Criminal Justice Statistical Report

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Felony Insurance Fraud Offenses
2021 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 2017 through 2021 for New York State and its two regions: New York City (five boroughs) and Non-New York City (57 counties).

TABLE 1
NEW YORK STATE
FELONY INSURANCE FRAUD ARRESTS
2017 to 2021

		2017	2018	2019	2020	2021	Total
NEW YORK STATE	**TOTAL**	**68**	**81**	**70**	**34**	**36**	**289**
	1st Degree Insurance Fraud	0	5	2	0	2	9
	2nd Degree Insurance Fraud	4	10	5	1	3	23
	3rd Degree Insurance Fraud	50	51	52	13	12	178
	4th Degree Insurance Fraud	14	15	11	20	19	79
NEW YORK CITY	**TOTAL**	**41**	**48**	**37**	**16**	**18**	**160**
	1st Degree Insurance Fraud	0	4	2	0	1	7
	2nd Degree Insurance Fraud	2	4	3	1	1	11
	3rd Degree Insurance Fraud	32	36	32	1	2	103
	4th Degree Insurance Fraud	7	4	0	14	14	39
NON-NEW YORK CITY	**TOTAL**	**27**	**33**	**33**	**18**	**18**	**129**
	1st Degree Insurance Fraud	0	1	0	0	1	2
	2nd Degree Insurance Fraud	2	6	2	0	2	12
	3rd Degree Insurance Fraud	18	15	20	12	10	75
	4th Degree Insurance Fraud	7	11	11	6	5	40

Source: DCJS, Computerized Criminal History system (as of 6/17/2022).
The regional designation is based on the location of the arrest.

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
2017 to 2021

		2017	2018	2019	2020	2021	Total
NEW YORK STATE	**TOTAL**	**22**	**22**	**22**	**3**	**8**	**77**
	1st Degree Insurance Fraud	0	4	3	0	1	8
	2nd Degree Insurance Fraud	3	5	4	0	1	13
	3rd Degree Insurance Fraud	14	9	8	2	4	37
	4th Degree Insurance Fraud	5	4	7	1	2	19
NEW YORK CITY	**TOTAL**	**12**	**11**	**12**	**0**	**5**	**40**
	1st Degree Insurance Fraud	0	4	2	0	1	7
	2nd Degree Insurance Fraud	2	3	4	0	1	10
	3rd Degree Insurance Fraud	7	2	4	0	2	15
	4th Degree Insurance Fraud	3	2	2	0	1	8
NON-NEW YORK CITY	**TOTAL**	**10**	**11**	**10**	**3**	**3**	**37**
	1st Degree Insurance Fraud	0	0	1	0	0	1
	2nd Degree Insurance Fraud	1	2	0	0	0	3
	3rd Degree Insurance Fraud	7	7	4	2	2	22
	4th Degree Insurance Fraud	2	2	5	1	1	11

Source: Felony Processing File (as of 6/17/2022).

The term actions in this table refers to indictments and superior court informations.

The regional designation is based on the location of the court.

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 2017 arrest that resulted in a conviction in 2018 is included in the 2018 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
2017 to 2021

	2017	2018	2019	2020	2021	Total
TOTAL DISPOSITIONS	**87**	**83**	**73**	**45**	**42**	**330**
Convicted-Sentenced	76	72	59	39	36	282
Adjudicated Youthful Offender	1	0	0	0	1	2
Covered by Another Case	0	0	0	0	1	1
Dismissed-Other	9	11	14	6	4	44
DA Declined to Prosecute	1	0	0	0	0	1
TOTAL SENTENCES	**76**	**72**	**59**	**39**	**36**	**282**
Felonies	21	11	7	4	1	44
Misdemeanors	40	41	29	18	15	143
Non-Criminal Offenses	15	20	23	17	20	95
TOTAL SENTENCES	**77**	**72**	**59**	**39**	**37**	**284**
Prison	2	1	2	1	1	7
Jail	3	4	3	0	1	11
Time Served	5	3	3	1	2	14
Jail+Probation	0	3	0	0	0	3
Probation	20	13	10	4	4	51
Fine	14	18	16	5	5	58
Cond Discharge	30	29	25	27	23	134
Uncond Discharge	3	1	0	0	1	5
Other	0	0	0	1	0	1

Source: DCJS, Computerized Criminal History system (as of 6/17/2022).
Table includes convictions for felonies, misdemeanors and non-criminal offenses such as violations and infractions.
The regional designation is based on the location of the disposition court.

TABLE 4
NEW YORK CITY
DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS
2017 to 2021

	2017	2018	2019	2020	2021	Total
TOTAL DISPOSITIONS	**42**	**47**	**41**	**24**	**23**	**177**
Convicted-Sentenced	37	39	34	22	20	152
Adjudicated Youthful Offender	1	0	0	0	0	1
Covered by Another Case	0	0	0	0	0	0
Dismissed-Other	3	8	7	2	3	23
DA Declined to Prosecute	1	0	0	0	0	1
TOTAL SENTENCES	**37**	**39**	**34**	**22**	**20**	**152**
Felonies	12	5	6	3	0	26
Misdemeanors	16	21	15	8	6	66
Non-Criminal Offenses	9	13	13	11	14	60
TOTAL SENTENCES	**38**	**39**	**34**	**22**	**20**	**153**
Prison	1	0	1	0	0	2
Jail	0	1	2	0	0	3
Time Served	4	2	3	1	2	12
Jail+Probation	0	1	0	0	0	1
Probation	7	4	6	3	1	21
Fine	5	17	14	2	3	41
Cond Discharge	21	14	8	15	14	72
Uncond Discharge	0	0	0	0	0	0
Other	0	0	0	1	0	1

Source: DCJS, Computerized Criminal History system (as of 6/17/2022).

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

The regional designation is based on the location of the disposition court.

TABLE 5
NON-NEW YORK CITY
DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS
2017 to 2021

	2017	2018	2019	2020	2021	Total
TOTAL DISPOSITIONS	**45**	**36**	**32**	**21**	**19**	**153**
Convicted-Sentenced	39	33	25	17	16	130
Adjudicated Youthful Offender	0	0	0	0	1	1
Covered by Another Case	0	0	0	0	1	1
Dismissed-Other	6	3	7	4	1	21
DA Declined to Prosecute	0	0	0	0	0	0
TOTAL SENTENCES	**39**	**33**	**25**	**17**	**16**	**130**
Felonies	9	6	1	1	1	18
Misdemeanors	24	20	14	10	9	77
Non-Criminal Offenses	6	7	10	6	6	35
TOTAL SENTENCES	**39**	**33**	**25**	**17**	**17**	**131**
Prison	1	1	1	1	1	5
Jail	3	3	1	0	1	8
Time Served	1	1	0	0	0	2
Jail+Probation	0	2	0	0	0	2
Probation	13	9	4	1	3	30
Fine	9	1	2	3	2	17
Cond Discharge	9	15	17	12	9	62
Uncond Discharge	3	1	0	0	1	5
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 6/17/2022).

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

The regional designation is based on the location of the disposition court.