

SILOAM SPRINGS POLICE DEPARTMENT

PROCESS FOR INSUFFICIENT FUNDS CHECKS

The Siloam Springs Police Department issues warrants for insufficient funds checks passed within the city limits of Siloam Springs, Arkansas. To process a warrant, the Police Department requires the **original check**, the **Certified Return Receipt card**, and the **Affidavit of Complaint form**. Copies of this form are available at the Police Department.

The Police Department can issue warrants only for checks that are not over \$199.99. Any check for \$200.00 or more (or checks on the same account totaling \$200.00 or more within a 90-day time frame) is a felony and will need to be filed with the Benton County Prosecuting Attorney's Office in Bentonville.

- Each check accepted by you or your place of business needs an **identifier** written on the check. An identifier is the date of birth, state identification number, or driver's license number of the person who signs the check. Without an identifier, the check cannot be processed for a warrant. We cannot provide identifiers for you if none are written on the check.
- When you receive a check from the bank noted as "non-sufficient funds" or "account closed," you must mail a **certified letter** to the person who signed the check, requesting payment for the check. The Police Department has a form letter available for this purpose, free of charge.
- After the customer has received or rejected the letter, wait the required ten days from the date of the signature on the Certified Return Receipt card, and then bring the check and the card to the Police Department. If the card is still attached to the envelope, keep it attached.
- You or your company personnel will fill out the Affidavit of Complaint form, which must be **signed in the presence of a notary**. A notary is available at the Police Department.

If the check is known or suspected to be a forgery, an officer will take a report and the Police Department will investigate the case. If you believe a check may be forged, please handle it as little as possible, and place it in an envelope for the protection of evidence.

If you have any questions, please call Tammy French or Eveline Langley at the Siloam Springs Police Department, (479) 524-4118.

AFFIDAVIT OF COMPLAINT

On this _____ day of _____, 2006, after being duly sworn,
comes _____, and for his/her Affidavit of Complaint,
answers the following questions under oath:

Name _____ Firm _____

Home Address _____ Bus. Address _____

City _____ City _____

Home Telephone _____ Bus. Telephone _____

Date Check Received _____ Date Check Written _____

Person Signing/Passing Check:

Name _____ Address _____

Telephone _____ City _____

Physical Description _____

Drivers License, Date of Birth, Etc. _____

Location: Where Was Check Received?

Name _____ Firm _____

Home Address _____ Bus Address _____

City _____ City _____

Home Telephone _____ Bus Telephone _____

Did Goods or Merchandise change Hands Upon Acceptance: Yes ___ No ___

Amount \$ _____

Describe Merchandise _____

Value \$ _____ Did Cash Change Hands Upon Acceptance: Yes ___ No ___

Reason Check Returned _____

(Insufficient Funds, No Account, Forgery)

Was check Postdated Yes ___ No ___

Has Partial Payment Been Accepted Yes ___ No ___

Was Check in Payment of An Account Yes ___ No ___

Was Agreement Made to Hold the Check Yes ___ No ___

Has Passer Been Notified Check Returned Yes ___ No ___

Specify How Notified _____

I hereby authorize the prosecuting attorney to institute criminal action against the maker of the check. It is understood that should the defendant desire to pay the amount of the check and service charge, payment will be accepted and a receipt given to the defendant, and then defendant will be told to immediately present the receipt to the court and that payment of the check will not necessarily result in dismissal of the criminal prosecution. The defendant will be told that the criminal charge must be handled through the court.

Date _____ Signature _____

Subscribed and sworn to before me, a notary public, on the _____ day of _____, 2006.

My commission expires: _____

Notary Public