



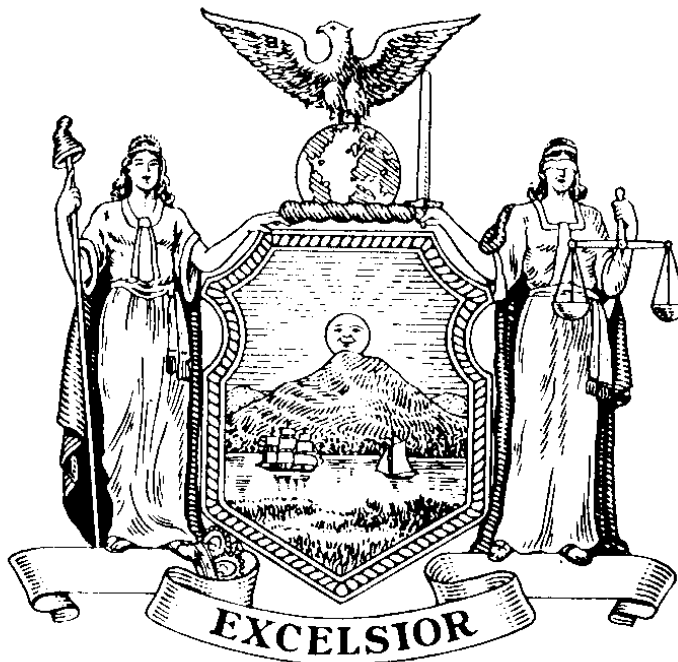
**STATE OF NEW YORK**  
Andrew M. Cuomo, Governor

**Sean M. Byrne**  
Acting Commissioner  
Division of Criminal  
Justice Services

**Office of Program  
Development and Funding**

**Anne Marie Strano**  
Deputy Commissioner

# New York State



## 2010 Annual Report to the Governor and Legislature

**Motor Vehicle Theft and  
Insurance Fraud Prevention Board**

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**New York State Division of Criminal Justice Services**  
4 Tower Place  
Albany, NY 12203  
<http://criminaljustice.ny.gov>



**New York State  
Motor Vehicle Theft and  
Insurance Fraud Prevention Board**

Sean M. Byrne, Chair  
Acting Commissioner  
New York State  
Division of Criminal Justice Services

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**Hon. Richard A. Brown**  
District Attorney, Queens County

**Hon. Janet Di Fiore**  
District Attorney, Westchester County

**Hon. Robert T. Johnson**  
District Attorney, Bronx County

**Thomas Lohmann**  
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**David J. Swarts**  
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New York State  
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**Christine M. Ziemba**  
Chief of Police  
Town of Cheektowaga Police Department.

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# **Mission Statement**

## **Motor Vehicle Theft and Insurance Fraud Prevention Board**

In accordance with Executive Law §846-1 and 846-m, the Motor Vehicle Theft and Insurance Fraud Prevention Board, as its stated mission and purpose, shall make recommendations to the Commissioner of the Division of Criminal Justice Services (Commissioner) with respect to the exercise of his or her functions, powers and duties as set forth in Executive Law §846-1(3).

The Board shall also:

In accordance with the legislative intent of Article 36-A of the Executive Law, develop and recommend to the Commissioner a plan of operation which shall provide for a coordinated approach to curtailing motor vehicle theft and motor vehicle insurance fraud throughout the State (hereinafter "Plan"). The Plan shall provide an integrated means to detect, prevent, deter, and reduce motor vehicle theft and motor vehicle insurance fraud by providing funds, upon the recommendation of the Board and approval by the Commissioner, to meet these objectives.

The Plan shall include, but not be limited to:

- An assessment of the scope of the problem of motor vehicle theft and motor vehicle insurance fraud, including a regional analysis of the incidence of motor vehicle theft and motor vehicle insurance fraud and related activities;
- An analysis of various methods of combating the problem; and
- The development of a request for proposals process, consistent with the Plan, for applications from provider agencies to receive grants from the Motor Vehicle Theft and Insurance Fraud Prevention Fund established pursuant to §89-d of the State Finance Law.

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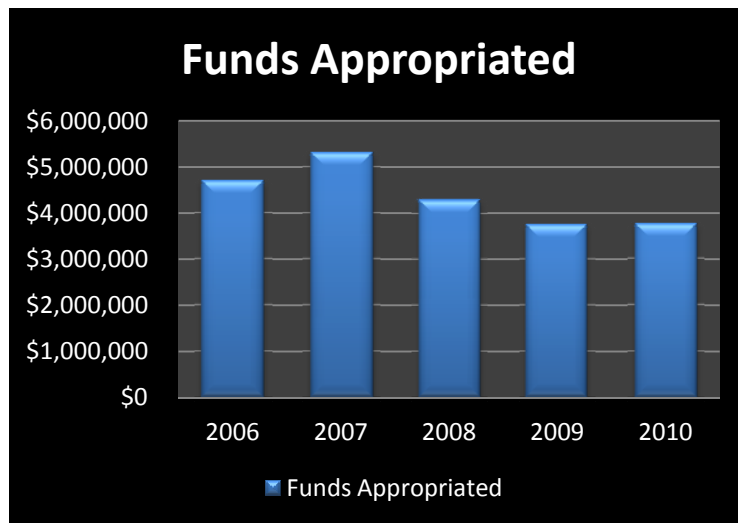
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## I. INTRODUCTION

New York State enacted Executive Law, Article 36-A (L.1994, c.170) creating the *New York Motor Vehicle Theft and Insurance Fraud Prevention Demonstration Program* to help reduce the overall cost of motor vehicle insurance in the State. A 12-member *Motor Vehicle Theft and Insurance Fraud Prevention Board* was authorized under this statute to oversee the program. Members of the Board, selected by the Governor and the Legislature, include representatives of law enforcement, consumers of motor vehicle insurance, insurance carriers, and relevant state agencies. The Board became operational in September of 1997 with the appointment of its members. This is the 13<sup>th</sup> annual report to the Governor and the Legislature by the *New York Motor Vehicle Theft and Insurance Fraud Prevention Board* as required under Executive Law §846-1(3)(h).

Funding for the program is provided for under State Finance Law §89-d which established a special fund consisting of monies received from the \$10 fee assessed on each insurance policy issued for a portion of passenger vehicles and all other motor vehicles registered in New York State Insurance Law §9110. The 2010/11 State Budget appropriated \$3.7 million to support of demonstration projects.

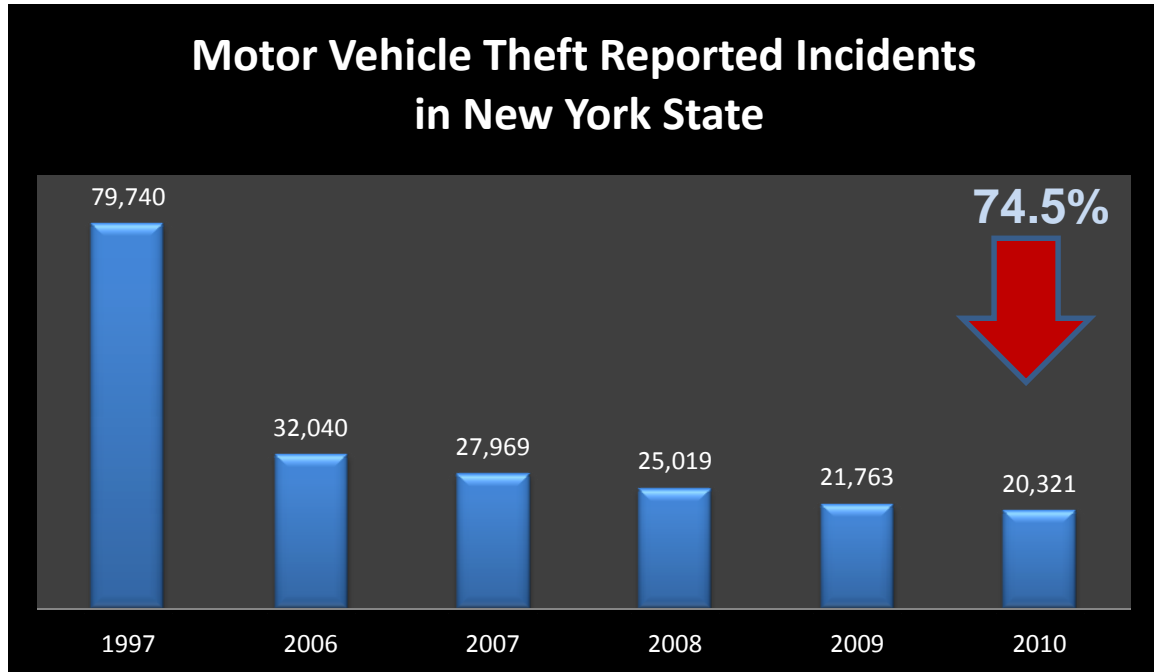


Having completed its organizational tasks of crafting bylaws and a mission statement, as well as creating a strategy for conducting a Request For Proposal (RFP) process, the Board made its first awards in September of 1997. The Board issued RFPs annually since then and 2010 marked the 14<sup>th</sup> year of the Board's operation.

All of the tasks outlined above are part of an organized and planned pursuit of reducing motor vehicle theft rates and insurance fraud in New York. The impact of motor vehicle theft and motor vehicle insurance fraud cannot be understated. It is a highly organized criminal activity that costs hundreds of millions of dollars each year, and those costs are passed on to law abiding citizens and legitimate businesses and result in increased costs of doing business and in higher insurance rates.

## Motor Vehicle Theft

Great strides have been made in reducing motor vehicle theft in New York. From 1997 through 2010, reported thefts are down 74.5%. However, the cost remains high. In 2010, there were 20,321 motor vehicles stolen in New York State with a value of \$132,337,720.

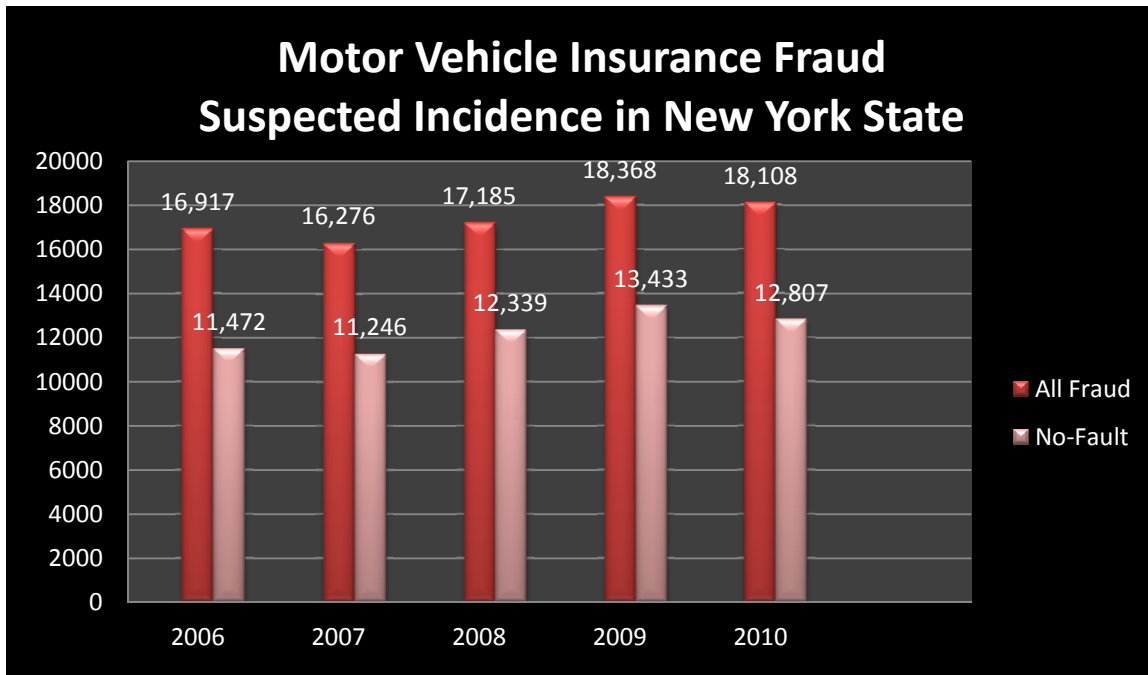


Law enforcement knowledge gained in the dynamics of motor vehicle theft makes it apparent that the trafficking of stolen vehicles knows no state or international boundaries and that insurance fraud, in many cases, is perpetrated by well-organized groups of profit-motivated conspirators.

## Motor Vehicle Insurance Fraud

The incidence of motor vehicle insurance fraud in the early 1990s was significantly lower than the level now reported. Beginning in 1997, the New York State Insurance Frauds Bureau had seen an alarming increase in the number of reports of suspected insurance fraud from insurers across the state. Overall reports of motor vehicle insurance fraud had increased consistently from 5,214 in 1996 to a high of 24,282 in 2003. No-fault insurance fraud had increased as well during this time period to a high of 17,831 in 2003 that accounted for 73% of all reported motor vehicle insurance fraud. Combined investigative and prosecutorial efforts of state and local law enforcement agencies to combat motor vehicle insurance fraud as well as effective changes in the insurance laws resulted in a 33% decrease in all types of motor vehicle insurance fraud from 2003 to 2007 (including a 36.9% drop in no-fault fraud and a 22% decline in other types of motor vehicle insurance fraud).

With the economic down turn that started in 2008, the suspected incidence of no-fault motor vehicle insurance fraud increased by 19.4% from 2007 to 2009 before declining 4.7% in 2010. Other types of motor vehicle insurance fraud dropped 3.7% in 2008 then rose by 9.4% from 2008 to 2010.<sup>1</sup> Thus, a continued focus on reducing the incidence of motor vehicle insurance fraud is warranted.



