

**NEW YORK STATE  
DIVISION OF CRIMINAL JUSTICE SERVICES  
2010 REPORT ON FELONY INSURANCE FRAUD OFFENSES**

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 2006 to 2010.

Table 1 provides information about the number of persons arrested for Insurance Fraud offenses from 2006 to 2010. 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  
2006 to 2010**

	2006	2007	2008	2009	2010	Total
<b>NEW YORK STATE TOTAL INSURANCE FRAUD ARRESTS</b>	<b>291</b>	<b>301</b>	<b>323</b>	<b>219</b>	<b>192</b>	<b>1,326</b>
1st Degree Insurance Fraud	4	2	1	0	3	10
2nd Degree Insurance Fraud	17	21	17	7	14	76
3rd Degree Insurance Fraud	209	228	232	148	130	947
Aggravated Insurance Fraud	3	1	2	0	0	6
4th Degree Insurance Fraud	58	49	71	64	45	287
<b>NEW YORK CITY TOTAL INSURANCE FRAUD ARRESTS</b>	<b>172</b>	<b>137</b>	<b>172</b>	<b>99</b>	<b>89</b>	<b>669</b>
1st Degree Insurance Fraud	4	2	1	0	3	10
2nd Degree Insurance Fraud	10	9	9	1	3	32
3rd Degree Insurance Fraud	142	119	152	87	72	572
Aggravated Insurance Fraud	1	1	0	0	0	2
4th Degree Insurance Fraud	15	6	10	11	11	53
<b>REST OF STATE TOTAL INSURANCE FRAUD ARRESTS</b>	<b>119</b>	<b>164</b>	<b>151</b>	<b>120</b>	<b>103</b>	<b>657</b>
2nd Degree Insurance Fraud	7	12	8	6	11	44
3rd Degree Insurance Fraud	67	109	80	61	58	375
Aggravated Insurance Fraud	2	0	2	0	0	4
4th Degree Insurance Fraud	43	43	61	53	34	234

Source: Computerized Criminal History system (as of 03/21/2011).  
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. 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  
2006 to 2010**

		2006	2007	2008	2009	2010	Total
<b>NEW YORK STATE</b>	<b>TOTAL INSURANCE LAW ACTIONS</b>	<b>88</b>	<b>76</b>	<b>108</b>	<b>65</b>	<b>59</b>	<b>396</b>
	1st Degree Insurance Fraud	1	3	1	0	1	6
	2nd Degree Insurance Fraud	5	8	24	4	6	47
	3rd Degree Insurance Fraud	59	41	63	36	35	234
	Aggravated Insurance Fraud	0	0	1	1	0	2
	4th Degree Insurance Fraud	23	24	19	24	17	107
<b>NEW YORK CITY</b>	<b>TOTAL INSURANCE LAW ACTIONS</b>	<b>59</b>	<b>33</b>	<b>43</b>	<b>17</b>	<b>15</b>	<b>167</b>
	1st Degree Insurance Fraud	1	1	1	0	1	4
	2nd Degree Insurance Fraud	4	4	15	0	0	23
	3rd Degree Insurance Fraud	42	17	22	9	9	99
	4th Degree Insurance Fraud	12	11	5	8	5	41
<b>REST OF STATE</b>	<b>TOTAL INSURANCE LAW ACTIONS</b>	<b>29</b>	<b>43</b>	<b>65</b>	<b>48</b>	<b>44</b>	<b>229</b>
	1st Degree Insurance Fraud	0	2	0	0	0	2
	2nd Degree Insurance Fraud	1	4	9	4	6	24
	3rd Degree Insurance Fraud	17	24	41	27	26	135
	Aggravated Insurance Fraud	0	0	1	1	0	2
	4th Degree Insurance Fraud	11	13	14	16	12	66

Source: Felony Processing File (as of 03/21/2011).

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  
DISPOSTIONS OF FELONY INSURANCE FRAUD ARRESTS  
2006 to 2010**

