE FOLLOWING INFORMATION:

- Drivers' License Number (EVEN IF PRE-PRINTED)
 - Date of birth
 - Expiration date of license
 - Initial of Clerk accepting check
 - WHY IS THE INFORMATION NEEDED?
 - Recording the information convinces the jury that the check writer actually wrote the check.
 - This information enables the District Attorney to obtain a warrant.
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What You Should Be Checking For:

1. Make sure the signature is the same as the printed name.
2. Make sure the number amount matches the written amount.

<u>Johnny Check</u>
Address
City, State Zip
<u>\$100.00</u>
<u>One Hundred Dollars</u>
<u>Johnny Check</u>

What YOU Should Be Recording:

DO NOT rely on information on pre-printed checks nor on the check writer providing or filling in the information himself. The person taking the check must verify the information by actually examining

the identification in order to PROVE that the person identified on the check is the SAME as the person writing it.

JOHNNY CHECK	Driver's License # / Date of Birth
Address	Expiration Date / Clerk's Initials
City, State Zip	
	\$100.00
One Hundred Dollars	
	<i>Johnny Check</i>

CORPORATE AND DBA CHECKS (Require Special Attention)

Make sure the signature is legible or print the person's name above or below the signature. You MUST have the name of the person who issued the check to file the check with our office. You CANNOT

ABC, Inc.	Driver's License # / Date of Birth
Address	Expiration Date / Clerk's Initials
City, State Zip	
	\$100.00
One Hundred Dollars	
(Johnny Check)	<u>Johnny Check</u>

simply allege the name of the company.

If you have any questions about the type of checks our office can accept, you are always welcome to call our office at 409-835-8568.