## Statewide Plan of Operation

In August 1999, the New York State Motor Vehicle Theft and Insurance Fraud Prevention Board, in keeping with its mission, initiated the development of a statewide plan for curtailing motor vehicle theft and insurance fraud throughout the State. The Board determined that the experience and expertise gained as a result of the ongoing operations of the funded demonstration projects provided a solid foundation upon which to build a Statewide Plan. To research and develop a plan that was reflective of the problem in all regions of New York State, the Board recommended that several agencies having extensive expertise in this area be involved in its development. In addition, officers representing 16 law enforcement agencies were added to the Statewide Work Group, which first met in January 2000.

Since the initial meetings in 2000, the size of the Motor Vehicle Theft and Insurance Fraud Strategy Work Group, which is comprised of individuals with

<sup>1</sup> The actual incidence of motor vehicle insurance fraud is difficult to measure accurately. The State Insurance Department receives reports from insurers of suspected fraud but this number cannot be considered to be an accurate representation of the problem since the term can be used administratively by insurance companies. The New York State Penal Law does not distinguish between vehicle-related insurance fraud charges and all other insurance fraud. Consequently, DCJS uses the insurance industry numbers as it works to develop a more accurate reflection of the crime of vehicle-related insurance fraud.

backgrounds in combating motor vehicle theft and motor vehicle insurance fraud, has grown as the number of grantees has grown. The following agencies participate in the work group:

Buffalo City Police	Westchester County District Attorney
Cheektowaga Town Police	Monroe County Sheriff's Office
Hempstead Town Police	Nassau County Police
New York City Police	Niagara County Sheriff's Office
Rochester City Police	Suffolk County Police
Syracuse City Police	Westchester County Police
Bronx County District Attorney	National Insurance Crime Bureau
Erie County District Attorney	New York Anti Car Theft & Fraud Association, Inc.
Kings County District Attorney	New York Prosecutor's Training Institute, Inc.
Monroe County District Attorney	NYS Attorney General's Office
Nassau County District Attorney	NYS Department of Motor Vehicles
New York County District Attorney	NYS Insurance Frauds Bureau
Niagara County District Attorney	NYS Division of State Police
Onondaga County District Attorney	
Queens County District Attorney	
Richmond County District Attorney	

The insurance industry has representatives available on the Statewide Work Group through the following carriers: Allstate, Auto One, New York Central Mutual, MetLife, Progressive, State Farm, and Zurich North America.

The Board approved the completed Statewide Plan in 2001. The Strategy Work Group reconvenes annually with members responsible for:

- Researching and developing updates for both plans reflecting the current crime trends of motor vehicle theft and motor vehicle insurance fraud, and;
- Recommendations for a statewide motor vehicle theft and insurance fraud shared information database.

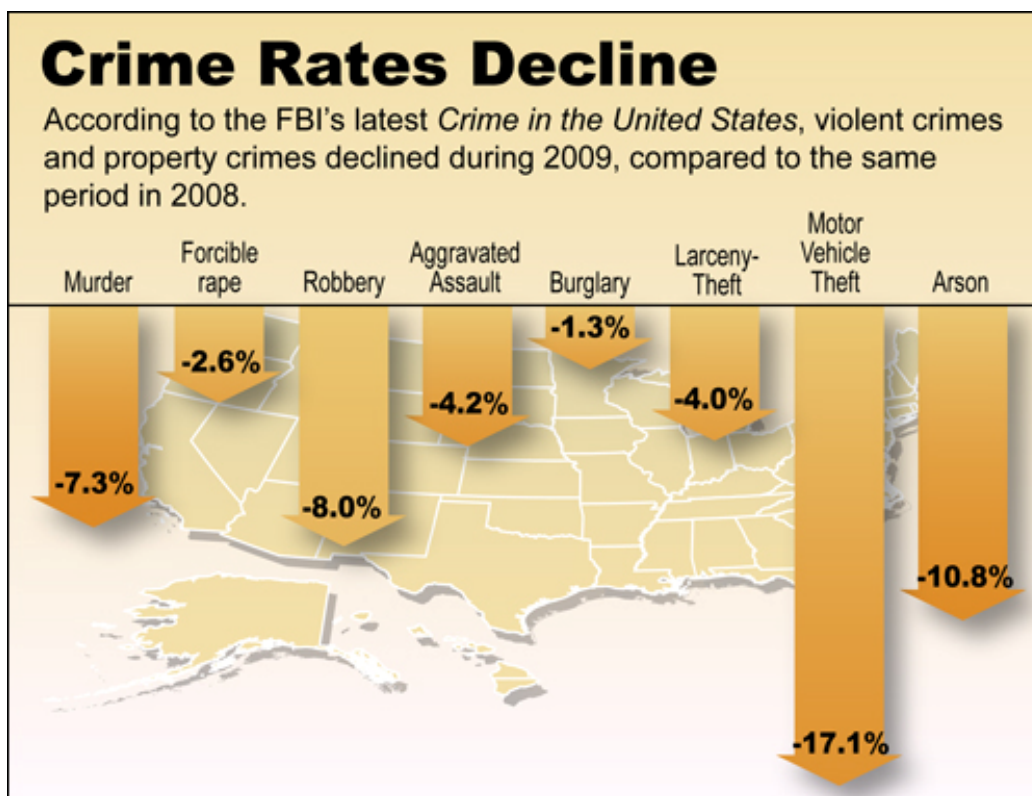
The annually updated Statewide Plan of Operation is available on the DCJS website, [www.criminaljustice.ny.gov](http://www.criminaljustice.ny.gov), and is a useful reference for those law enforcement agencies applying for demonstration project funding. Following the recommended format for the Statewide Plan, the Annual Report will present information on the dimensions of motor vehicle theft and motor vehicle insurance fraud in two separate sections.



## II. Dimensions of Motor Vehicle Theft in New York State

### National Overview – 2009<sup>2</sup>

According to national statistics, the number of motor vehicle thefts reported in 2009 had **decreased by 17.1%** over the prior year. There were **794,616** motor vehicle thefts reported in **2009** as compared to **958,629** in **2008**; all regions of the country experienced a decrease in motor vehicle thefts.

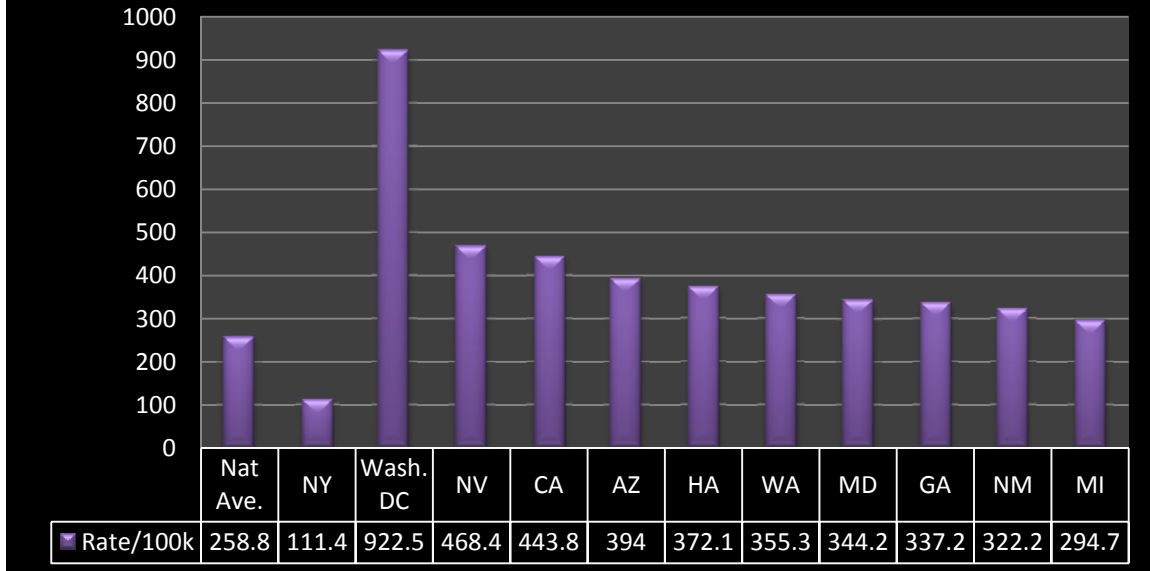


Midwestern states showed a decrease in motor vehicle theft of 18.4%, the Southern states, a decrease of 16.9% and the Western states, a decrease of 16.7%. The **Northeast Region of the United States** experienced a **17.1% decrease** in motor vehicle thefts in 2009. In the Northeast region, only New York and Pennsylvania have dedicated funds administered by a board or authority for the prevention of motor vehicle theft and insurance fraud.

FBI statistics from 2009 showed that California had the greatest number of thefts – 164,021 or 21% of the national total – followed by Texas (76,559), Florida (50,259), Georgia (33,145) and Michigan (29,383). The number of motor vehicle thefts for New York State as estimated by the FBI was 21,763 or 2.7% of the national total (New York's official total for 2009 was 21,713 thefts).

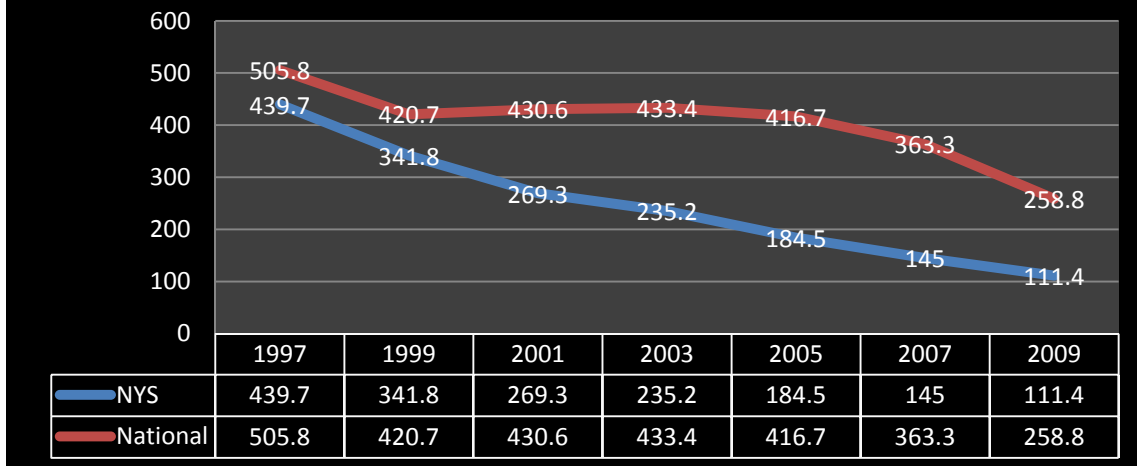
<sup>2</sup> FBI statistics for 2010 were not available at the time this report was published.

## Motor Vehicle Theft Rate/100K Population



In 2009, the New York State rate of motor vehicle thefts, at 111.4 per 100,000 population, was 56.9% below the national average of 258.8 per 100,000 population. Washington, D.C. has the highest rate of 922.5 stolen vehicles per 100,000 population followed by Nevada (468.4), California (443.8), Arizona (394.0), Hawaii (372.1) and Washington (355.3).

## Motor Vehicle Theft Rates/100k Population



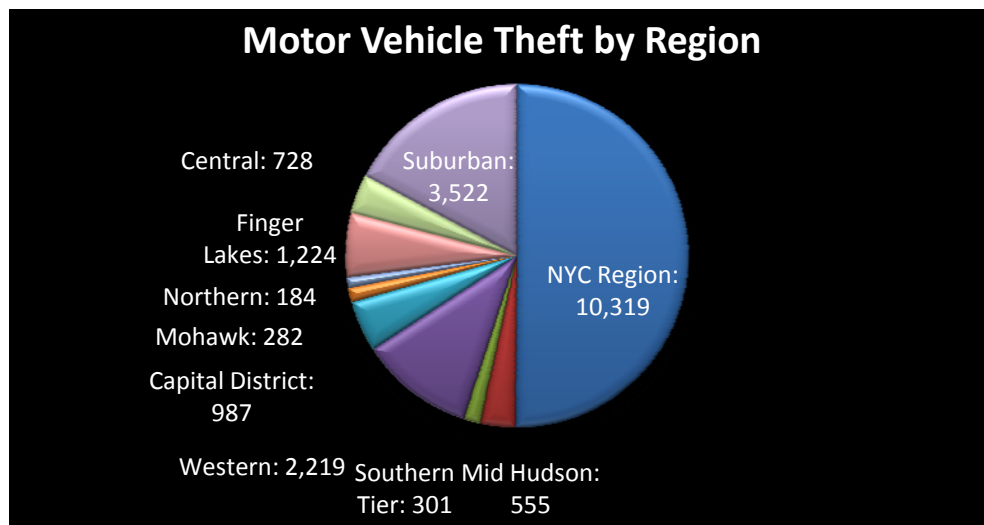
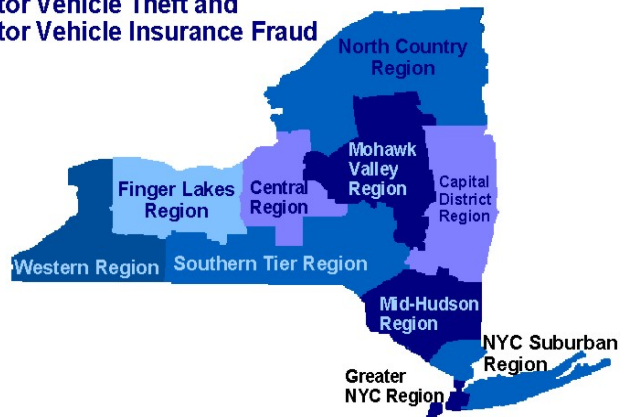
**In 2009, New York's motor vehicle theft rate of 111.4 per 100,000 is at its lowest rate in decades.**

## Statewide Overview of Motor Vehicle Theft

New York State has experienced a sustained reduction in the number of reported stolen vehicles — from 79,740 in 1997 to 20,321 in 2010 (a 74.5% decrease). This reduction in New York far exceeds the national reduction of 41.3% in reported motor vehicle thefts between 1997 and 2009. The number of vehicles reported stolen in New York is now at its lowest level in more than two decades.

