



Division of Criminal
Justice Services

Criminal Justice Statistical Report

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Legislative Report Series

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Felony Insurance Fraud Offenses 2015 Annual Report

Executive Law §837-a requires the Division of Criminal Justice Services to report on the processing and disposition of Penal Law Article 176 (Insurance Fraud) felony offenses. This report complies with that reporting requirement and provides processing information for the years 2011 to 2015.

Table 1 provides information about the number of persons arrested for felony Insurance Fraud offenses from 2011 to 2015. The counts of arrests are derived from fingerprintable adult arrest information transmitted by law enforcement agencies to the DCJS Computerized Criminal History (CCH) system and are based on the most serious charge in the arrest event.

**TABLE 1
NEW YORK STATE
FELONY INSURANCE FRAUD ARRESTS
2011 to 2015**

| | | 2011 | 2012 | 2013 | 2014 | 2015 | TOTAL |
|-----------------------|--------------------------------------|------------|------------|------------|------------|------------|------------|
| NEW YORK STATE | TOTAL INSURANCE FRAUD ARRESTS | 196 | 188 | 165 | 132 | 122 | 803 |
| | 1st Degree Insurance Fraud | 1 | 0 | 0 | 2 | 0 | 3 |
| | 2nd Degree Insurance Fraud | 8 | 34 | 14 | 9 | 7 | 72 |
| | 3rd Degree Insurance Fraud | 136 | 101 | 82 | 76 | 62 | 457 |
| | Aggravated Insurance Fraud | 0 | 1 | 0 | 0 | 0 | 1 |
| | 4th Degree Insurance Fraud | 51 | 52 | 69 | 45 | 53 | 270 |
| NEW YORK CITY | TOTAL INSURANCE FRAUD ARRESTS | 90 | 92 | 64 | 60 | 41 | 347 |
| | 1st Degree Insurance Fraud | 1 | 0 | 0 | 2 | 0 | 3 |
| | 2nd Degree Insurance Fraud | 2 | 25 | 9 | 6 | 3 | 45 |
| | 3rd Degree Insurance Fraud | 76 | 58 | 49 | 44 | 33 | 260 |
| | Aggravated Insurance Fraud | 0 | 1 | 0 | 0 | 0 | 1 |
| | 4th Degree Insurance Fraud | 11 | 8 | 6 | 8 | 5 | 38 |
| REST OF STATE | TOTAL INSURANCE FRAUD ARRESTS | 106 | 96 | 101 | 72 | 81 | 456 |
| | 2nd Degree Insurance Fraud | 6 | 9 | 5 | 3 | 4 | 27 |
| | 3rd Degree Insurance Fraud | 60 | 43 | 33 | 32 | 29 | 197 |
| | 4th Degree Insurance Fraud | 40 | 44 | 63 | 37 | 48 | 232 |

Source: DCJS, Computerized Criminal History system (as of 08/23/2016).
Regional designation based on location of crime.

Table 2 provides information about the number of defendants prosecuted in superior court where the top charge in the indictment or superior court information was an insurance fraud felony offense based on the year that the defendant was arraigned in superior court. The counts are derived from information about superior court cases transmitted to CCH from the New York State Office of Court Administration. The unit of count in this table is the “defendant-indictment.” When more than one defendant is charged in a single indictment or SCI, each defendant is counted separately. If one defendant is charged in multiple indictments or SCIs, each indictment or SCI is counted separately. More than one indictment or SCI can be linked to a single arrest event and multiple arrests can be combined into one indictment or SCI.

