Felony Insurance Fraud Offenses
2019 Annual Report

New York State Executive Law requires the state Division of Criminal Justice Services (DCJS) to publish an annual report detailing arrests and prosecutions for felony offenses included in state Insurance Fraud Law (Penal Law Article 176).

Table 1 details arrests for these crimes annually for the five-year period from 2015 through 2019 for New York State and its two regions: New York City (five boroughs) and the Rest of State (57 counties).

TABLE 1
NEW YORK STATE
FELONY INSURANCE FRAUD ARRESTS
2015 to 2019

		2015	2016	2017	2018	2019	Total
NEW YORK STATE	**TOTAL ARRESTS**	**122**	**83**	**69**	**81**	**70**	**425**
	1st Degree Insurance Fraud	0	0	0	5	2	7
	2nd Degree Insurance Fraud	7	8	4	10	5	34
	3rd Degree Insurance Fraud	62	42	51	51	52	258
	4th Degree Insurance Fraud	53	33	14	15	11	126
NEW YORK CITY	**TOTAL ARRESTS**	**41**	**35**	**41**	**48**	**37**	**202**
	1st Degree Insurance Fraud	0	0	0	4	2	6
	2nd Degree Insurance Fraud	3	6	2	4	3	18
	3rd Degree Insurance Fraud	33	24	32	36	32	157
	4th Degree Insurance Fraud	5	5	7	4	0	21
REST OF STATE	**TOTAL ARRESTS**	**81**	**48**	**28**	**33**	**33**	**223**
	1st Degree Insurance Fraud	0	0	0	1	0	1
	2nd Degree Insurance Fraud	4	2	2	6	2	16
	3rd Degree Insurance Fraud	29	18	19	15	20	101
	4th Degree Insurance Fraud	48	28	7	11	11	105

Source: DCJS, Computerized Criminal History system (as of 5/15/20).
Regional designation based on location of crime.

These data are reported to DCJS by the police agency that made the arrest and maintained in the agency's Computerized Criminal History (CCH) database. DCJS compiles arrest data by top charge: the most serious an individual faced at the time of arrest. For example, if an arrest included one felony and one misdemeanor charge, that arrest is classified as a felony.

Table 2 details the number of indictments or superior court informations (SCIs) where the top charge was a felony insurance fraud offense. The year represents the year in which the arraignment or the indictment or SCI occurred, as reported to DCJS by the state Office of Court Administration. In addition:

If a single indictment or SCI included charges against more than one individual, the indictment or SCI is counted multiple times in Table 2 (for example, an indictment or SCI charging three individuals is counted three times). The same is true if an individual is named in multiple indictments or SCIs: each indictment or SCI is reflected in Table 2 separately.

Please note: A single arrest may result in more than one indictment or SCI and multiple arrests may result in one indictment or SCI.

TABLE 2
NEW YORK STATE
FELONY INSURANCE FRAUD ACTIONS
2015 to 2019

		2015	2016	2017	2018	2019	Total
NEW YORK STATE	**TOTAL INSURANCE LAW ACTIONS**	**43**	**25**	**22**	**22**	**19**	**131**
	1st Degree Insurance Fraud	0	1	0	4	3	8
	2nd Degree Insurance Fraud	1	1	3	5	3	13
	3rd Degree Insurance Fraud	20	17	14	9	7	67
	4th Degree Insurance Fraud	22	6	5	4	6	43
NEW YORK CITY	**TOTAL INSURANCE LAW ACTIONS**	**17**	**11**	**12**	**11**	**11**	**62**
	1st Degree Insurance Fraud	0	1	0	4	2	7
	2nd Degree Insurance Fraud	1	1	2	3	3	10
	3rd Degree Insurance Fraud	13	9	7	2	4	35
	4th Degree Insurance Fraud	3	0	3	2	2	10
REST OF STATE	**TOTAL INSURANCE LAW ACTIONS**	**26**	**14**	**10**	**11**	**8**	**69**
	1st Degree Insurance Fraud	0	0	0	0	1	1
	2nd Degree Insurance Fraud	0	0	1	2	0	3
	3rd Degree Insurance Fraud	7	8	7	7	3	32
	4th Degree Insurance Fraud	19	6	2	2	4	33

Source: Felony Processing File (as of 5/22/2020).
The term actions in this table referes to indictments and superior court informations.
Regional designation based on location of crime.