The following overview on the incidence of motor vehicle theft in New York State will be done in a regional perspective<sup>3</sup>. In 2010, the greatest number of motor vehicle thefts occurred in the Greater New York City Region, with 10,319 reported thefts accounting for 50.8% of state total. Rounding out the top five regions in the state are NYC Suburban Region, with 3,522 (17.3%), Western Region, with 2,219 (10.9%), Finger Lakes Region, with 1,224 (6.0%), and the Capital District Region, with 987 (4.8%). A detailed breakdown of the data by county is provided in the appendices of this report.

**New York State Regional Map for Incidents of Motor Vehicle Theft and Motor Vehicle Insurance Fraud**



<sup>3</sup> NYC Region - Bronx, Kings, New York, Queens, and Richmond; NYC Suburban - Nassau, Rockland, Suffolk, and Westchester; Mid-Hudson - Dutchess, Orange, Putnam, Sullivan, and Ulster; Capital District - Albany, Columbia, Greene, Rensselaer, Saratoga, Schenectady, Warren, and Washington; Mohawk Valley - Fulton, Herkimer, Montgomery, Oneida, and Schoharie; North Country - Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, and St. Lawrence; Central - Cayuga, Cortland, Madison, Onondaga, and Oswego; Finger Lakes - Genesee, Livingston, Monroe, Ontario, Orleans, Wayne, Wyoming, and Yates; Southern Tier - Broome, Chemung, Chenango, Delaware, Otsego, Schuyler, Steuben, Tioga, and Tompkins; Western - Allegany, Cattaraugus, Chautauqua, Erie, and Niagara.

The Division of Criminal Justice Services has identified the top 18 localities in New York with the highest volume of Part 1 crimes, which include motor vehicle theft<sup>4</sup>. In 2010, these jurisdictions, which accounted for over 80% of the motor vehicle thefts reported statewide, experienced an overall 6.9% drop in the incidence of this offense, with seven cities reporting declines exceeding 20%. Only six of the 18 departments depicted here reported a rise in auto thefts, with three of these showing increases of six or fewer offenses.

When the rate of motor vehicle theft per 100,000 population is calculated by county, Erie County has the highest rate of 204.9 per 100,000, followed by Bronx County at 155.8, Queens County at 155.0, Rensselaer at 149.3, and Schenectady County at 145.7 (see Appendix, pages A-8 and A-9).

Motor Vehicle Thefts Reported: 2009 - 2010			
Police Agency	2009	2010	Change
Albany City PD	239	230	-3.7%
Binghamton City PD	44	18	-59.1%
Buffalo City PD	1,580	1,420	-10.1%
Jamestown City PD	20	44	+120%
Kingston City PD	30	18	-40.0%
Nassau County PD	1,121	837	-25.3%
Newburgh City PD	88	66	-25.0%
New York City PD	10,694	10,319	-3.5%
Niagara Falls City PD	128	134	+4.6%
Poughkeepsie City PD	65	52	-20.0%
Rochester City PD	962	752	-21.8%
Schenectady City PD	215	184	-14.4%
Spring Valley Village PD	22	26	+18.2%
Suffolk County PD	1,511	1,446	-4.3%
Syracuse City PD	338	367	+8.6%
Troy City PD	120	145	+20.8%
Utica City PD	77	82	+6.5%
Yonkers City PD	343	244	-28.9%

### III. Dimensions of Motor Vehicle Insurance Fraud in New York State

#### National Overview

During the 1960s, traditional motor vehicle liability insurance became the target of public criticism because of expensive and time-consuming process of determining who was at fault and, therefore, legally liable when an accident occurred. In response to this consumer dissatisfaction with the insurance industry, many states enacted no-fault legislation that allows accident victims to recover financial losses, such as medical and hospital expenses and lost income from their own insurance companies without liability being assigned. In 1974, New York became one of 12 states that initiated true no-fault motor vehicle insurance.

<sup>4</sup> Part 1 crimes include: murder, rape, robbery, aggravated assault, larceny, burglary, and motor vehicle theft.

This legislation resulted in an increase in no-fault insurance claims nationwide and a corresponding increase in insurance fraud crimes. In many states, the financial benefits of having no-fault insurance are being eliminated due to the higher premiums now paid for coverage. According to the Insurance Information Institute, only 12 states still had no-fault insurance laws as of June 2010.

On a national level, identifying the crime of motor vehicle insurance fraud in order to develop trends that allow law enforcement to target the problem is difficult. Unlike the motor vehicle theft, theft from a motor vehicle and theft of motor vehicle parts and accessories, statistics on motor vehicle insurance fraud crimes are not part of the Uniform Crime Report maintained by the Federal Bureau of Investigation. There are no uniform definitions of insurance fraud among the states and although insurance fraud is illegal in all states, the level of seriousness attached to the crime varies by state. Some states classify insurance fraud or certain types of fraud as a felony, others as a misdemeanor. In addition, the dollar amount involved can determine whether the crime is considered a felony.

According to the Insurance Information Institute, not all states require special investigation units of insurance companies to forward every suspicious claim to their state's fraud bureau. These reports are "suspected incidents" of insurance fraud are handled in-house by insurance carriers or by civil actions instead of being prosecuted criminally. Prompted by the incidence of insurance fraud, 46 states have established fraud bureaus; some bureaus have limited powers, and some states have more than one bureau to address fraud in different lines of insurance.

## **Statewide Statistics**

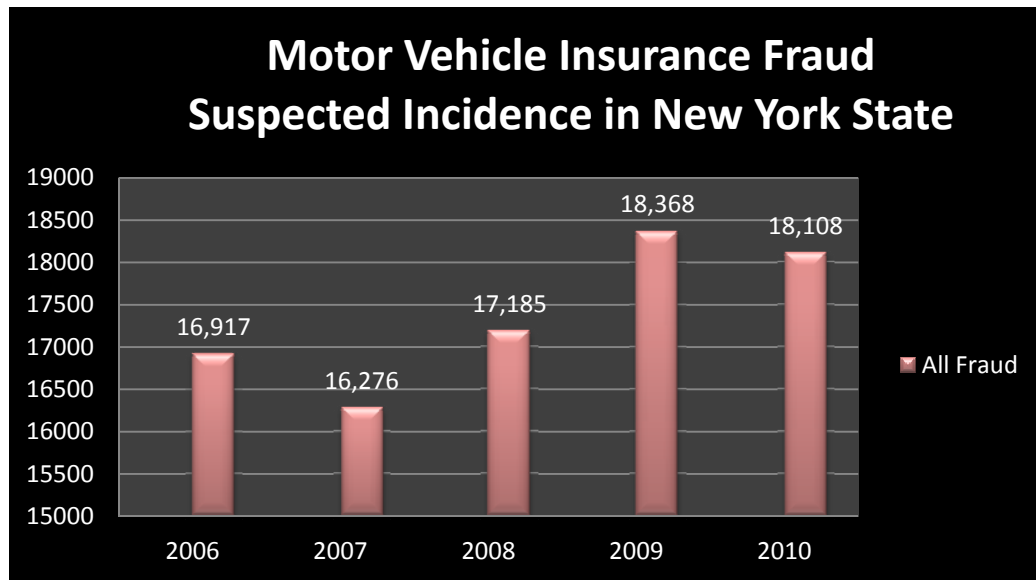
In 2010, there were 18,108 incidents of suspected motor vehicle insurance fraud reported to the Insurance Frauds Bureau of the state's Insurance Department, including motor vehicle theft, motor vehicle fire, and larceny from a motor vehicle, motor vehicle vandalism, motor vehicle collision damage, motor vehicle fraud bill, motor vehicle insurance cards, and motor vehicle miscellaneous and no-fault.

These crimes add an estimated 10% to the cost of insurance premiums paid by policyholders in New York State. As the legislative findings associated with the creation of the Motor Vehicle Theft and Insurance Fraud Demonstration Program point out: "Motor vehicle theft and motor vehicle insurance fraud are a major problem in New York and costs honest motor vehicle policyholders billions of dollars annually. As the cost of motor vehicle insurance continues to rise, this essential coverage has become less affordable and more out of reach for many New Yorkers."

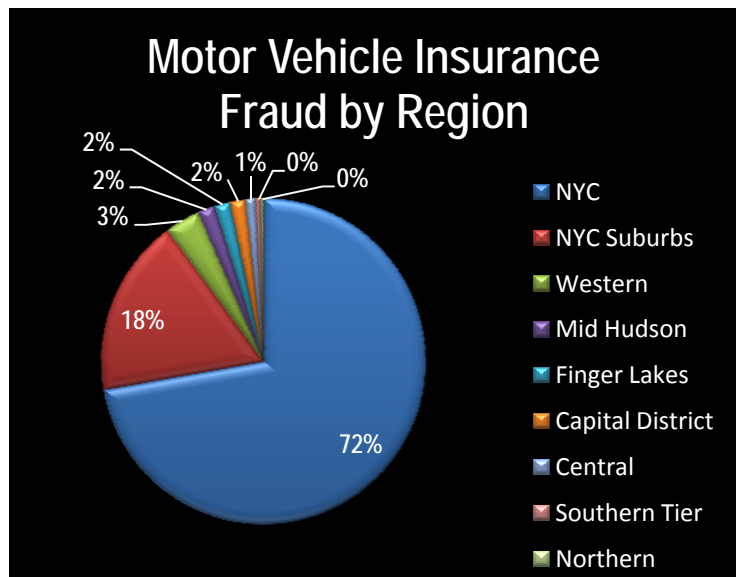
Since 1997, New York State had experienced an alarming increase in reports for suspected incidents of motor vehicle insurance fraud (MVIF) from insurers in the state; the greatest increase has occurred in no-fault related fraud. Suspected reports of MVIF to the State Insurance Frauds Bureau includes fraudulent reports of vehicle theft, vehicle fire (arson), larceny from vehicle, vehicle vandalism, vehicle collision damage,

billing and no-fault. In 1997, 13,939 incidents of motor vehicle insurance fraud were reported and by 2003, the number had increased by 39.4% to 24,282. Due to targeted enforcement, enhanced prosecution and changes in New York State insurance laws, motor vehicle insurance fraud decreased by 32.9% from 2003 to 2007.

Since the economic downturn began, New York State has experienced an increase in suspected incidents of motor vehicle insurance fraud from 16,276 in 2007 to 17,185 in 2008 to 18,368 in 2009. A slight decrease of 1.4% occurred from 2009 to 2010. This has greatly contributed to the fact that the average cost of motor vehicle insurance for New York State residents is the third highest in the nation, behind Michigan and New Jersey.



In 2010, the New York City Region experienced **72%** of the suspected incidence of motor vehicle insurance fraud reported to the State Insurance Frauds Bureau, and 19% of those incidents were reported in the NYC suburbs: Nassau, Rockland, Suffolk, and Westchester counties. On average, the cost of motor vehicle insurance in these regions is much greater than in the rest of New York State.



Although New York City has documented declining reports of motor vehicle theft, the City of New York, as a region, still has the highest rates of motor vehicle insurance fraud (117.1 per 100,000) in the state. In 2010, Kings County had the highest rate of motor vehicle insurance fraud based on population (209.1 per 100,000 population) and accounted for approximately 29.6% of the reported incidents of motor vehicle insurance fraud in the State followed by Bronx County (170.16 per 100,000), Queens County (134.55 per 100,000), New York County (108.94 per 100,000) and Nassau County (106.13).

Motor Vehicle Insurance Fraud - 2009 – 2010				
Top Ten Counties				
County	2009	2010	Change	2010 Rate per 100,000
Kings	4,908	5,371	+9.4%	209.1
Queens	3,483	3,099	-11%	134.6
Bronx	2,336	2,379	+1.8%	170.2
New York	1,164	1,789	+53%	108.9
Suffolk	1,396	1,196	-14.3%	78.6
Nassau	1,369	1,436	+4.8%	106.1
Richmond	544	405	-25.5%	87.7
Erie	429	421	-1.8%	46.5
Westchester	424	346	-18.3%	36.2
Monroe	226	230	+1.7%	31.4

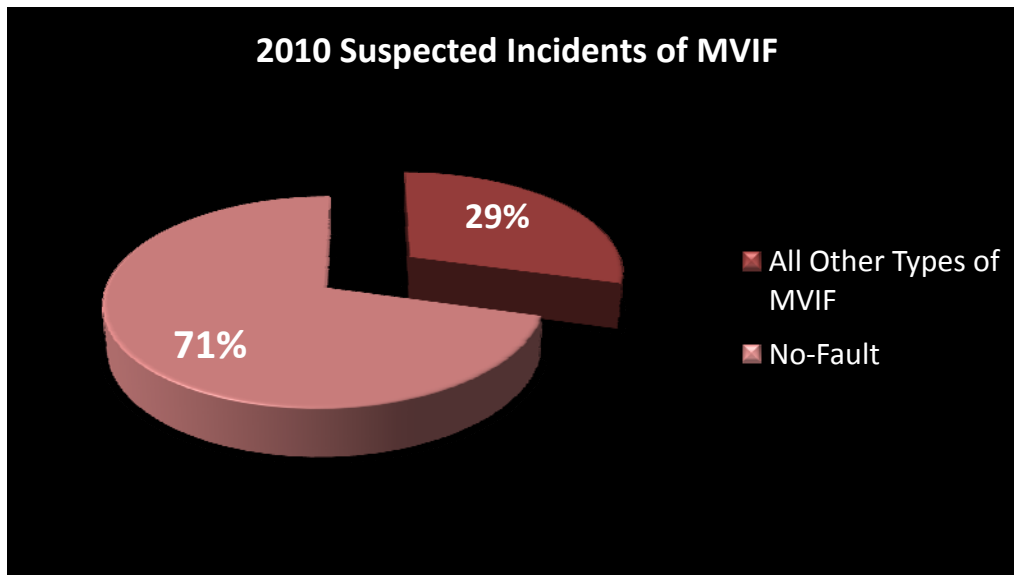
The number of suspected incidents of no-fault insurance fraud reported to the State Insurance Frauds Bureau increased by 19.4% from 2007 to 2009. From 2009 to 2010, an overall decrease of 4.6% occurred in New York State but the counties of Kings, New York and Nassau saw increases.

