

**Newtown Police Department**  
191 South Main Street, Newtown CT 06470  
203.426.5841  
Instruction Sheet for Processing Bad Checks

1. **Definition** – A Bad Check is defined as a check that has been issued and then returned from a financial institution for “Non-sufficient Funds” or “Account Closed”
2. **The following must apply to each returned check before a criminal complaint is made:**
  - a. Checks must have been **received in Newtown CT** by hand delivery or through the mail.
  - b. Proper identification must have been taken (proper driver’s license or ID card) at the time the check(s) were issued or you personally know the issuer and can testify to the actual identity of the issuer in an affidavit.
  - c. Check(s) must have been presented to your financial institution **within 30 days of the date received.**
  - d. The following checks cannot be accepted for criminal prosecution:
    - i. Post-dated checks
    - ii. Rent checks
    - iii. “Stop Payment” checks
  - e. If you have received partial payments as restitution for the bad check, that check will not be accepted for criminal prosecution.
3. **If all of the above conditions are met, the following procedure must be completed:**
  - a. Complete a notification letter addressed to the person issuing the check. A sample letter can be found at the end of this packet.
  - b. Mail the original letter to the subject by **certified mail – return receipt requested.** Maintain a copy for your records.
  - c. The subject has eight (8) days, after notification, to make payment on the debt. You may proceed with a criminal complaint if:
    - After eight (8) days, payment has not been received OR
    - The original letter is returned by the post office. Leave letter sealed.
  - d. File a criminal complaint, in person, at the Newtown PD.
  - e. Please bring the following with you when making a complaint:
    - i. Copy of cancelled check(s) or other bank document showing “non-sufficient funds”
    - ii. Copy of the notification letter
    - iii. Return receipt or returned letter (unopened)
  - f. The complaint must be made to the Newtown Police Department **within 90 days of the check(s) being received.**
  - g. You will be required to sign and swear to a Bad Check arrest warrant application at the time the complaint is filed

## Bad Check Notification Letter

Date:

To:

Address:

On \_\_\_\_\_, you issued check # \_\_\_\_\_, which was dated \_\_\_\_\_, to  
(Date Received) (Check Date)

\_\_\_\_\_ in the amount of \_\_\_\_\_.  
(Business Name)

The purpose of this letter is to advise you that unless restitution is made within eight (8) days, a warrant will be obtained for your arrest on the charge of "Issuing a Bad Check", in violation of Connecticut General Statute 53a-128.

Sincerely,

\_\_\_\_\_  
(Complainant's Signature)

\_\_\_\_\_  
(Name of Business or Person)

\_\_\_\_\_  
(Address)

CC: Newtown Police Department  
191 South Main Street  
Newtown CT 06470  
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