

Instructions:

Read this page in its entirety before scrolling down to fill in the form on the next page. This page does not need to be printed out to be turned in with the form.

The form on the following page is to be filled out if you or your business received a bad check and wish to have the defendant prosecuted. There are certain steps and guidelines that must be followed for criminal prosecution to occur.

If any of the following circumstances existed the police cannot file charges:

- The check was post dated
- The defendant told you to hold or delay depositing the check
- The defendant told you that there was not enough money in the account to cover the check when it was given to you
- If you have accepted payments on the check
- If someone other than the defendant signed the check
- If the check was presented to the defendant's bank for payment after 30 days of the date on the check
- If the person who accepted the check did not witness the check being prepared (there are exceptions to this with checks received by mail)
- If the person accepting the check did not verify the identity of the person writing the check via driver's license, other form of photographic identification, other reliable verification method (there are exceptions to this with checks received by mail)

If you have reviewed the above information and criminal charges can be filed, the form on the following page must be filled out completely and correctly.

The victim must be the actual full name of a person or a business

The advisement at the bottom of the page must be the full name of an actual person. The person can be the victim or an officer of a business.

When the form is complete follow the below instructions for efficiency:

- Print the form only, sign it, make a copy for your records
- Make a copy of the check for your records (the police will need to see the original check)
- Make copies of any legal surveillance video, stills or photographs that you have of the defendant writing and/or passing the check (an unlocked thumb drive is best)
- Take the items to the local police station where the check was passed
- If the crime occurred in the city, the police station is located in the Public Safety Building at 200 West New Castle Street, Butler, Pa. 16001. Press the button on the red call box to the right of the entrance door. Let the dispatcher know your name, phone number and that you are there to turn in paperwork for a bad check
- An Officer will be dispatched to meet with you, review the information, ask any follow up questions and inform you about the rest of the process.

**AFFIDAVIT OF PROBABLE CAUSE
CRIMINAL CASE: BAD CHECK**

Victim: _____

Address: _____

Phone: _____

Name of the person that received the check from the defendant: _____

Date check was issued: _____ Date check was received: _____

Defendant's name: _____

Defendant's address: _____

Defendant's driver's license number: _____

Was the date of the check the same as the date received?..... Yes No

Was the check received in the mail?..... Yes No

Was the check postdated?..... Yes No

Did the defendant tell you to "Hold" or delay depositing the check?..... Yes No

Is the original of the check attached to this affidavit?..... Yes No

Did the defendant say that there was not enough money in the account
to cover the check when it was given to you?..... Yes No

Have you accepted payment(s) on the check?..... Yes No

How was the check stamped when the bank returned it to you?

- NSF Insufficient funds Account closed No such account
 Funds frozen Account frozenOther

Did someone other than the defendant sign the check?..... Yes No

Was the check presented to the defendant's bank for payment within
30 days of the date on the check?..... Yes No

Was notice that the check was not honored sent to the defendant by
certified or registered mail return requested?..... Yes No

Are the originals of the US Postal Service receipts and signature cards
attached to this affidavit?..... Yes No

Do you understand that once this complaint is filed any payment by the
defendant must be through the court and no payments may be accepted
by you? Further if you do accept payment or partial payment after this
complaint is filed you will be responsible for payment of all costs of
prosecution and court costs?..... Yes No

Did the person accepting the check witness the check being prepared,
signed and then verify their identity?..... Yes No

Method of identity verification:

- Defendant is personally known Driver's license OLN Other photo ID
 Other method

Did the person accepting the check write his/her information on the check
at the time it was accepted?

I _____, understand that if I have provided any false information on this affidavit I may be subject to criminal prosecution under Title 18 of the Pa. C.S. Section 4904(a)(1) Unsworn Falsification to Authorities a 2nd degree Misdemeanor and Title 18 of the Pa. C.S. Section 4906(a) Falsely Incriminating Another a 2nd degree Misdemeanor. A 2nd degree Misdemeanor can be punishable by prison term not to exceed 2 years for each offense.

X

Signature of Complainant

(FORM MAY BE DUPLICATED)

Date