No-fault insurance fraud accounted for 71% of all reported suspected incidents of motor vehicle insurance fraud in New York in 2010. According to the Insurance Information Institute:

- Medical payments under New York’s no-fault Personal Injury Protection (PIP) provisions are rising dramatically, in part due to fraud and abuse.
  - PIP average claim costs in the third quarter of 2010 stood at \$8,776, **the third highest in the country** behind Michigan and New Jersey.
  - From the end of 2004 to the third quarter of 2010, **claims costs rose an astounding 49.5 %**.
  - **No-fault fraud and abuse cost consumers and insurers about \$241 million in 2010**, a cost that was imposed on all drivers in the form of higher premiums.

Further information from the Insurance Research Council states:

- About **one in every five** no-fault auto insurance claims closed in the New York City area in 2010 appear to have elements of fraud, and as many as one in three claims appear to be inflated.
- From 2007 to 2010, the percentage of no-fault claims in the New York City area with the appearance of claim abuse **rose from 29 percent to 35 percent**.
- In 2010, the typical PIP claims payout for claimants in the New York City area was nearly **two times** the payout for claimants in the rest of the state.



#### IV. PROGRAM OVERVIEW

The *New York Motor Vehicle Theft and Insurance Fraud Prevention Demonstration Program* supports a variety of initiatives targeting motor vehicle theft and related motor vehicle insurance fraud.

##### A. Program Goals

The goals of the program are to provide an integrated means to prevent, deter and reduce the incidence of motor vehicle theft and motor vehicle insurance fraud by developing and providing funding for demonstration programs that include: education on theft and fraud prevention; programs on motor vehicle theft and fraud prevention; and specialized law enforcement units to combat motor vehicle theft and motor vehicle insurance fraud. The following entities are eligible to participate: any locality, governmental agency, or not-for-profit organization that provides one or more of the motor vehicle theft or insurance fraud prevention programs approved by the Board. Current budget language restricts program funding to local assistance projects only.



## **B. Motor Vehicle Theft and Insurance Fraud Prevention Board**

The demonstration program is administered by a 12-member board chaired by the Commissioner of the Division of Criminal Justice Services (DCJS), or his or her designee. All Board members are appointed by the Governor: three appointees are recommended by the Speaker of the Assembly; three by the Temporary President of the Senate; and the remaining five by the Governor. The members, who are not considered public officials, serve a four-year term. The Board is to be representative of consumers of motor vehicle insurance, motor vehicle insurance companies, law enforcement agencies, and the judicial system. The Board must meet a minimum of four times a year.

The Board is charged with developing and recommending a coordinated plan of operation that provides for the statewide reduction of motor vehicle theft and motor vehicle insurance fraud. Elements of the plan must include:

1. An assessment of the magnitude and scope of the problem including an analysis of theft and fraud by region;
2. Methods for combating the problem; and
3. Development of a competitive Request For Proposal (RFP) process.

Pursuant to the recommendations of the Board, Executive Law, Article 36-A authorizes the Commissioner of DCJS to:

1. Execute contracts;
2. Accept grants and other contributions;
3. Make grants through an RFP process;
4. Appoint employees and affix compensation;
5. Request assistance and information from the State Police, police departments, the Insurance Department, Department of Motor Vehicles, Office of Court Administration, or any other agency or from any insurer;
6. Assist political subdivisions in the development of local programs;
7. Advise and assist the Superintendent of Insurance pursuant to Insurance Law §2348. (This section now requires that rate filings reflect insurers' savings resulting from the program); and,
8. Submit by February 15 of each year to the Governor and Chairs of Senate Finance and Assembly Ways and Means committees a report on the Board's activities, activities of grant recipients and the results or impact.

## C. Program Priorities

Program priorities identified in the enabling legislation are: **motor vehicle theft and motor vehicle insurance fraud.** Funds must be used to augment, not supplant, locally supported initiatives. Activities eligible for funding include but are not limited to:

1. Prosecution and adjudication
2. Law enforcement
3. Community-based organizations
4. Educational programs for motor vehicle owners
5. Programs to examine the efficacy of theft prevention devices

## V. BOARD ACTIVITY

### SUMMARY OF BOARD ACTIVITY ON October 4, 2010

#### Board Members Present:

Kristina Baldwin  
Eileen Sullivan (for Richard Brown)  
Steve Vandervelden (for Janet DiFiore)

Tom Lohmann  
Christine Ziemba  
Bill Zelenka (for Robert Johnson)

#### DCJS Staff Present:

Deputy Commissioner Mark Bonaquist  
Paula Raiti  
Tom Cowin  
Mary Ann Dudla  
Eileen Langer-Smith

Michele Mulloy  
Anne Marie Strano  
Ben Lazarus  
Val Friedlander

On behalf of Acting Commissioner Sean Byrne, Eileen Langer-Smith called the meeting to order at 11:05 a.m. She welcomed everyone in attendance.

Staff provided and update on the following topics:

Current statistics for motor vehicle theft and insurance fraud  
SFY 2009 MVTIFP Awards  
SFY2010-2011 Budget  
Legislative Update (presented by Val Friedlander, DCJS Senior Attorney)

The MVTIFP RFP for 2010-2011 awards was discussed and an Office of Program Development and Funding FPD Administration Unit representative (Ben

Lazarus) provided a review of the DCJS Grants Management System (GMS) for Board members and representatives to utilize during the grant review process.

**SUMMARY OF BOARD ACTIVITY ON NOVEMBER 16, 2010**

**Board Members & Representatives Present**

Acting Commissioner Sean Byrne  
 Richard Brown  
 Robert Johnson  
 Thomas Lohmann  
 Christine Ziemba  
 Tim Hotaling (proxy for David Swarts)  
 Bill Zelenka (proxy for Robert Johnson)  
 Steve Vandervelden (proxy for Janet DiFiore)  
 Eileen Langer-Smith (proxy for Kristina Baldwin)

**Guests**

Eileen Sullivan

**DCJS Staff**

Paula Raiti	Tom Cowin
Anne Marie Strano	Mary Ann Dudla
Michele Mulloy	Mike Passaro
Wendy Maher	Kathy Stack

Acting Commissioner Sean Byrne called the meeting to order at 11:05 a.m. and welcomed everyone in attendance. Attendees introduced themselves and individuals representing absentee Board Members were requested to present their proxy letters to Acting Commissioner Sean Byrne.

Eileen Langer-Smith gave a brief description of each grant application received and explained whether an applicant was seeking funding for the first time or refunding. The following charts indicate the results of the Board members votes for the SFY 2010 funding proposals.

**FY 2009 Funding Proposals**

***New Agencies***

Applicant	Amount Requested	Amount Recommended	Vote by members to accept amount recommended
NYC Criminal Justice Coordinator	<b>\$503,875</b>	<b>\$0</b>	All members were in favor of the recommendation.
New York City Fire Department	<b>\$1,144,000</b>	<b>\$0</b>	All members were in favor of the recommendation.

Acting Commissioner Byrne requested a motion to accept the recommendations for the awards as presented. Christine Ziemba motioned to accept the recommendations for awards as presented. Tom Lohmann seconded the motion and all voted in favor.

***New York City Agencies***

Applicant	Amount Requested	Amount Recommended	Vote by members to accept amount recommended
Bronx County District Attorney	\$298,073	\$248,000	Bill Zelenka recused himself from the vote. All members were in favor of the recommendation.
Kings County District Attorney	\$246,542	\$200,000	All members were in favor of the recommendation.
New York County District Attorney	\$300,000	\$240,000	All members were in favor of the recommendation.
Queens County District Attorney	\$600,000	\$480,000	District Attorney Richard Brown recused himself from the vote. All members were in favor of the recommendation.
Richmond County District Attorney	\$105,700	\$85,000	All members were in favor of the recommendation.
New York City PD – Auto Crime Unit	\$315,894	\$150,000	All members were in favor of the recommendation.
New York City PD – FAIS	\$190,000	\$106,000	All members were in favor of the recommendation.
New York City PD – Auto Larceny Units	\$124,000	\$100,000	All members were in favor of the recommendation.

Acting Commissioner Byrne requested a motion to accept the recommendations for the awards as presented. Steve Vandervelden motioned to accept the recommendations for awards as presented. Tim Hotaling seconded the motion and all voted in favor.

***New York City Suburbs Agencies***

Applicant	Amount Requested	Amount Recommended	Vote by members to accept amount recommended
Hempstead Village Police Department	\$44,000	\$25,000	All members were in favor of the recommendation.
Nassau County District Attorney	\$200,000	\$160,000	All members were in favor of the recommendation.
Nassau County Police Department	\$177,000	\$125,000	All members were in favor of the recommendation.
Suffolk County District Attorney	\$449,261	\$300,000	All members were in favor of the recommendation.
Suffolk County Police Department	\$127,395	\$117,450	All members were in favor of the recommendation.
Westchester County District Attorney	\$388,000	\$275,000	Steve Vandervelden recused himself from the vote. All members were in favor of the recommendation.
Yonkers City Police Department	\$160,263	\$130,000	All members were in favor of the recommendation.

Acting Commissioner Byrne requested a motion to accept the recommendations for the awards as presented. Richard Brown motioned to accept the recommendations for awards as presented. Tom Lohmann seconded the motion and all voted in favor.

**Capital Region/Central New York**

Applicant	Amount Requested	Amount Recommended	Vote by members to accept amount recommended
Albany City Police Department	\$62,000	\$39,500	All members were in favor of the recommendation.
Albany County District Attorney	\$103,545	\$93,000	All members were in favor of the recommendation.
Schenectady County District Attorney	\$94,171	\$45,000	All members were in favor of the recommendation.
Syracuse City Police Department	\$50,000	\$34,000	All members were in favor of the recommendation.

Acting Commissioner Byrne requested a motion to accept the recommendations for the awards as presented. Christine Ziemba motioned to accept the recommendations for awards as presented. Steve Vandervelden seconded the motion and all voted in favor.

**Western Region Agencies**

Applicant	Amount Requested	Amount Recommended	Vote by members to accept amount recommended
Buffalo City Police Department	\$116,700	\$111,953	Commissioner O'Donnell recused herself from the vote. All members were in favor of the recommendation.
Cheektowaga Town Police Department	\$47,665	\$45,500	Chief Christine Ziemba recused herself from the vote. All members were in favor of the recommendation.
Erie County District Attorney	\$129,877	\$117,500	All members were in favor of the recommendation.
Monroe County District Attorney	\$172,048	\$143,000	All members were in favor of the recommendation.
Monroe County Sheriff	\$43,350	\$32,000	All members were in favor of the recommendation.
Rochester City Police Department	\$48,336	\$44,336	All members were in favor of the recommendation.
Niagara County District Attorney	\$176,403	\$152,261	All members were in favor of the recommendation.
Niagara County Sheriff	\$22,000	\$19,500	All members were in favor of the recommendation.
Niagara Falls City Police Department	\$40,250	\$35,000	All members were in favor of the recommendation.

Acting Commissioner Byrne requested a motion to accept the recommendations for the awards as presented. Richard Brown motioned to accept the recommendations for awards as presented. Steve Vandervelden seconded the motion and all voted in favor.

**Statewide Agencies**

Applicant	Amount Requested	Amount Recommended	Vote by members to accept amount recommended
New York Anti-Car Theft & Fraud Association	\$50,000	\$47,500	Tom Lohmann recused himself from the vote. All members were in favor of the recommendation.
New York Prosecutors Training Institute	\$108,664	\$47,500	District Attorneys Richard Brown and Janet DiFiore recused themselves from the vote. All members were in favor of the recommendation

Acting Commissioner Byrne requested a motion to accept the recommendations for the awards as presented. Christine Ziemba motioned to accept the recommendations for awards as presented. Tim Hotaling seconded the motion and all voted in favor.

**Note: The complete minutes of the Board’s meetings are available upon written request to the address listed below:**

**New York State Division of Criminal Justice Services  
 Office of Program Development and Funding  
 Law Enforcement Unit  
 4 Tower Place  
 Albany, New York 12203**

## VI. 2009 Grant Program Descriptions



### ***New York City Region***

Bronx County Office of the District Attorney  
Kings County Office of the District Attorney  
New York County Office of the District Attorney  
Queens County Office of the District Attorney  
Richmond County Office of the District Attorney  
New York City Police Department  
Auto Crime Division (ACD)  
Auto Larceny Units (ALU)  
Fraudulent Accident Investigation Squad (FAIS)

### **Bronx County Office of the District Attorney**

The Bronx County District Attorney's Office Anti-Auto Theft Unit, in collaboration with individual precincts, continued its work investigating both auto crime and insurance fraud matters. The unit also continued to place the "bait" cars in precincts as needed.

In 2010, as in the previous 11 years, the Motor Vehicle Theft and Insurance Fraud Prevention grant enabled this office to continue its focus on auto crime and insurance fraud. Between 1990 and 2010, complaints of grand larceny auto (GLA) declined by 91% in Bronx County, from nearly 23,000 complaints to 2,162. This Office continues to recommend jail time on cases involving the theft of a motor vehicle in Bronx County or the recovery of a stolen motor vehicle within Bronx County.

In the fall of 2006, the Bronx District Attorney's Office Detective Investigators began using a license plate reader (LPR) provided by the National Insurance Crime Bureau. The following year, using grant funds, the Office purchased its own LPR to enhance the coverage area of the first unit. In 2010, the use of the two LPRs in collaboration with local Bronx precincts resulted in seven arrests, 150 summonses issued, and 214 stolen vehicles recovered.

