



Division of Criminal
Justice Services

Criminal Justice Statistical Report

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Legislative Report Series

April 2017

Felony Insurance Fraud Offenses 2016 Annual Report

Executive Law §837-a requires the Division of Criminal Justice Services (DCJS) 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 2012 to 2016.

Table 1 provides information about the number of persons arrested for felony Insurance Fraud offenses from 2012 to 2016. 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
2012 to 2016**

		2012	2013	2014	2015	2016	TOTAL
NEW YORK STATE	TOTAL INSURANCE FRAUD ARRESTS	188	164	132	122	83	689
	1st Degree Insurance Fraud	0	0	2	0	0	2
	2nd Degree Insurance Fraud	34	14	9	7	8	72
	3rd Degree Insurance Fraud	101	81	76	62	42	362
	Aggravated Insurance Fraud	1	0	0	0	0	1
	4th Degree Insurance Fraud	52	69	45	53	33	252
NEW YORK CITY	TOTAL INSURANCE FRAUD ARRESTS	92	63	60	41	35	291
	1st Degree Insurance Fraud	0	0	2	0	0	2
	2nd Degree Insurance Fraud	25	9	6	3	6	49
	3rd Degree Insurance Fraud	58	48	44	33	24	207
	Aggravated Insurance Fraud	1	0	0	0	0	1
	4th Degree Insurance Fraud	8	6	8	5	5	32
REST OF STATE	TOTAL INSURANCE FRAUD ARRESTS	96	101	72	81	48	398
	2nd Degree Insurance Fraud	9	5	3	4	2	23
	3rd Degree Insurance Fraud	43	33	32	29	18	155
	4th Degree Insurance Fraud	44	63	37	48	28	220

Source: DCJS, Computerized Criminal History system (as of 03/17/2017).
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
2012 to 2016**

		2012	2013	2014	2015	2016	Total
NEW YORK STATE	TOTAL INSURANCE LAW ACTIONS	56	51	51	43	23	224
	1st Degree Insurance Fraud	0	0	2	0	1	3
	2nd Degree Insurance Fraud	7	5	8	1	1	22
	3rd Degree Insurance Fraud	37	24	20	20	15	116
	Aggravated Insurance Fraud	0	0	0	0	0	0
	4th Degree Insurance Fraud	12	22	21	22	6	83
NEW YORK CITY	TOTAL INSURANCE LAW ACTIONS	22	7	19	17	11	76
	1st Degree Insurance Fraud	0	0	2	0	1	3
	2nd Degree Insurance Fraud	4	1	4	1	1	11
	3rd Degree Insurance Fraud	17	5	10	13	9	54
	4th Degree Insurance Fraud	1	1	3	3	0	8
REST OF STATE	TOTAL INSURANCE LAW ACTIONS	34	44	32	26	12	148
	2nd Degree Insurance Fraud	3	4	4	0	0	11
	3rd Degree Insurance Fraud	20	19	10	7	6	62
	Aggravated Insurance Fraud	0	0	0	0	0	0
	4th Degree Insurance Fraud	11	21	18	19	6	75

Source: Felony Processing File (as of 03/17/2017).
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
2012 to 2016**

	2012	2013	2014	2015	2016	TOTAL
TOTAL DISPOSITIONS	206	154	134	132	107	733
Convicted-Sentenced	177	132	119	113	95	636
Adjudicated Youthful Offender	1	0	0	0	0	1
Covered by Another Case	1	2	1	1	0	5
Dismissed-Other	24	17	10	14	11	76
Acquitted	1	1	1	0	0	3
DA Declined to Prosecute	2	2	3	4	1	12
TOTAL CONVICTIONS	177	132	119	113	95	636
Felonies	22	30	22	21	14	109
Misdemeanors	111	68	69	66	60	374
Non-Criminal Offenses	44	34	28	26	21	153
TOTAL SENTENCES	178	132	119	113	95	637
Prison	2	10	5	2	2	21
Jail	9	9	9	2	4	33
Time Served	6	8	6	2	1	23
Jail+Probation	5	2	4	1	3	15
Probation	29	34	33	37	30	163
Fine	35	12	12	12	9	80
Cond Discharge	89	50	43	53	44	279
Uncond Discharge	2	7	7	4	2	22
Other	1	0	0	0	0	1

Source: DCJS, Computerized Criminal History system (as of 03/17/2017).
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
2012 to 2016**

	2012	2013	2014	2015	2016	TOTAL
TOTAL DISPOSITIONS	127	63	47	49	36	322
Convicted-Sentenced	106	56	34	38	31	265
Adjudicated Youthful Offender	1	0	0	0	0	1
Covered by Another Case	0	0	0	0	0	0
Dismissed-Other	18	4	9	7	4	42
Acquitted	0	1	1	0	0	2
DA Declined to Prosecute	2	2	3	4	1	12
TOTAL CONVICTIONS	106	56	34	38	31	265
Felonies	10	12	6	7	3	38
Misdemeanors	61	21	16	21	18	137
Non-Criminal Offenses	35	23	12	10	10	90
TOTAL SENTENCES	107	56	34	38	31	266
Prison	0	6	1	2	0	9
Jail	5	4	3	0	0	12
Time Served	6	8	6	2	1	23
Jail+Probation	1	1	1	0	0	3
Probation	5	7	2	5	4	23
Fine	17	6	1	9	4	37
Cond Discharge	73	23	20	20	22	158
Uncond Discharge	0	1	0	0	0	1
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 03/17/2017).

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
2012 to 2016**

	2012	2013	2014	2015	2016	TOTAL
TOTAL DISPOSITIONS	79	91	87	83	71	411
Convicted-Sentenced	71	76	85	75	64	371
Adjudicated Youthful Offender	0	0	0	0	0	0
Covered by Another Case	1	2	1	1	0	5
Dismissed-Other	6	13	1	7	7	34
Acquitted	1	0	0	0	0	1
DA Declined to Prosecute	0	0	0	0	0	0
TOTAL CONVICTIONS	71	76	85	75	64	371
Felonies	12	18	16	14	11	71
Misdemeanors	50	47	53	45	42	237
Non-Criminal Offenses	9	11	16	16	11	63
TOTAL SENTENCES	71	76	85	75	64	371
Prison	2	4	4	0	2	12
Jail	4	5	6	2	4	21
Time Served	0	0	0	0	0	0
Jail+Probation	4	1	3	1	3	12
Probation	24	27	31	32	26	140
Fine	18	6	11	3	5	43
Cond Discharge	16	27	23	33	22	121
Uncond Discharge	2	6	7	4	2	21
Other	1	0	0	0	0	1

Source: DCJS, Computerized Criminal History system (as of 03/17/2017).
Includes convictions for felonies, misdemeanors and non-criminal offenses such as violations and infractions
Regional designation based on location of the disposition court.