**TABLE 2
NEW YORK STATE
FELONY INSURANCE FRAUD ACTIONS
2011 to 2015**

| | | 2011 | 2012 | 2013 | 2014 | 2015 | Total |
|-----------------------|------------------------------------|-----------|-----------|-----------|-----------|-----------|------------|
| NEW YORK STATE | TOTAL INSURANCE LAW ACTIONS | 45 | 57 | 50 | 52 | 43 | 247 |
| | 1st Degree Insurance Fraud | 0 | 0 | 0 | 2 | 0 | 2 |
| | 2nd Degree Insurance Fraud | 5 | 7 | 5 | 8 | 1 | 26 |
| | 3rd Degree Insurance Fraud | 25 | 37 | 24 | 20 | 20 | 126 |
| | Aggravated Insurance Fraud | 0 | 0 | 0 | 0 | 0 | 0 |
| | 4th Degree Insurance Fraud | 15 | 13 | 21 | 22 | 22 | 93 |
| NEW YORK CITY | TOTAL INSURANCE LAW ACTIONS | 11 | 22 | 7 | 19 | 17 | 76 |
| | 1st Degree Insurance Fraud | 0 | 0 | 0 | 2 | 0 | 2 |
| | 2nd Degree Insurance Fraud | 2 | 4 | 1 | 4 | 1 | 12 |
| | 3rd Degree Insurance Fraud | 8 | 17 | 5 | 10 | 13 | 53 |
| | 4th Degree Insurance Fraud | 1 | 1 | 1 | 3 | 3 | 9 |
| REST OF STATE | TOTAL INSURANCE LAW ACTIONS | 34 | 35 | 43 | 33 | 26 | 171 |
| | 2nd Degree Insurance Fraud | 3 | 3 | 4 | 4 | 0 | 14 |
| | 3rd Degree Insurance Fraud | 17 | 20 | 19 | 10 | 7 | 73 |
| | Aggravated Insurance Fraud | 0 | 0 | 0 | 0 | 0 | 0 |
| | 4th Degree Insurance Fraud | 14 | 12 | 20 | 19 | 19 | 84 |

Source: Felony Processing File (as of 08/23/2016).

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

Regional designation based on location of crime.

Tables 3 through 5 provide information about the dispositions of arrests for felony insurance fraud offenses. The summaries are displayed according to the year in which the final disposition occurred, regardless of when the arrest actually occurred.

**TABLE 3
NEW YORK STATE
DISPOSITIONS OF FELONY INSURANCE FRAUD
ARRESTS 2011 to 2015**

| | 2011 | 2012 | 2013 | 2014 | 2015 | TOTAL |
|-------------------------------|------------|------------|------------|------------|------------|------------|
| TOTAL DISPOSITIONS | 207 | 205 | 152 | 133 | 132 | 829 |
| Convicted-Sentenced | 162 | 176 | 131 | 118 | 113 | 700 |
| Adjudicated Youthful Offender | 5 | 1 | 0 | 0 | 0 | 6 |
| Covered by Another Case | 3 | 1 | 2 | 1 | 1 | 8 |
| Dismissed-Other | 35 | 24 | 16 | 10 | 14 | 99 |
| Acquitted | 0 | 1 | 1 | 1 | 0 | 3 |
| DA Declined to Prosecute | 2 | 2 | 2 | 3 | 4 | 13 |
| TOTAL CONVICTIONS | 162 | 176 | 131 | 118 | 113 | 700 |
| Felonies | 30 | 23 | 31 | 22 | 21 | 127 |
| Misdemeanors | 93 | 109 | 66 | 68 | 66 | 402 |
| Non-Criminal Offenses | 39 | 44 | 34 | 28 | 26 | 171 |
| TOTAL SENTENCES | 167 | 177 | 131 | 118 | 113 | 706 |
| Prison | 8 | 2 | 10 | 5 | 2 | 27 |
| Jail | 8 | 9 | 9 | 9 | 2 | 37 |
| Time Served | 11 | 6 | 8 | 6 | 2 | 33 |
| Jail+Probation | 2 | 5 | 2 | 4 | 1 | 14 |
| Probation | 40 | 28 | 34 | 33 | 37 | 172 |
| Fine | 31 | 35 | 12 | 11 | 12 | 101 |
| Cond Discharge | 66 | 89 | 49 | 43 | 53 | 300 |
| Uncond Discharge | 1 | 2 | 7 | 7 | 4 | 21 |
| Other | 0 | 1 | 0 | 0 | 0 | 1 |