**Strategies Implemented.** Four detective investigators continue to work in conjunction with local precincts to target enforcement regarding auto crime. There are a variety of different law enforcement tactics available, depending on the problem to be addressed. These strategies include the use of "bait" cars, LPRs, surveillance, and long- and short-term investigations. Defendants are also debriefed in an effort to uncover ongoing criminal enterprises.

### Bronx County Office of the District Attorney

<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT investigations	19	Stolen/altered vehicle recovered	397
MVT felony arrests prosecuted	626	Value of vehicles recovered	\$4,683,865
MVT misdemeanor arrest prosecuted	139	Lojack utilized	269
MVT felony convictions	56	Lojack recoveries	41
MVT misdemeanor convictions	217	Values of Lojack recovered vehicles	\$744,325
MVT confidential informants developed	5	MVT/MVIF debriefings	87
MVT indictments	90	MVIF felony arrests prosecuted	6
MVT warrants issued	7	MVIF felony convictions	6
MVT investigations filed with SAFETNet	9	MVIF misdemeanor convictions	6
Hits resulting from SAFETNet	0	MVIF confidential informants developed	5
Reported motor vehicle thefts	2,162	MVIF investigations filed with SAFETNet	16

### Kings County Office of the District Attorney

The District Attorney's Office of Kings County's (KCDA) Rackets Division has successfully conducted investigations into automobile and insurance-related crimes, which include but are not limited to car thefts, "chop shops", odometer rollbacks, and collision shops submitting fraudulent claims, including enhanced damage claims and fraudulent vandalism claims. The Division also investigates medical clinics involved in no-fault fraud.

The collaborative efforts of KCDA, the New York State Department of Motor Vehicles, the New York City Police Department's Auto Crimes Unit and their Fraudulent Accident Investigations Squad, as well as U. S. Postal Inspectors have resulted in several successful prosecutions. The office has a zone system of prosecution in which ADAs are assigned to zones covering specific precincts in Kings County. These ADAs prosecute all criminal activity within their assigned zone. As in the Rackets Division, there are personnel specifically assigned from these zones to do grant work, however, there are several additional ADAs who are not subsidized by grant funds but spend a significant portion of their time on MVTIFP-related crimes.

Kings County remained at the top among New York State counties with respect to incidents of suspected fraudulent automobile insurance and no-fault insurance claims during 2010, as reported in the New York State Motor Vehicle Theft and Insurance Fraud Board's Annual Reports of statistical data. However, the office has continually made progress in the prosecution of auto theft and insurance fraud. For the most part



there has been a steady decline in the number of reported motor vehicle thefts in Kings County since 2003. This drop reflects cooperative success with other law enforcement agencies, aided by grant money. The statistics outline claims for automobile theft, automobile fires, larceny from a vehicle, vandalism to a car, collision damage, fraudulent bills, fraudulent insurance cards, and no-fault fraud.

With respect to insurance fraud, however, greater efforts are indicated. According to the New York State Department of Insurance, in 2009, there were 4,907 incidents of fraud of which 4,274 were classified as suspected no-fault fraud. In 2010, Kings County still had the highest incidence of suspected no-fault fraud in the state, which increased over the previous year by approximately 8% (5,317 suspected incidents of insurance fraud of which 4,627 were suspected to be no-fault related). According to NYPD statistics, there were 86 felony arrests for insurance fraud-related crimes in 2010.

In 2010, there were 3,338 motor vehicles reported stolen in Kings County which represents a decrease of about 3% from 2009 when that number was 3,438. According to the New York City Police Department, of the motor vehicles reported stolen for 2010, 1,908 were recovered.

In 2008, the KCDA introduced a three-prong program in its fight against automobile theft and insurance fraud. The first prong of this investigative strategy is to prosecute street-level automobile theft by coordinating the efforts of the Rackets Division and the Complaint Room, through which all arrests in Kings County are processed. Working as a unified team, these units have continued to cooperate and work in conjunction with outside agencies, particularly the Police Department Automobile Crimes Division and local precincts. The result is a more effective prosecutorial approach designed to deter criminal behavior.

The second prong is for the Rackets Division of the KCDA to continue to use its resources to investigate all aspects of the targeted crimes related to motor vehicle theft and insurance fraud. The third prong is the continuation of efforts to get at the proceeds of these crimes, working with a designated ADA assigned to the KCDA Money Laundering and Revenue Crimes Bureau. This prong of the approach is intended to result in an increased number of actions for forfeiture and other financial penalties.

This program has made it possible for KCDA to forcefully and effectively prosecute those who commit automobile theft and insurance fraud. These prosecutions have also resulted in more jail sentences being imposed, particularly with misdemeanor offenders.

Additional investigative techniques are being utilized such as eavesdropping warrants or wiretaps to help facilitate the successful prosecution of these more organized and complex criminal enterprises. The results have been positive, but the required resources are relatively extensive and labor intensive, yet necessary to effectively conduct these investigation.

KCDA continues to use conventional methods to investigate operatives who engage in no-fault insurance scams. These individuals often work as a group to insure the effectiveness of their scams. As shown through investigations conducted in Kings County with the cooperation of NICB, there are many medical clinics which exist for the primary purpose of engaging in no-fault fraud. These clinics are located throughout the borough and many of these clinics work under multiple company names.

<b>Kings County Office of the District Attorney</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
Investigations initiated	3	MVT-related felony prosecutions	483
MVT-related misdemeanor prosecutions	443	MVT felony convictions	55
MVT misdemeanor convictions	230	Indictments	329
Confidential informants developed	2	Warrants issued	0

### **New York County Office of the District Attorney**

During 2010, the New York County District Attorney's Office Special Prosecutions Bureau, Major Economic Crime Bureau, Rackets Bureau, Money Laundering and Tax Crimes Unit, and Asset Forfeiture Unit continued to actively pursue many cases and investigations involving motor vehicle insurance fraud, false documents, and related crimes. Assistants in the Trial Division aggressively prosecuted numerous fraudulent document cases and continued their efforts to combat motor vehicle theft.

The 2010 statistics are notable in several areas compared to 2009 data. There were 81 fewer vehicles reported stolen in 2010, 26 more misdemeanor convictions and 29 more felony convictions in theft-related incidents. Due to the fortunate decrease in motor vehicle thefts, there were 30 fewer misdemeanor arrests prosecuted and 9 fewer felony arrests in 2010. There also were advances in the investigation of motor vehicle insurance fraud-related cases, with nine more investigations conducted, 25 more indictments, and three new informants developed in 2010. The number of felony arrests increased by 14 over 2009 and misdemeanor arrests, most involving fraudulent documents, decreased by 87, resulting in a decrease in the overall number of misdemeanor arrests that were prosecuted.

While the number of vehicles reported stolen continued its yearly decline, consistent with the remarkable pattern that began over a decade ago, motor vehicle theft remains a problem in Manhattan, as do vehicle break-ins motivated by the desire to steal equipment and property from inside the vehicle.

The possession, use and production of fraudulent motor vehicle-related documents continue to be a serious problem. Defendants arrested for auto theft or possession of stolen vehicles in 2010 frequently were in possession of fraudulent drivers licenses, insurance cards, registration cards, VIN plates or other documents.

These types of documents, particularly driver's licenses, were often used in a wide variety of other crimes such as bank fraud, check fraud, credit card fraud, identity theft and other larceny schemes. Others were charged in 2010 while using fake documents in attempts to purchase and register vehicles.

A number of insurance fraud arrests and indictments involving owner "give-ups", false reports of theft, and vehicle arsons took place in 2010. The number of defendants charged with participating in staged and fraudulent accidents in Manhattan continued to decline somewhat from past years. Despite this decline, "Medical Mills" - corrupt clinics unlawfully controlled by non-physicians that exist solely to fraudulently bill insurance carriers for the unnecessary treatment of non-existent injuries – remain a serious and challenging problem for law enforcement.

By far the most significant case of 2010 was the near resolution of the investigation and prosecution of a corrupt clinic on St. Nicholas Avenue that bilked insurance companies of over \$6.2 million. Following a lengthy investigation conducted by the Major Economic Crime Bureau with the NYPD's Fraudulent Accident Investigation Squad, NICB, and insurance carriers, the first indictment was filed in 2008 charging thirteen defendants and numerous corporations with enterprise corruption, grand larceny, insurance fraud and related charges. The defendants included runners, clinic employees, health care providers, doctors and the true owner of the clinic who controlled all aspects of the criminal operation. Other individuals and corporations were subsequently charged as a result of related investigations spanning the following two years. A doctor and a chiropractor who worked at the corrupt clinic were both convicted of enterprise corruption and numerous other charges in December 2010 after a jury trial that lasted two and a half months. Three corporations were also convicted. The central theory of the prosecution at trial was that all of the insurance claims submitted by the defendants and the clinic were fraudulent because the true ownership of the clinic was concealed. The true owner of the facility pleaded guilty earlier in the case and testified at length as a cooperating witness in the trial, providing a detailed look inside the criminal enterprise and the methods used by the perpetrators to attempt to avoid apprehension. By the end of 2010, 8 defendants had pleaded guilty and been sentenced, 10 had pleaded guilty and were awaiting sentence, 5 were awaiting sentence after being convicted at trial, and asset forfeiture actions were ongoing.

Other notable 2010 cases included the prosecution of a commercial truck driver who presented a fraudulent driver's license after striking and killing a pedestrian in an accident. He had essentially assumed the identity of a Florida resident while operating the truck, using a license in the other person's name without their knowledge. In fact the defendant had no license to operate a tractor trailer. He pleaded guilty and was sentenced to serve a state prison term of up to four years.

The Vehicular Crimes Unit was restructured. The unit is based in the Trial Division and focuses on vehicular homicides and injuries, driving while under the influence of alcohol or drugs, driving with suspended licenses, and other offenses. Among other initiatives, the unit will increase training, work closely with dedicated divisions of the NYPD, and pursue legislation in this important area.

<b>New York County Office of the District Attorney</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT indictments	100	MVIF investigations initiated	19
MVT-related misdemeanor prosecutions	361	MVIF indictments	89
MVT-related felony prosecutions	220	MVIF-related misdemeanor prosecutions	189
MVT misdemeanor convictions	186	MVIF-related felony prosecutions	174
MVT felony convictions	114	MVIF misdemeanor convictions	53
MVT Sentences	205	MVIF felony convictions	58
MVT Reported	991	MVIF Sentences	116

### **Queens County Office of the District Attorney**

The Queens District Attorney's Office Specialized Auto Crime and Insurance Fraud Unit is responsible for handling auto crime and insurance fraud-related investigations and prosecutions. The unit is comprised of assistant district attorneys and investigators with specific experience and expertise in motor vehicle theft and insurance fraud who continue to be assigned to investigate and prosecute these matters, with a focus on long-term investigative efforts, sting operations and the handling of specially selected trial matters that target organized motor vehicle theft and insurance fraud activity.

During 2010, five assistant district attorneys were assigned to the grant program, including the Chief of the Auto Crime and Insurance Fraud Unit, the Deputy Bureau Chief of the Organized Crime and Rackets Bureau and three other assistant district attorneys. In addition, four investigators and one community associate were assigned to the program during this period. Assigned staff engage in ongoing gathering and analysis of crime patterns, intelligence data, and emerging patterns in the community and utilize a full range of investigative techniques including intensive physical surveillance, use of informants and undercover operatives, sting operations, and sophisticated surveillance and investigative techniques, such as search warrants, wiretapping or other electronic eavesdropping and surveillance.

A major emphasis in both our investigations and prosecutions of organized auto crime and insurance fraud matters continues to be building enterprise corruption cases, where possible, to ensure, to the extent possible, that the organized foundations of the crime activity are uprooted and maximum sentences are obtained. In addition, assigned prosecutors aggressively address individual prosecutions and target them for strong dispositions and sentences - - particularly because of the often discerned linkage of individual prosecutions to an overall pattern of criminal activity.

In 2010, Queens County's comprehensive approach to combating auto crime and insurance fraud focused on long-term investigative and sting operation activity and targeting cases for specialized handling and stiff dispositions and sentencing.

Specifically in 2010, the Office's Specialized Auto Crime/Insurance Fraud Unit handled 128 new cases, with 61 dispositions, including 27 felony pleas, nine state prison sentences, 12 city jail sentences, and 13 probationary sentences.

Over the past several years there also has been a large number of insurance fraud prosecutions and successful dispositions in this area by the specialized unit. In 2010, 13 cases were disposed of by the unit in which the defendant specifically pled guilty to the crime of insurance fraud, with five of these cases disposed of with felony pleas. In addition, a great deal of effort was spent on following-up on any licensed professionals found to be involved in insurance fraud schemes to ensure that they were dealt with administratively as well by their respective licensing agencies.

New crime patterns continue to emerge in the areas of auto crime and insurance fraud. While many of the traditional organized crime chop shop organizations have been shut down or are re-organizing, there are now more disparate organized groups running a network of steal for hire and organized auto theft-related operations, largely focused on mid-range models, such as Hondas, Toyotas, Nissans, Fords and Dodges. Organized stolen vehicle export and Internet sales criminal enterprises exist, and an active component parts "harvesting" industry has emerged, mostly focused on tires and rims and more recently on the theft of vehicle interiors including doors, seats and other untraceable component parts. There also has been an increase in auto dismantling operations in smaller venues - storefronts and private garages, for example - as well as incidences in which stolen vehicles are being exported out-of-state or to foreign countries.

Other auto crime patterns include the use of stolen or fake identities and documentation to purchase and obtain leases for vehicles; and loan "bust-outs," with straw buyers, loan defaults, and vehicle retagging for resale in and out of state. The use of the Internet adds a new dynamic to the auto crime problem, making it more diffuse, complex and, therefore, often more difficult to track. Websites such as Craig's List have been used to sell and purchase stolen vehicles and component parts.