Tables 3 through 5 provide information about the outcomes of felony insurance fraud arrests. The summaries are displayed according to the year in which the final disposition occurred. For example, a 2015 arrest that resulted in a conviction in 2016 is included in the 2016 dispositions. In addition:

- An arrest made for an Insurance Fraud felony may result in a conviction to a different Penal Law offense.

- An arrest made for a felony may result in a conviction to a felony, misdemeanor or non-criminal offense.

TABLE 3
NEW YORK STATE
DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS
2015 to 2019

	2015	2016	2017	2018	2019	Total
TOTAL DISPOSITIONS	**134**	**110**	**84**	**83**	**70**	**481**
Convicted-Sentenced	115	97	73	72	57	414
Adjudicated Youthful Offender	0	0	1	0	0	1
Dismissed-Other	15	11	9	11	13	59
Acquitted	0	1	0	0	0	1
DA Declined to Prosecute	4	1	1	0	0	6
TOTAL SENTENCES	**115**	**97**	**74**	**72**	**57**	**415**
Felonies	21	14	21	11	7	74
Misdemeanors	68	62	38	41	28	237
Non-Criminal Offenses	26	21	15	20	22	104
TOTAL SENTENCES	**115**	**97**	**74**	**72**	**57**	**415**
Prison	2	2	2	1	2	9
Jail	2	5	3	4	3	17
Time Served	2	1	5	3	3	14
Jail+Probation	1	3	0	3	0	7
Probation	38	30	20	13	10	111
Fine	12	10	11	18	15	66
Cond Discharge	54	44	30	29	24	181
Uncond Discharge	4	2	3	1	0	10
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 5/15/2020).

Includes convictions for felonies, misdemeanors and non-criminal offenses such as violations and infractions.

Regional designation based on location of the disposition court.

TABLE 4
NEW YORK CITY
DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS
2015 to 2019

	2015	2016	2017	2018	2019	Total
TOTAL DISPOSITIONS	**49**	**36**	**42**	**47**	**41**	**215**
Convicted-Sentenced	38	31	37	39	34	179
Adjudicated Youthful Offender	0	0	1	0	0	1
Dismissed-Other	7	4	3	8	7	29
Acquitted	0	0	0	0	0	0
DA Declined to Prosecute	4	1	1	0	0	6
TOTAL SENTENCES	**38**	**31**	**38**	**39**	**34**	**180**
Felonies	7	3	12	5	6	33
Misdemeanors	21	18	17	21	15	92
Non-Criminal Offenses	10	10	9	13	13	55
TOTAL SENTENCES	**38**	**31**	**38**	**39**	**34**	**180**
Prison	2	0	1	0	1	4
Jail	0	0	0	1	2	3
Time Served	2	1	4	2	3	12
Jail+Probation	0	0	0	1	0	1
Probation	5	4	7	4	6	26
Fine	9	4	5	17	14	49
Cond Discharge	20	22	21	14	8	85
Uncond Discharge	0	0	0	0	0	0
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 5/15/2020).

Includes convictions for felonies, misdemeanors and non-criminal offenses such as violations and infractions.

Regional designation based on location of the disposition court.

TABLE 5
REST OF STATE
DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS
2015 to 2019

	2015	2016	2017	2018	2019	Total
TOTAL DISPOSITIONS	**85**	**74**	**42**	**36**	**29**	**266**
Convicted-Sentenced	77	66	36	33	23	235
Adjudicated Youthful Offender	0	0	0	0	0	0
Dismissed-Other	8	7	6	3	6	30
Acquitted	0	1	0	0	0	1
DA Declined to Prosecute	0	0	0	0	0	0
TOTAL SENTENCES	**77**	**66**	**36**	**33**	**23**	**235**
Felonies	14	11	9	6	1	41
Misdemeanors	47	44	21	20	13	145
Non-Criminal Offenses	16	11	6	7	9	49
TOTAL SENTENCES	**77**	**66**	**36**	**33**	**23**	**235**
Prison	0	2	1	1	1	5
Jail	2	5	3	3	1	14
Time Served	0	0	1	1	0	2
Jail+Probation	1	3	0	2	0	6
Probation	33	26	13	9	4	85
Fine	3	6	6	1	1	17
Cond Discharge	34	22	9	15	16	96
Uncond Discharge	4	2	3	1	0	10
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 5/15/2020).

Includes convictions for felonies, misdemeanors and non-criminal offenses such as violations and infractions.

Regional designation based on location of the disposition court.