Source: DCJS, Computerized Criminal History system (as of 08/23/2016).
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
DISPOSTIONS OF FELONY INSURANCE FRAUD ARRESTS
2011 to 2015**

| | 2011 | 2012 | 2013 | 2014 | 2015 | TOTAL |
|-------------------------------|------------|------------|-----------|-----------|-----------|------------|
| TOTAL DISPOSITIONS | 112 | 127 | 63 | 47 | 49 | 398 |
| Convicted-Sentenced | 79 | 106 | 56 | 34 | 38 | 313 |
| Adjudicated Youthful Offender | 5 | 1 | 0 | 0 | 0 | 6 |
| Covered by Another Case | 0 | 0 | 0 | 0 | 0 | 0 |
| Dismissed-Other | 26 | 18 | 4 | 9 | 7 | 64 |
| Acquitted | 0 | 0 | 1 | 1 | 0 | 2 |
| DA Declined to Prosecute | 2 | 2 | 2 | 3 | 4 | 13 |
| TOTAL CONVICTIONS | 79 | 106 | 56 | 34 | 38 | 313 |
| Felonies | 9 | 10 | 12 | 6 | 7 | 44 |
| Misdemeanors | 43 | 61 | 21 | 16 | 21 | 162 |
| Non-Criminal Offenses | 27 | 35 | 23 | 12 | 10 | 107 |
| TOTAL SENTENCES | 84 | 107 | 56 | 34 | 38 | 319 |
| Prison | 3 | 0 | 6 | 1 | 2 | 12 |
| Jail | 2 | 5 | 4 | 3 | 0 | 14 |
| Time Served | 9 | 6 | 8 | 6 | 2 | 31 |
| Jail+Probation | 0 | 1 | 1 | 1 | 0 | 3 |
| Probation | 5 | 5 | 7 | 2 | 5 | 24 |
| Fine | 15 | 17 | 6 | 1 | 9 | 48 |
| Cond Discharge | 50 | 73 | 23 | 20 | 20 | 186 |
| Uncond Discharge | 0 | 0 | 1 | 0 | 0 | 1 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 |

Source: DCJS, Computerized Criminal History system (as of 08/23/2016).

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 2011 to 2015**

| | 2011 | 2012 | 2013 | 2014 | 2015 | TOTAL |
|-------------------------------|-----------|-----------|-----------|-----------|-----------|------------|
| TOTAL DISPOSITIONS | 95 | 78 | 89 | 86 | 83 | 431 |
| Convicted-Sentenced | 83 | 70 | 75 | 84 | 75 | 387 |
| Adjudicated Youthful Offender | 0 | 0 | 0 | 0 | 0 | 0 |
| Covered by Another Case | 3 | 1 | 2 | 1 | 1 | 8 |
| Dismissed-Other | 9 | 6 | 12 | 1 | 7 | 35 |
| Acquitted | 0 | 1 | 0 | 0 | 0 | 1 |
| DA Declined to Prosecute | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL CONVICTIONS | 83 | 70 | 75 | 84 | 75 | 387 |
| Felonies | 21 | 13 | 19 | 16 | 14 | 83 |
| Misdemeanors | 50 | 48 | 45 | 52 | 45 | 240 |
| Non-Criminal Offenses | 12 | 9 | 11 | 16 | 16 | 64 |
| TOTAL SENTENCES | 83 | 70 | 75 | 84 | 75 | 387 |
| Prison | 5 | 2 | 4 | 4 | 0 | 15 |
| Jail | 6 | 4 | 5 | 6 | 2 | 23 |
| Time Served | 2 | 0 | 0 | 0 | 0 | 2 |
| Jail+Probation | 2 | 4 | 1 | 3 | 1 | 11 |
| Probation | 35 | 23 | 27 | 31 | 32 | 148 |
| Fine | 16 | 18 | 6 | 10 | 3 | 53 |
| Cond Discharge | 16 | 16 | 26 | 23 | 33 | 114 |
| Uncond Discharge | 1 | 2 | 6 | 7 | 4 | 20 |
| Other | 0 | 1 | 0 | 0 | 0 | 1 |

Source: DCJS, Computerized Criminal History system (as of 08/23/2016).

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

Regional designation based on location of the disposition court.