

The Sun

Bad-checks cases slated for review; County issued warrants though debts were repaid; 'This is totally wrong'; Charges dropped when defendants contact prosecutors

by Del Quentin Wilber SUN STAFF

July 14, 1999 Page(s): 1B

Edition: HOWARD

Section: LOCAL

Length: 950 words

Index Terms:

Howard County

Record Number: 9907140037

Howard County prosecutors said yesterday they are planning to review cases in which time-consuming arrest warrants were issued for people who bounced checks yet repaid their debts.

That action occurs after a 35-year-old nurse was arrested in May on a charge of writing a bad check to the Columbia Association -- five months after paying the money. Another Columbia woman learned Friday that she was wanted on the same charge though she, too, repaid her debt.

Five other people are wanted on charges of passing bad checks to businesses in Howard County and to CA. They say they paid the money or that repayment was confirmed.

"We don't want warrants outstanding on cases that restitution was made," said I. Matthew Campbell, deputy state's attorney. "I will try to get those others withdrawn."

Two of the five are Columbia women who bounced checks to CA, court records show. Those women could not be reached, but a CA official said yesterday that they had repaid their debts.

The Sun located three more people wanted on check charges in Howard County -- debts they claim to have repaid. After hearing about her warrant, one woman called prosecutors to complain about the charge. That call and the other arrest warrant disclosures sparked the review, Campbell said.

All the cases emerged from the state's attorney's bad check unit, which tries to alleviate caseloads in the court system. Businesses tell prosecutors about customers who have written checks with insufficient funds. Prosecutors then send letters telling the customers that they have 15 days to pay or face criminal charges.

Warrant instead of summons

If prosecutors don't receive a response, they file charges and a District Court commissioner usually issues a summons notifying a defendant about a pending court date.

In all seven cases, District Court Commissioner Nancy Pope issued arrest warrants instead. Pope declined to answer questions yesterday.

Martha F. Rasin, chief judge of the District Court, said responsibility rests with everyone involved, and defendants could have done more to avoid the charges.

"I certainly don't like thinking about somebody getting arrested," Rasin said. "Maybe the reason a warrant was issued was because letters went out and nobody responded. I do know that sometimes" when people don't respond "that makes the commissioner believe that person is not coming back."

Defense attorneys criticized the practice.

"How hard is it to mail to the last known address and see if it comes back?" said Carol A. Hanson, the district public defender for Howard and Carroll counties.

Knew they faced charges

In several cases, the check-writers knew they faced charges.

Janet Williams, 57, of Columbia bounced a check for \$117 to BJ's Wholesale Club in November, court records show. Williams said she repaid the money and then received the notice from the state's attorney's office and later a letter from Howard County police saying she was named in a warrant.

Williams said she called prosecutors to fix the problem and didn't understand why she was still wanted.

The charge was dropped yesterday after she contacted Campbell, court records show.

Sean Schaufele, 34, of Maryland City is also wanted -- for writing a check for \$90 that bounced, court records show. Schaufele blamed a mix-up with his auto mechanic and he repaid the money. Schaufele was stunned to learn that he was also wanted.

"This is totally wrong," Schaufele said.

His mechanic, William E. Atkins, confirmed repayment but said he didn't feel too sorry for Schaufele. Atkins says he spent a day filling out forms at the state's attorney's office in Ellicott City after making repeated phone calls to Schaufele to pay his bill.

"If I hadn't gone to the courthouse, he never would have paid," Atkins said.

Richard Braswell, 33, of Columbia was also charged in an arrest warrant with writing a bad check to his auto mechanic.

"I'm going to have to go back and call [the shop] to see what's going on," Braswell said after being contacted by The Sun.

Authorities are seeking Terrie Chester, 38, of Columbia, who is accused of writing a bad check for \$259 to CA last July, according to court records. Shelby A. Tucker King, CA's general counsel, said Chester repaid that debt early this year and her office notified prosecutors, several days after the warrant was issued.

Kimberly Granger, 25, of Columbia was wanted on charges of writing a bad check for \$20 to CA in August — a debt she repaid in January, said King. King said she notified prosecutors of the payment eight days after the warrant was issued.

The charge against Granger was dropped yesterday, court records show.

In May, Beth Reynolds was arrested at her River Hill home on charges of writing a bad check for \$74 to CA. Reynolds had repaid that debt months earlier and is now suing CA in District Court. The charges against her were dropped after her arrest.

"If this had been a summons, this would have been no big deal," said Jason Shapiro, Reynolds' lawyer.

Graphics:

PHOTO(S)

KIM HAIRSTON: SUN STAFF

Caption:

Suing: Beth Reynolds is suing the Columbia Association for \$20,000. Last year, the River Hill resident bounced a check for \$74 to CA. She made restitution but was arrested in May and led from her home in handcuffs. She wants to make sure that this doesn't happen to others.

Copyright 1999 The Baltimore Sun Company