	2006	2007	2008	2009	2010	TOTAL
<b>TOTAL DISPOSITIONS</b>	<b>330</b>	<b>291</b>	<b>278</b>	<b>251</b>	<b>223</b>	<b>1373</b>
Convicted-Sentenced	256	220	209	191	168	1044
Convicted-Sentence Pending	4	1	5	1	10	21
Diverted and Dismissed	0	0	0	0	0	0
Covered by Another Case	3	2	6	6	1	18
Dismissed-ACD	12	7	11	14	8	52
Dismissed-Other	48	52	39	28	22	189
Acquitted	4	4	0	2	3	13
DA Declined to Prosecute	3	5	6	4	10	28
Other	0	0	2	5	1	8
<b>TOTAL SENTENCES</b>	<b>256</b>	<b>220</b>	<b>209</b>	<b>191</b>	<b>168</b>	<b>1044</b>
Felonies	58	49	47	43	35	232
Misdemeanors	148	136	131	109	85	609
Non-Criminal Offenses	50	35	31	39	48	203
<b>TOTAL SENTENCES</b>	<b>256</b>	<b>220</b>	<b>209</b>	<b>191</b>	<b>168</b>	<b>1044</b>
Prison	7	3	8	5	4	27
Jail	7	9	10	6	10	42
Time Served	4	2	5	3	3	17
Jail+Probation	4	9	4	6	8	31
Probation	37	36	47	47	23	190
Fine	52	43	33	33	30	191
Conditional Discharge	140	116	100	87	86	529
Unconditional Discharge	5	2	2	3	3	15
Other	0	0	0	1	1	2

Source: Computerized Criminal History system (as of 03/21/2011).

Includes convictions to 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  
2006 to 2010**

	2006	2007	2008	2009	2010	TOTAL
<b>TOTAL DISPOSITIONS</b>	<b>236</b>	<b>161</b>	<b>152</b>	<b>110</b>	<b>104</b>	<b>763</b>
Convicted-Sentenced	177	118	107	76	67	545
Convicted-Sentence Pending	4	1	5	0	5	15
Diverted and Dismissed	0	0	0	0	0	0
Covered by Another Case	1	1	3	3	0	8
Dismissed-ACD	3	2	4	6	5	20
Dismissed-Other	44	31	27	17	14	133
Acquitted	4	3	0	1	3	11
DA Declined to Prosecute	3	5	6	4	10	28
Other	0	0	0	3	0	3
<b>TOTAL SENTENCES</b>	<b>177</b>	<b>118</b>	<b>107</b>	<b>76</b>	<b>67</b>	<b>545</b>
Felonies	40	24	27	19	12	122
Misdemeanors	97	73	61	37	32	300
Non-Criminal Offenses	40	21	19	20	23	123
<b>TOTAL SENTENCES</b>	<b>177</b>	<b>118</b>	<b>107</b>	<b>76</b>	<b>67</b>	<b>545</b>
Prison	4	2	4	2	1	13
Jail	2	3	5	4	5	19
Time Served	3	2	4	2	1	12
Jail+Probation	2	2	1	0	1	6
Probation	16	10	17	9	5	57
Fine	34	15	16	12	14	91
Conditional Discharge	113	83	60	46	40	342
Unconditional Discharge	3	1	0	1	0	5
Other	0	0	0	0	0	0

Source: Computerized Criminal History system (as of 03/21/2011).

Includes convictions to 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  
DISPOSTIONS OF FELONY INSURANCE FRAUD ARRESTS  
2006 to 2010**

	2006	2007	2008	2009	2010	TOTAL
<b>TOTAL DISPOSITIONS</b>	<b>94</b>	<b>130</b>	<b>126</b>	<b>141</b>	<b>119</b>	<b>610</b>
Convicted-Sentenced	79	102	102	115	101	499
Convicted-Sentence Pending	0	0	0	1	5	6
Diverted and Dismissed	0	0	0	0	0	0
Covered by Another Case	2	1	3	3	1	10
Dismissed-ACD	9	5	7	8	3	32
Dismissed-Other	4	21	12	11	8	56
Acquitted	0	1	0	1	0	2
DA Declined to Prosecute	0	0	0	0	0	0
Other	0	0	2	2	1	5
<b>TOTAL SENTENCES</b>	<b>79</b>	<b>102</b>	<b>102</b>	<b>115</b>	<b>101</b>	<b>499</b>
Felonies	18	25	20	24	23	110
Misdemeanors	51	63	70	72	53	309
Non-Criminal Offenses	10	14	12	19	25	80
<b>TOTAL SENTENCES</b>	<b>79</b>	<b>102</b>	<b>102</b>	<b>115</b>	<b>101</b>	<b>499</b>
Prison	3	1	4	3	3	14
Jail	5	6	5	2	5	23
Time Served	1	0	1	1	2	5
Jail+Probation	2	7	3	6	7	25
Probation	21	26	30	38	18	133
Fine	18	28	17	21	16	100
Conditional Discharge	27	33	40	41	46	187
Unconditional Discharge	2	1	2	2	3	10
Other	0	0	0	1	1	2

Source: Computerized Criminal History system (as of 03/21/2011).

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

Regional designation based on location of the disposition court.