The reasons for the auto crime problem in Queens County continue to be manifold. Geographically, Queens County continues to have an abundance of parking lots, high rise complexes, and open areas where vehicles may be parked for a long period of time, and two airports, both of which have long-term parking facilities. The combination of many high-quality cars, a large concentration of auto junkyards and collision shops, and a network of highways convenient for driving stolen cars away, also help make Queens particularly susceptible to those who engage in auto crime.

In the area of insurance fraud, much of the problem remains organized in complex criminal enterprises throughout the county that are difficult to infiltrate – involving numerous "medical mills", illicit clinics with common ownership, and individual medical professionals, including doctors, chiropractors, physical therapists, and

dentists. These enterprises also continue to take advantage of numerous manifestations of property and personal injury claim insurance fraud. These include false stolen vehicles reports, enhanced collision damage claims, owner "give-ups", "bump and run" schemes, staged accidents, and fraudulent billing for medical tests never performed and fabricated or enhanced injury cases.

Strong networks of medical mill clinics and medical and legal professionals in the county generate large volumes of false injury claims for insurance claim pay-offs, with many clinics owned by individuals who operate multiple clinics as a criminal enterprise and engage in sophisticated no-fault scams involving networks of runners, medical professionals, lawyers and insurance professionals. Although great strides in insurance fraud have been made by shutting down numerous fraudulent medical clinics, new ones still continue to emerge in Queens.

The Office of the Queens County District Attorney continues to use its long-standing strategy for combating insurance fraud and motor vehicle theft in the county through continuation of a multi-pronged approach, including assignment of specialized prosecutors, investigators and paralegals to enhanced initiatives targeting insurance fraud and motor vehicle theft; vertical prosecutions; initiation of long-term investigations and sting operations; targeting of cases for tough dispositions and jail sentences; use of an insurance fraud and auto crime intelligence database to track potential leads; strong partnerships with police, other law enforcement agencies, and the insurance industry; efforts to "regionalize" prosecution and investigation strategies through close relationships with other law enforcement agencies and prosecutors in the metropolitan region; and intensive training and outreach initiatives.

Assigned staff continue to work with police in developing sting operations and investigations that target career criminals and organized crime auto theft and insurance fraud-related operations. Staff extensively utilize sophisticated tools, including development of confidential informants, intelligence gathering and analysis, intensive physical surveillance, search warrants, wiretapping and other electronic surveillance. Resulting cases are then earmarked for special handling and vertical prosecution by assigned assistant district attorneys, who aggressively seek, where appropriate, the highest penalties allowed by law or develop leads to discern patterns in these cases and move "up the chain" to organized auto theft/insurance fraud "bosses". In addition, investigative activity continues to be supported by the use of state of the art technology and investigative equipment, including cameras, body recorders, transmitters, and GPS devices.

The following outlines successful investigative and prosecutorial efforts in both the auto crime and insurance fraud areas in 2010:

1. Auto Theft. As a result of this investigation that concluded in November 2010, one of the alleged operators of a large scale auto theft and dismantling ring charged with stealing dozens of luxury automobiles and selling the parts to a livery cab fleet owner was convicted after trial. According to trial

testimony, the defendant was one of five individuals indicted and charged with enterprise corruption for allegedly possessing dozens of stolen automobiles – which included mostly Lincoln Town Cars, as well as other such expensive vehicles as BMWs, Mercedes Benz, Jeep Cherokees, Chrysler Town and Country cars and Ford and Dodge vans – from Queens County, Atlantic City, New Jersey and elsewhere. After allegedly dismantling the stolen vehicles, a majority of the usable parts were then supplied to a livery cab fleet owner – either at no cost or below market value. The stolen parts were allegedly used to keep the livery fleet of more than 200 Lincoln Town Cars in good repair and on the road. The defendant was convicted of enterprise corruption, fifth-degree criminal possession of stolen property, illegal possession of a vehicle identification number and fifth-degree conspiracy following a two-week bench trial. The defendant received a jail sentence of 1 ½ to 4 years on the case.

2. Auto Theft. As a result of this investigation that concluded in October 2010, a Far Rockaway man was ordered held on \$50,000 bail following his arraignment on grand larceny and other charges in connection with an alleged two-week crime wave during which he is accused of stealing eight Ford vans and one short school bus and selling them to a Nassau salvage dealer. According to the charges, the defendant allegedly stole seven Ford vans that were parked on various streets in Queens and one van and one short school bus parked on a Brooklyn street between September 13, 2010 and September 24, 2010. The defendant allegedly sold each of the vehicles for \$500. Charges remain pending at this time.
3. Auto Theft - DNA Prosecution. As a result of this investigation that concluded in July 2010, an Astoria man was charged with third-degree grand larceny, third-degree criminal possession of stolen property and third-degree unauthorized use of a vehicle as a result of a DNA “cold hit” matching DNA evidence from the recovered automobile with the defendant’s DNA profile obtained following a prior conviction. This investigation was the result of a federally-funded pilot program which began on March 1, 2010, in which the NYPD is collecting DNA from stolen vehicles in Queens and Brooklyn in an effort to combat auto theft. The defendant has since pled guilty to a felony on the case, and received a jail sentence of less than one year.
4. Insurance Fraud. As a result of this investigation that concluded in March 2010, a Staten Island man formerly employed as a senior claims specialist for Progressive Insurance Company was charged with insurance fraud and other charges for allegedly stealing more than \$80,000 from the insurance company by reopening closed cases and adding new fake claimants who were, in fact, his friends and relatives, including a mentally disabled relative who unwittingly was used to receive more than half of the claim proceeds. The defendant has since pled guilty to a felony on the case and received a five-year probationary sentence.

5. Insurance Fraud. As a result of this investigation that concluded in January 2010, a licensed insurance broker was charged with insurance fraud, among other crimes, for allegedly bilking several insurance companies out of more than \$150,000 in owed premiums by under-insuring nearly two dozen dollar vans operating in the Far Rockaway section of Queens as if they were vanpools. A vanpool is a group of seven to fifteen people who have a similar commute pattern and commute together in a van on a daily basis and share the cost of their monthly ride. The defendant pled guilty to a misdemeanor on the case and received a conditional discharge sentence.

Office of the Queens County District Attorney			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT investigations initiated	9	MVIF investigations initiated	7
MVT investigations filed with SAFETNet	23	MVIF investigations filed with SAFETNet	54
Hits resulting from SAFETNet	1	Hits resulting from SAFETNet	0
MVT-related misdemeanor prosecutions	220	MVT-related misdemeanor prosecutions	0
MVT-related misdemeanor convictions	149	MVT-related misdemeanor	18
MVT-related felony prosecutions	48	MVT-related felony prosecutions	21
MVT-related felony convictions	3	MVIF-related felony	4
MVT warrants issued	8	MVIF Warrants issued	1
MVT Indictments	83	MVIF Indictments	1

### **Richmond County Office of the District Attorney**

The Motor Vehicle Theft and Insurance Fraud Prevention Program (MVTIFP) operates under the aegis of the Supreme Court Investigations Bureau within the Office of the Richmond County District Attorney. Grant funds were applied to partially cover the salaries of five program staff. The Investigations Deputy Bureau Chief assigned felony program cases, oversaw their prosecution, provided advice to prosecutors and conferred with the District Attorney regarding specific program cases. The Supreme Court Assistant District Attorney assigned to the grant investigated and prosecuted felony program cases. In 2008, two additional staff from the Criminal Court Bureau were added to the program. They included the Criminal Court Deputy Bureau Chief, who assigned misdemeanor program cases, oversaw their prosecution, provided advice to prosecutors and conferred with the District Attorney regarding specific program cases, and one Criminal Court prosecutor who investigated and prosecuted misdemeanor program cases and maintained the stats for misdemeanor convictions. Case prosecution protocols included the involvement of an assigned Assistant District Attorney (ADA) as early as arrest with prosecution through the final disposition.

Equipped with a *NYSPIN* access mobile computer, the program's Senior Detective Investigator accompanied by other Investigators, patrolled local areas and randomly checked license plates for stolen vehicles. The office participated with investigations initiated by other law enforcement agencies. While working with other agencies, intelligence from reliable information provided by credible confidential informants was collected and shared.



Vehicle thefts in Richmond County appear to be crimes of opportunity. According to the New York City Police Department's CompStat Report, in Richmond County, there were 349 cases of Grand Larceny Auto reported in 2010<sup>5</sup>. During that same period, 64 motor vehicle theft felony cases were prosecuted. In Criminal Court, 74 motor vehicle theft misdemeanor cases were prosecuted.

Additionally, despite warnings issued to owners by the local press and a cable news channel, car-hopping, which involves stealing items left in unlocked vehicles, continues to be a problem. The typical charges for car hopping are criminal possession of stolen property, petit larceny and unauthorized use of a vehicle.

During 2010, there were 12 investigations for motor vehicle insurance fraud and related crimes and 12 felony cases prosecuted. In Criminal Court, one misdemeanor case was prosecuted for motor vehicle insurance fraud while there were six misdemeanor convictions for motor vehicle insurance fraud and related crimes.

In 2009, there were 544 reported incidences of suspected motor vehicle insurance fraud, a 20% increase over the 454 reported in 2008. The final report for 2010 incidences of suspected motor vehicle insurance fraud is pending.

Office of the Richmond County District Attorney			
Stolen vehicles reported	349	MVTIF Investigations	12
MVT felony prosecution	64	MVTIF felony prosecutions	12
MVT misdemeanor prosecutions	74	MVTIF misdemeanor prosecutions	1

### **New York City Police Department – Auto Crime Division**

The NYPD Auto Crime Division was established in 1980 and is part of the Organized Crime Control Bureau. The Auto Crime Division is a citywide investigative unit whose efforts are directed primarily at “chop shops”, auto salvage yards, organized theft rings, and auto theft export. The Division also actively investigates insurance fraud, and closely monitors businesses associated with the automotive industry.

In 2010 there were 10,346 reported auto thefts in New York City. That is a 3.2% decrease compared to 2009. The two year decrease is 17.2%, the nine year decrease is 65.1%, and the seventeen year decrease is 90.7%.

The Auto Crime Division utilizes several different strategies to combat auto crime within New York City. Methods include sting operations, mobile surveillance, Get Legit or Quit Operations (GLQ), the deployment of license plate readers, analysis of complaint reports for the purpose of investigating insurance fraud, development of confidential informants, search warrants, and training utilizing new techniques such as the processing of DNA from recovered stolen vehicles to identify suspects.

1. NYPD CompStat Unit Volume 18 Number 12

During the period of January 1, 2010 through December 31, 2010 several cases were investigated and brought to completion by the Auto Crime Division. The following are highlights of a number of these operations:

On June 29, 2010, members of the Auto Crime Division initiated the arrest of 17 individuals for various crimes including Enterprise Corruption, Grand Larceny, and Criminal Possession of Stolen Property. These arrests were the result of a 12-month investigation which used wire taps, confidential informants and mobile surveillance to identify suspects. This investigation identified suspects that were stealing Toyota Rav4's, altering the VIN numbers and shipping them to Senegal. The case was conducted with the assistance of the New York State Police and the New York State Attorney General's Office.

In October 2010, members of the Auto Crime Division effected the arrests of three individuals involved in the theft of Ford Econoline Vans in Brooklyn. The vans were being stolen and stripped of their interior parts which were then sold to livery van drivers. Through the use of a confidential informant a group was identified and arrested. These arrests brought the total number of vans stolen from 189 in four months prior to the case, May-August, to just 61 in the months following the case takedown, October – January, a 68% decrease. Among the strategies implemented during this case was a joint effort between the Auto Crime Division, the NYPD's Brooklyn South Auto Larceny Unit, the New York City Taxi and Limousine Commission, and NYPD precinct personal to inform drivers of livery vans of the penalties for being found to be in possession of stolen property.

On October 27, 2010 the Auto Crime Division initiated the take down of a case which resulted in the arrest of ten subjects. This case was the result of a seventeen-month operation which utilized an undercover shop set-up and staffed by undercover detectives. The detectives purchased stolen vehicles and firearms from various individuals. Suspects were identified and charged with such crimes as Grand Larceny, Grand Larceny of an Auto, Criminal Possession of Stolen Property, Criminal Possession / Sale of a Weapon (Firearm), and Insurance Fraud.

<b>New York City Police Department Auto Crime Division</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT felony arrests	344	MVIF felony arrests	30
MVT misdemeanor arrests	27	MVIF misdemeanor arrests	70
MVT cases initiated	21	MVIF Investigations initiated	60
Vehicles reported stolen	10,346	Warrants Issued	25
Vehicles recovered	7,674	Confidential Informants developed	5
SAFETNet targets entered	800	SAFETNet targets entered	20
Hits Resulting from SAFETNet	50	Hits Resulting from SAFETNet	3

## **New York City Police Department – Auto Larceny Units**

The mission of the Auto Larceny Units is to function as a key support to the Auto Crime Division as part of the overall NYPD strategy to reduce auto theft and insurance fraud. The units are deployed and respond according to the borough conditions in which they work. They assist in intelligence gathering and in enforcement operations as directed. In addition to the Auto Crime Division and The Fraud Accident Investigation Squad, they work with precinct G.L.A. teams, other surrounding counties in New York State, and insurance industry representatives and keep their respective District Attorney's Offices abreast of arrest activity. This continues to be the main mission and it has been quite successful.

### ***Patrol Borough Manhattan North Auto Larceny Unit***

The Patrol Borough Manhattan North Auto Larceny Unit consists of a sergeant and three police officers. The unit conducts street patrol generally from 5:30 p.m. until 2:00 a.m. with Friday and Saturday off. The unit utilize one mobile plate reader device, investigates open complaint reports and analyzes GLA patterns and trends. The unit generally effects arrests for Grand Larceny Auto, forged VIN stickers, title and insurance cards, forged licenses and other forged vehicle documents, Possession of Stolen Property, suspended licenses, and Unauthorized Use of a Motor Vehicle.

