



Criminal Justice Statistical Report

Andrew M. Cuomo
Governor

Michael C. Green
Executive Deputy Commissioner

Legislative Report Series

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Felony Insurance Fraud Offenses 2014 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 2010 to 2014.

Table 1 provides information about the number of persons arrested for felony Insurance Fraud offenses from 2010 to 2014. 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
2010 to 2014**

		2010	2011	2012	2013	2014	TOTAL
NEW YORK STATE	TOTAL INSURANCE FRAUD ARRESTS	192	196	188	165	132	873
	1st Degree Insurance Fraud	3	1	0	0	2	6
	2nd Degree Insurance Fraud	14	8	34	14	9	79
	3rd Degree Insurance Fraud	130	136	101	82	76	525
	Aggravated Insurance Fraud	0	0	1	0	0	1
	4th Degree Insurance Fraud	45	51	52	69	45	262
NEW YORK CITY	TOTAL INSURANCE FRAUD ARRESTS	89	90	92	64	60	395
	1st Degree Insurance Fraud	3	1	0	0	2	6
	2nd Degree Insurance Fraud	3	2	25	9	6	45
	3rd Degree Insurance Fraud	72	76	58	49	44	299
	Aggravated Insurance Fraud	0	0	1	0	0	1
	4th Degree Insurance Fraud	11	11	8	6	8	44
REST OF STATE	TOTAL INSURANCE FRAUD ARRESTS	103	106	96	101	72	478
	2nd Degree Insurance Fraud	11	6	9	5	3	34
	3rd Degree Insurance Fraud	58	60	43	33	32	226
	4th Degree Insurance Fraud	34	40	44	63	37	218

Source: DCJS, Computerized Criminal History system (as of 05/20/2015).
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
2010 to 2014**

		2010	2011	2012	2013	2014	Total
NEW YORK STATE	TOTAL INSURANCE LAW ACTIONS	61	45	56	51	49	262
	1st Degree Insurance Fraud	1	0	0	0	2	3
	2nd Degree Insurance Fraud	6	5	7	5	8	31
	3rd Degree Insurance Fraud	37	25	37	24	17	140
	Aggravated Insurance Fraud	0	0	0	0	0	0
	4th Degree Insurance Fraud	17	15	12	22	22	88
NEW YORK CITY	TOTAL INSURANCE LAW ACTIONS	16	11	22	7	19	75
	1st Degree Insurance Fraud	1	0	0	0	2	3
	2nd Degree Insurance Fraud	0	2	4	1	4	11
	3rd Degree Insurance Fraud	10	8	17	5	10	50
	4th Degree Insurance Fraud	5	1	1	1	3	11
	REST OF STATE	TOTAL INSURANCE LAW ACTIONS	45	34	34	44	30
	2nd Degree Insurance Fraud	6	3	3	4	4	20
	3rd Degree Insurance Fraud	27	17	20	19	7	90
	Aggravated Insurance Fraud	0	0	0	0	0	0
	4th Degree Insurance Fraud	12	14	11	21	19	77

Source: Felony Processing File (as of 05/20/2015).

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
2010 to 2014**

	2010	2011	2012	2013	2014	TOTAL
TOTAL DISPOSITIONS	213	207	204	149	130	903
Convicted-Sentenced	173	162	176	129	115	755
Adjudicated Youthful Offender	0	5	1	0	0	6
Covered by Another Case	0	3	1	2	1	7
Dismissed-Other	30	35	23	15	10	113
Acquitted	3	0	1	1	1	6
DA Declined to Prosecute	7	2	2	2	3	16
TOTAL SENTENCES	173	162	176	129	115	755
Felonies	36	30	23	30	22	141
Misdemeanors	89	93	109	65	65	421
Non-Criminal Offenses	48	39	44	34	28	193
TOTAL SENTENCES	173	167	177	129	115	761
Prison	4	8	2	10	5	29
Jail	11	8	9	9	8	45
Time Served	3	11	6	8	6	34
Jail+Probation	7	2	5	2	4	20
Probation	24	40	28	34	33	159
Fine	30	31	35	12	9	117
Conditional Discharge	90	66	89	47	43	335
Unconditional Discharge	3	1	2	7	7	20
Other	1	0	1	0	0	2

Source: DCJS, Computerized Criminal History system (as of 05/20/2015).

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
2010 to 2014**

	2010	2011	2012	2013	2014	TOTAL
TOTAL DISPOSITIONS	96	112	127	63	47	445
Convicted-Sentenced	67	79	106	56	34	342
Adjudicated Youthful Offender	0	5	1	0	0	6
Covered by Another Case	0	0	0	0	0	0
Dismissed-Other	19	26	18	4	9	76
Acquitted	3	0	0	1	1	5
DA Declined to Prosecute	7	2	2	2	3	16
TOTAL SENTENCES	67	79	106	56	34	342
Felonies	12	9	10	12	6	49
Misdemeanors	32	43	61	21	16	173
Non-Criminal Offenses	23	27	35	23	12	120
TOTAL SENTENCES	67	84	107	56	34	348
Prison	1	3	0	6	1	11
Jail	6	2	5	4	3	20
Time Served	1	9	6	8	6	30
Jail+Probation	0	0	1	1	1	3
Probation	5	5	5	7	2	24
Fine	14	15	17	6	1	53
Conditional Discharge	40	50	73	23	20	206
Unconditional Discharge	0	0	0	1	0	1
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 05/20/2015).

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
2010 to 2014**

	2010	2011	2012	2013	2014	TOTAL
TOTAL DISPOSITIONS	117	95	77	86	83	458
Convicted-Sentenced	106	83	70	73	81	413
Adjudicated Youthful Offender	0	0	0	0	0	0
Covered by Another Case	0	3	1	2	1	7
Dismissed-Other	11	9	5	11	1	37
Acquitted	0	0	1	0	0	1
DA Declined to Prosecute	0	0	0	0	0	0
TOTAL SENTENCES	106	83	70	73	81	413
Felonies	24	21	13	18	16	92
Misdemeanors	57	50	48	44	49	248
Non-Criminal Offenses	25	12	9	11	16	73
TOTAL SENTENCES	106	83	70	73	81	413
Prison	3	5	2	4	4	18
Jail	5	6	4	5	5	25
Time Served	2	2	0	0	0	4
Jail+Probation	7	2	4	1	3	17
Probation	19	35	23	27	31	135
Fine	16	16	18	6	8	64
Conditional Discharge	50	16	16	24	23	129
Unconditional Discharge	3	1	2	6	7	19
Other	1	0	1	0	0	2

Source: DCJS, Computerized Criminal History system (as of 05/20/2015).

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

Regional designation based on location of the disposition court.