

# AURORA POLICE DEPARTMENT

## Check Fraud Policy

**The Aurora Police Department and the Public Safety Committee of the Aurora City Council ratified as of March 31, 1994, that the Aurora Police Department would no longer accept Non-Sufficient Funds (NSF) or Account Closed checks for criminal investigation. The issue being that the receiver of the check has the opportunity to validate the authenticity of the check prior to accepting it, as well as not being under obligation to accept any check.**

The Aurora Police Department Fraud Unit will continue to investigate the counterfeiting of checks and the forgery of checks, as long as there are sufficient leads and/or facts to allow for a follow-up investigation (i.e., fingerprint impression on the document). In circumstances where there has been "check kiting" (defined as a scheme to draw checks and make deposits against accounts in separate banks, against uncollected or non-existent funds for the purposes of financial gains), we would initiate an investigation.

**The Adams County and Arapahoe County District Attorney's offices have Bad Check Restitution Programs. The phone number for the Adams County office is 1-800-574-6719 and the number for Arapahoe County office is 1-800-722-6952 There are maximum dollar amount restrictions. Both Adams and Arapahoe County have web sites for their programs:**  
Arapahoe County-<http://www.checkprogram.com/staticwebsites/18thjudicialco/>  
Adams County- [http://adamsbroomfieldda.org/?page\\_id=486](http://adamsbroomfieldda.org/?page_id=486)

There are civil recourses against individuals who have written NSF check or Closed Account checks, which could allow for the collection for damages on these types of cases. These cases can be pursued individually or through the assistance of an attorney. Options include the filing of a civil lawsuit, or the utilization of the Small Claims Court system, which is of minimal expense and does not require the services of an attorney. In order for the court to have jurisdiction on a case, the person who you are suing must live, work, or have a place of business in the county in which the suit is being pursued (Adams or Arapahoe). Most Small Claims Court situations have a fee and it is calculated based upon the amount that you are suing for.

Further, the individual you are suing will need to be served with a subpoena to appear in Small Claims Court. This service can be done by the sheriff's office, a process server, for which they charge a fee, or you may also utilize an impartial person over the age of 18 to do the service for you.

In order to obtain the necessary paperwork to file a Small Claims Court action you will need to either appear in person, request the form through the mail by providing them with a self-addressed, stamped envelope, or you can also file through the Internet @ [www.courts.state.co.us](http://www.courts.state.co.us).

In Arapahoe County you can reach the Small Claims Court at 1790 West Littleton Blvd, Littleton, CO 80120, and phone 303-798-4591. In Adams County, you can reach the Small Claims Court at 1100 Judicial Center Drive, Brighton, Colorado 80601, and phone 303-654-3335.

If there are any questions regarding NSF or Account Closed checks, please feel free to contact the Aurora Police Department Fraud Unit at 303-739-6154.