In 2010, Manhattan North had 591 vehicles stolen, a 9% decrease the 652 vehicles stolen in 2009. The unit increased its GLA arrests by 30% recovering 18 vehicles. Fifty-nine percent of the unit's arrests are GLA, UUV, stolen plates, or forged documents.

During 2010, the trends in Manhattan North were mostly motorcycles, making up 28% of total steals. The motorcycles were easily picked up and placed in minivans which in most cases were stolen themselves. The members began consulting with the Auto Crime Division and NICB, and although no arrests were made, the intelligence gathered was most valuable. Another very common occurrence is the possession of tagged motor vehicles. The members have become adept at locating vehicles both on patrol and from databases such as NICB or Carfax. The members can easily identify fraudulent VIN plates and stickers and either locate the confidential VIN number or utilized a hand-held OBD computer reader to read the true VIN. The officers have recovered nine high-end vehicles this way, totaling approximately \$360,000. At this time in Manhattan North, there are no known "chop shops". The members have used grant funds to perform some day-tours in order to conduct shop inspections and tow truck inspections, but have not discovered any suspicious activity.

In 2010, the Manhattan North Auto Larceny Unit developed a database to track and keep up-to-date with GLA and auto break recidivists. The officers would routinely review recidivists residing in, or having been arrested in the current zone of deployment. On September 26, 2010 this strategy paid off. While working in the confines of the 25<sup>th</sup> Precinct after an analysis revealed a spike in GLA complaints, a suspect was observed, placed under surveillance, and eventually arrested driving a stolen vehicle. On

September 19, a known recidivist was arrested after the unit recognized his name while reviewing an open GLA complaint. The members have also increased their communication with agents from NICB, sharing information and making arrests based on their intelligence. The Auto Larceny Unit has used grant funds for surveillance and several tours were performed to investigate and work multiple patterns over the course of 2010. The members routinely meet with and interview complainants and examine video from locations of GLAs.

Manhattan North Auto Larceny Unit			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT/IF investigations initiated	3	Reported motor vehicle thefts	591
MVT-related misdemeanor arrests	20	Stolen parts recovered	0
MVT-related felony arrests	31	Stolen vehicles recovered	18

### **Bronx Auto Larceny Unit**

The Bronx Auto Larceny Unit is comprised of supervisors and officers who were chosen for their knowledge, background and expertise in the auto field. The unit is deployed throughout the 12 NYPD precincts that comprise the borough of the Bronx to provide additional support and expertise for precincts that are experiencing increase in motor vehicle related crime or generally tend to have a higher incidence of motor vehicle related offenses. Unit personnel assist and instruct precinct patrol officers in motor vehicle-related matters while acting as an informational gathering tool for the Auto Crime Division.

Throughout the last 10 years, Bronx County has consistently led the five counties that comprise New York City in the number of reported stolen motor vehicles. Through the efforts of this unit and other police personnel, the Bronx has seen a tremendous drop in both stolen vehicles and auto-related crimes: motor vehicle theft has decreased by 84% in the last 16 years, and 53.2% in the last eight years. In 2010, there were 1,619 stolen vehicles reported in the Bronx.

Grant money has enabled the Auto Larceny Unit to conduct numerous operations and surveillances throughout the years, leading to the closure of numerous illegal “chop shops”, recovery of numerous vehicles, and placing of many car thieves in jail. Along with these operations, grant money has been used to have officers patrol areas that are historically high in auto-related crime, or a specific area that has experienced a spike in auto-related crime. This targeted enforcement has consistently produced an immediate decrease in auto-related crime in the targeted area.

During the past 10 years technology has changed significantly the manner in which motor vehicles are stolen and how and which parts are removed (airbags, GPS, high-intensity lights). Suspects have had to become more resourceful and daring, while law enforcement has and must continue to use both training and new technologies to

Combat both motor vehicle theft and insurance fraud. The NYPD Bronx Auto Larceny Unit shall continue to coordinate its strategies and response to motor vehicle theft and insurance fraud with other auto larceny units, NYPD Auto Crime Division and other law enforcement agencies. Also, Bronx ALU conducted targeted car stops in 2010 which focused on the top five most stolen vehicles.

Bronx Auto Larceny Units			
<i>Performance Measures</i>	<i>Total</i>	<i>Performance Measures</i>	<i>Total</i>
Reported stolen vehicles	1,619	Stolen vehicles recovered	38
Stolen parts recovered	0	Investigations initiated	19
MVT Felony arrests	52	MVT Misdemeanor arrests	7
Tow truck inspections	127	License Plate Reader Arrests	7

### Brooklyn South Auto Larceny Unit

The Brooklyn South Auto Larceny Unit is comprised of one lieutenant, two sergeants and 11 police officers. There is one squad covering 8 p.m. until 4:30 a.m. For the year ending 2010 versus 2009 there was a 7.3% reduction in auto theft (there were 149 less cars stolen) in the Borough of Brooklyn South.

The current trends have remained the same in the past few years. Year-to-date for 2010 the top five steals were Nissan, Ford, Honda, Toyota and Dodge. This unit has made several arrests for Grand Larceny Auto on straight steals. There were no arrests for arson or insurance fraud. There are three scrap yards in the confines of Brooklyn South and the unit pays close attention to their activity. They have continued to operate in a legitimate and lawful manner.

The Brooklyn South Auto Larceny Unit utilizes many methods in an effort to combat auto crimes: weekly deployment meetings with the borough commander; consultation with the covering precinct commanding officer; consultation with the Auto Crime Division; and conducting computer checks on the covering precinct, including stolen car perpetrators and parolees.

The following enforcement actions have been implemented: body shop inspections; tow truck inspections; summons enforcement; recovery of stolen vehicles; responding to arrests for Grand Larceny Auto and debriefing prisoners; notifying the Auto Crime Division of any and all activity that may require assistance; and recruiting confidential informants.

Brooklyn South Auto Larceny			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
Reported motor vehicle thefts	1,880	Stolen vehicles recovered	192
Stolen parts recovered	57	Value of parts recovered	\$3,000
MVT-related misdemeanor arrests	64	Value of vehicles recovered	\$2,032,218
MVT-related felony arrests	81		

## Brooklyn North Auto Larceny Unit

The Brooklyn North Auto Larceny Unit (BNALU) is a borough unit dedicated to the reduction of Grand Larceny of Auto, apprehension of perpetrators, the recovery of stolen vehicles and vehicle contents, as well as insurance-related crimes. The unit consists of a sergeant, two detectives, and two police officers. The unit arrests perpetrators and tracks the cases through the criminal justice system until they are disposed of. The Brooklyn North Auto Larceny Unit is deployed by Patrol Borough Brooklyn North on a daily basis and is designed to provide additional support and expertise to New York City Police Department patrol precincts experiencing increases in reports of stolen motor vehicles. In 2010, the Auto Larceny Unit made 38 arrests for Grand Larceny of Auto.

The NYPD Patrol Borough Brooklyn North has had 1,443 motor vehicles reported stolen in 2010. For 2010, top reported steals were Nissan, Toyota, and Honda products from the early 1990s models to current year models.

To enhance investigative efforts of motor vehicle theft and motor vehicle insurance fraud crimes BNALU coordinates with contiguous police departments, the district attorney, State Insurance Frauds Bureau, State Department of Motor Vehicles and State Police Auto Crime Bureau. NICB is notified of all recovered vehicles when potential insurance value is noted and of all patterns or trends in Brooklyn North.

Brooklyn North Auto Larceny Unit			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT-related felony arrests	38	Reported motor vehicle thefts	1,443
MVT-related misdemeanor arrests	4	Stolen vehicles recovered	373

## Queens South Auto Larceny Unit

The Patrol Borough Queens South Auto Larceny Unit is tasked with patrol duties with focus on vehicle related crimes in the precincts that comprise Patrol Borough Queens South. The unit functions as an augment to the precinct patrol resources with the goal of reducing vehicle theft and vehicle-related crimes. The Patrol Borough Queens South consists of 8 precincts. Currently, the Queens South Auto Larceny Unit consists of a lieutenant, two sergeants, and nine police officers who are deployed on two separate tours of duty.

The Auto Larceny Unit performs patrol duties with vehicles equipped with Lo-Jack units, Mobile Digital Computers, and one vehicle that is equipped with a license plate reader. Deployment for patrol is determined by analysis of vehicle-related crimes in order to respond to the current crime trends.

For 2010, based on the New York City Police Department's complaint system, there were 1,922 vehicles reported stolen from the precincts that comprise Patrol Borough Queens South. This number is a 7.1% increase from the 1,794 vehicles reported stolen in 2009. Of these reported stolen vehicles some are actually acts of Insurance Fraud. It is difficult to accurately quantify how many are fraudulent reports.

The motivation for the fraud varies by perpetrator from seeking profit, to attempting to get out of an expensive loan or lease, or to avoiding responsibility for an accident where the owner fled the scene. There were 49 arrests for insurance fraud effected in Queens County in 2010.

An analysis of stolen vehicles, arrests involving stolen vehicles, debriefings of arrested perpetrators, and of recovered stolen vehicles in Patrol Borough Queens South has revealed a few trends. The first trend is involving 1990s Honda Civics and Acuras. These vehicles are primarily stolen for parts, particularly V-Tec engines and transmissions. Honda Civics are a commonly used street racing car and they are relatively easy to steal. The age of ignition locks of these vehicles allow the ignition to be turned by a "blank" or "jiggle" key due to the naturally occurring wear on the lock. From arrests, it appears that these stolen cars are stripped in private lots and backyards in Queens for their parts to be used in other Civics. Some individuals seem to steal these cars for personal use of the parts, while others seek to profit from members of the street racing subculture who are in need of parts. These vehicles are regularly recovered in residential areas with their major parts missing.

Another Queens South vehicle theft trend involves the Ford Econoline Van. These vans are ubiquitous on the major thoroughfares of Queens South. Econoline passenger vans are the primary vehicle for the livery or "Dollar Van" routes. The Ford Econoline is another vehicle that is relatively easy for thieves to take and the majority of parts have no identifiable markings. Vans are recovered with seats missing, doors missing, body parts missing, and less frequently engines and transmissions. Less often they are intact but have their VINs altered in an attempt to conceal the stolen origin of vehicle. Rarer still, they are utilized for livery service without changing anything to conceal that the vehicle is actually stolen.

As the Dodge Caravan, the Chrysler Town & Country and the Plymouth Voyager are very similar and the skill level to steal these vehicles is relatively low, these vehicles are often stolen to commit other crimes. On several occasions the Queens South Auto Larceny Unit has recovered this type of stolen mini-van with stolen motorcycles concealed inside the vehicles. The motorcycles themselves are stolen both with the intent to be used intact and some for their parts. These stolen mini-vans have also been associated with street robberies and residential burglaries.

Another identified trend that covers a wide range of vehicles, are instances where the owner has left the key in the ignition and the vehicle running. These opportunities, whether the vehicle is in someone's driveway or in front of the local corner store, are readily exploited by opportunistic criminals looking for easy transportation. In some cases these cars are recovered relatively intact while others are not recovered at all. Other vehicles that are stolen with their keys occur when an individual breaks into the vehicle with the intention of stealing the vehicle's contents and discovers a forgotten spare key or valet key in the vehicle. Once the key is discovered the perpetrator takes and utilizes the vehicle for a while.

A trend that primarily involves a wide range of older model vehicles are those vehicles that are taken to be scrapped for the value of their metal. Whether the tow truck driver or an individual who contracts the tow truck to scrap the vehicle falsely completes the required Department of Motor Vehicles forms, the vehicle is usually destroyed prior to it being reported stolen. This trend was less prevalent in 2010 than it was in 2009 primarily due to the reduced commodity price for steel.

The Queens South Auto Larceny Unit is primarily a patrol-oriented enforcement unit. Areas for deployment are determined by an analysis of the current crime trends. Patrol is carried out in vehicles that are equipped with Lo-Jack, Mobile Digital Terminals, and one vehicle that is equipped with a License Plate Reader device. While on patrol, car stops of vehicles that are identified as highly stolen are effected for traffic infractions and for any vehicle displaying indicators of being stolen. Tow Trucks are targeted for enforcement in an effort to deter their use as a tool in vehicle theft. Stolen vehicles located in the field are recovered. The unit also routinely conducts licensing inspections of motor vehicle repair shops and tow yards in an effort to deter a possible revenue source for vehicle thieves. The New York City Police Department refers to these inspections as GLQs or Get Legit or Quit operations.

In addition to effecting summary arrests and recovering stolen vehicles on patrol, patrol observations lead to the initiation of short-term investigations. QSALU swore out and executed two search warrants that lead to the recovery of stolen vehicles and arrests of individuals for their theft. Short-term investigations have been initiated as the result of recovering stolen vehicles and burnt out vehicles. There were three such investigations into insurance fraud initiated by members of the Queens South Auto Larceny Unit, one of which resulted in the arrest of the vehicle's owner. As a part of these investigations, efforts have been coordinated with the Fire Marshalls of the Fire Department, City of New York, the New York State Department of Motor Vehicles Investigators, the Queens District Attorney's Office, the New York City Police Department Auto Crime Division, and agents of the National Insurance Crime Bureau.

Queens South Auto Larceny Unit			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT felony arrests	82	MVIF felony arrests	1
MVT misdemeanor arrests	34	MVIF misdemeanor arrests	0
MVT investigations initiated	19	MVIF investigations initiated	3
Reported motor vehicle thefts	1,922	Investigations filed with SAFETNet	7
Stolen parts recovered	7	Stolen vehicles recovered	77

### **Queens North Auto Larceny Unit**

PBQN had a 4.9% increase in stolen vehicles (+81) and PBQN ALU effected two misdemeanor insurance fraud arrests in 2010.

In 2010, PBQN witnessed two distinct models that accounted for the rise of stolen vehicles. Ford Econolines was the most dramatic. These vehicles were being stripped for parts to be utilized for livery vans. The second most dramatic reason for the increase was the steals of high end Toyotas. These vehicles were being stolen to be retagged, or shipped overseas. Very few of these vehicles were recovered. The PBQN



ALU conducted enhanced target patrols in locations which had the most steals and most recovered autos. This enforcement effort resulted in a 16.7% increase in arrests for Grand Larceny Auto (42 vs. 36) over 2009.

The PBQN ALU also conducted a coordinated investigation with the NYS Police regarding the arrest of an individual on June 29, 2010 for driving a retagged Acura TL. After the execution of a search warrant on his residence, the subject was subsequently arrested by the NYS Police for selling retagged stolen vehicles on Craigslist.

Queens North Auto Larceny Unit			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT felony arrests	106	MVIF felony arrests	0
MVT misdemeanor arrests	84	MVIF misdemeanor arrests	2
MVT investigations initiated	100	MVIF investigations initiated	2
Reported motor vehicle thefts	\$1,731	Investigations filed with SAFETNet	7
Stolen parts recovered	10	Stolen vehicles recovered	54

### **Staten Island Auto Larceny Unit**

The Staten Island Auto Larceny Unit consists of a lieutenant, a sergeant and four police officers. These officers are highly trained in the art of motor vehicle theft detection. This unit reviews, disseminates and creates mappable crime data. Recidivists are tracked to determine their incarceration status. Arrests are effected for the NYS Penal Law crime of Grand Larceny Auto.

Patrol Borough Staten Island has achieved a 17.5% reduction in stolen motor vehicles for calendar year 2010 as there were 349 vehicles stolen in 2010 versus 423 vehicles stolen in 2009. The past two year reduction equaled 24.1%. There were 252 vehicles recovered out of the 349 stolen for a 72% recovery rate.

An analysis of the vehicles stolen in this borough revealed that 104 out the 349 vehicles were taken with keys. Twenty-four vehicles were stolen because their keys were left in the ignition and 80 vehicles were taken with keys by other means, (e.g., lost set, left in console, valet key, stolen pocket book, coat check etc.). The vast majority of vehicles are stolen for transportation reasons only. Most vehicles are recovered with empty gas tanks. These vehicles are usually in operation for 48 hours then abandoned.

The strategy that is implemented regarding stolen vehicles involves setting up sting operations once the vehicle is located; effecting an arrest of the perpetrator; debriefing or interrogating the suspect to ascertain the method used to facilitate the crime; identifying any outstanding persons wanted in connection with the crime; ascertaining why the vehicle was stolen and analyzing how manpower can be deployed to combat the ongoing trend. Members of the unit thoroughly debrief the complainant to ascertain the smallest amount of information that can possibly lead us in the direction of the stolen vehicle. Technology is used, such as license plate readers, handheld mobile digital computers, and laptops as well as Lo-Jack- equipped vehicles. The assistance of the precinct field intelligence officers is also utilized to gain intelligence regarding trends observed within the borough.

Staten Island Auto Larceny Unit			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT investigations initiated	150	Reported motor vehicle thefts	349
MVT felony arrests	59	Stolen vehicles recovered	252
MVT misdemeanor arrests	8	Value of vehicles recovered	\$2,000,000

**New York City Police Department – Fraudulent Accident Investigation Squad (FAIS)**

The Fraudulent Accident Investigation Squad (FAIS) is designed to specifically address all aspects of no-fault insurance fraud within the five boroughs of New York City. FAIS conduct investigations of staged accidents, caused accidents, fictitious "paper" accidents and organized insurance fraud rings. Medical fraud is actively investigated by surveillance and undercover operations facilitated by sending undercover investigators and informants into "medical mills". FAIS also conducts training for members of the NYPD, neighboring law enforcement entities and the insurance industry to raise awareness of no-fault fraud and combat its participants. The unit works closely with outside agencies which include, but are not limited to, the NICB, IFB and the FBI.

NYPD – Fraudulent Accident Investigation Squad			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVIF investigations initiated	117	Warrants issued	42
Investigations filed with SAFETNet	114	Hits resulting from SAFETNet	8
MVIF-related misdemeanor arrests	1	MVIF-related felony arrests	142
Confidential informants developed	9		



**New York City Suburban Region**

- Hempstead Village Police Department
- Nassau County Office of the District Attorney
- Nassau County Police Department
- Suffolk County Office of the District Attorney
- Suffolk County Police Department
- Westchester County Office of the District Attorney
- Yonkers City Police Department

## Hempstead Village Police Department

In an effort to apprehend car thieves, the Hempstead Police Department's crime analyst conducts a statistical analysis of auto thefts and recoveries occurring within the village. Once "hot spots" are identified, officers concentrate on those areas in an effort to make apprehensions.

Small foreign vehicles continued to be the vehicle of choice for car thieves within the village, mirroring the pattern throughout Nassau County. These trends were mapped by the police department's crime analyst, who prepared weekly maps for the department to utilize. Crime analysis drove the enhanced/targeted patrols. The police department continued to work on this project and coordinated prosecutions with the Nassau County District Attorney's Office. Assistance is requested from the New York State Police, the Insurance Frauds Bureau of the state Insurance Department, and the National Insurance Crime Bureau, as needed.

Hempstead Village Police Department			
<i>Performance Measures</i>	<i>Total</i>	<i>Performance Measures</i>	<i>Total</i>
MVT investigations initiated	124	Number of stolen vehicles recovered	95
MVT misdemeanor arrests	20	Value of recovered motor vehicles	\$876,480
MVT felony arrests	5	Investigations filed with SAFETNet	10

## Nassau County Office of the District Attorney

The Nassau County District Attorney's Office is comprised of twelve different Bureaus, some of which contain specialized sub-units. The prosecuting attorneys in the bureaus are supported by a staff of district attorney Investigators as well as the District Attorney Squad of the Nassau County Police Department. The Government / Consumer Frauds Bureau, one of the investigative bureaus, handles a wide category of fraud topics, including auto theft investigations and motor vehicle-related insurance fraud. The Auto Theft and Fraud Unit concentrates on the investigation and prosecution of motor vehicle theft and motor vehicle-related insurance fraud. The unit consists of two assistant district attorneys, one full time district attorney Investigator, one part-time bilingual district attorney Investigator, and one part-time attorneys assistant.

Between January and December 2010, approximately 13 new motor vehicle insurance fraud investigations were initiated by the Auto Theft and Fraud Unit. Three of these investigations resulted in felony arrests, and also resulted in three felony pleas to motor vehicle related insurance fraud charges. Statistics for misdemeanor arrests and pleas related to motor vehicle insurance fraud are difficult to ascertain because these cases are often charged with counts other than insurance fraud. Three defendants

were sentenced, and 17 targets were entered into SAFETNet for motor vehicle-related insurance fraud, with no hits.

In the area of motor vehicle theft, between January and December 2010, one long-term auto theft investigation was initiated by the Auto Theft and Fraud Unit. Additionally, approximately 98 defendants arrested for felony auto theft crimes and 69 defendants arrested for misdemeanor auto theft crimes were prosecuted during this time period. Approximately 90 pled to felony charges and 46 pled to misdemeanor charges. There were 129 defendants sentenced for auto theft crimes during this time period, and one target was entered into SAFETNet, with no hits.

Although the incidence of reported motor vehicle theft in Nassau County has declined in recent years, motor vehicle theft remains a large problem in this county, which now ranks sixth among New York counties in motor vehicle theft. According to 2010 figures provided by Nassau County Police Department, there were 886 reports of stolen vehicles within the county. This figure represents a decline of approximately 30% from 2009.

The rate of recovery of stolen vehicles is more difficult to quantify. It is challenging for the Nassau County Police Department to maintain comprehensive countywide statistics on the total number of stolen vehicles recovered in the County as there are nineteen different police departments operating in Nassau County. Based on figures compiled by the Nassau County Police Department, 304 stolen vehicles were recovered in 2010. These numbers include vehicles stolen in Nassau County and recovered in Nassau County as well as vehicles stolen outside of Nassau County, but recovered in Nassau County.

A review of the complaints received by the Nassau County District Attorney's Office, and the cases referred by other agencies to this office for prosecution, reveals that the problems of motor vehicle theft and motor vehicle related insurance fraud occur on a continuous basis throughout Nassau County and are not limited to any one geographic area. In 2010, the reported auto thefts did not follow a particular pattern or rationale that we were able to easily identify. A majority of the vehicles reported stolen were taken overnight while legally parked in front of or near the owner's homes, often from the driveway. In a surprising number of cases, the parked vehicle was left unlocked, with the keys inside, either in the glove box or console. This is especially true of the newer model vehicles, which are equipped with anti-theft devices and need an ignition key to facilitate the theft.

In one recent case, two defendants were charged with entering approximately 21 vehicles in a single evening. The vehicles were all parked in the driveways of two residential streets in the affluent Garden City area. The defendants drove into Nassau County from Queens County in a stolen car, and within an hour broke into 21 vehicles looking for items to steal. Almost every one of the 21 vehicles had been left unlocked in the driveway. They were caught when a neighbor observed them entering one of the vehicles and summoned police. Both defendants pled to top felony counts.

In other cases, vehicles have been stolen from convenience store or gas station parking lots, when the owners left the vehicles running with the keys in the ignition while they entered the store. Although impossible to prove, given the economic climate, it is possible that some of these thefts were passive “give-ups”, with the owners leaving these late model vehicles as ‘bait’ asking to be taken. The older vehicles, particularly the Honda Civics and similar vehicles from the late 1990s or early 2000s, were often taken by tampering with the ignition column and using a screwdriver to start the vehicle. Some geographic areas were much harder hit than others. The villages of Hempstead and Freeport had a significantly greater number of stolen vehicles than other parts of Nassau County.

Railroad and commuter parking lots also represented a vulnerable location for auto theft. Other incidents of auto theft included joyriding, theft of vehicles for personal use such as transportation, ‘crack cars’ and theft to commit other crimes. Cases involving cars stolen for dismantling, and cases involving owner “give-ups” also occurred in the past year. These owner give ups were often perpetrated by financially strapped individuals seeking to break costly lease agreements or get rid of a gas guzzler. Given the increasingly high cost of fuel and other economic pressures, a rise in the number of owner “give-ups” was anticipated. As in most recent years, the vehicle model most frequently stolen in 2010 was the Honda Civic, usually late 1990s or early 2000s models. This was also the vehicle model most often found stripped of its parts.

A number of the arrests for auto stripping involve gang members. Unfortunately, this group of defendants is generally among the least cooperative during debriefings. Auto theft and auto insurance fraud perpetrators in Nassau County do not fit easily into one profile, but represent a cross section of the population. While some offenses were the product of organized groups involved in theft for profit, most appeared to be just crimes of opportunity. A large percentage of the auto thefts were simply unauthorized use and joyriding by juveniles. Some of the auto thefts were “crack cars”, where a vehicle owner surrenders his car for a period of time in exchange for drugs, and later reports it stolen.

Other auto parts that became the subject of a highly publicized rash of thefts in Nassau for the last two years were wheels and rims, especially from late model Nissans and Infinities. The wheels and rims were usually removed from luxury and high-end vehicles legally parked in front of private homes or in commuter parking lots. Several car dealerships were also victimized by the theft of wheels and rims from vehicles parked in the sales lots. A number of individuals were arrested, several of whom were gang members. Many of the individuals arrested for these crimes were not Nassau County residents, but residents of neighboring Queens and Kings Counties who targeted vehicles in Nassau. Although the thefts have continued despite a series of arrests, the number of thefts has decreased considerably.

Motor vehicle-related insurance fraud, which continues to be among the most prolific and costly white collar crimes reported in Nassau County, is also one of the most difficult to track. Similar to recovered vehicle statistics, insurance fraud crimes are categorized and tracked differently among the 19 different police departments that operate in Nassau County. However, even with data collection challenges, motor

vehicle-related insurance fraud in Nassau County has steadily increased. In 2010, the Nassau County ranked sixth in the number of reported incidences of insurance fraud according to the NYS Insurance Frauds Bureau. It is fair to assume that the true numbers for motor vehicle related insurance fraud incidents are probably much higher. As previously stated, the reported incidents of motor vehicle related insurance fraud do not accurately reflect the extent of the problem because many of these crimes are often reported as something other than insurance fraud. (i.e. Arson, Offering False Instruments for Filing, Forgery, Falsely Reporting an Incident and other similar crimes.)

The various forms of motor vehicle related insurance fraud occur in diverse economic and geographic areas of Nassau County, and are perpetrated by individuals from all backgrounds. In 2010, numerous cases of individual claimant fraud were prosecuted. Crimes involving no-fault insurance fraud are perpetrated not only by individual claimants, but also by organized groups, including runners, and medical and legal professionals. Claimants from all types of backgrounds filed fraudulent no-fault claims ranging from simple exaggerated injury claims to jump-ins, and the more egregious staged and caused accidents. Accident victims claiming exaggerated injuries ranged from individuals who saw the accident as an opportunity to profit, to individuals recruited by runners and convinced to exaggerate their injuries with the promise of a lucrative insurance settlement. Most of these individual claimants did not have a criminal history.

The fraudulent claims arising from the exploitation of real accidents also continued to occur in 2010. Complaints were received from former hospital patients admitted to a particular local hospital following their motor vehicle accidents. The patients reported that they were contacted by unknown callers offering follow-up medical treatment and lucrative no-fault insurance settlements. The long-term investigation is ongoing, with undercover patients, search warrants, cell site orders and other investigative steps. Three other no-fault fraud investigations in 2010 involved chiropractors billing for services not rendered and for upcoding (performing a lower cost procedure but billing the insurance company for a similar but costlier procedure) performed on motor vehicle accident patients.

In 2010, several long- and short-term investigations of auto repair shops suspected of enhancing damages and other related insurance fraud were initiated. A number of these investigations were initiated as a result of referrals from the vehicle owners themselves. Other investigations were initiated pursuant to referrals from the New York State Insurance Frauds Bureau. The focus of one ongoing investigation is a repair shop that holds the vehicles "hostage" until the exaggerated repair and vehicle storage bills are paid. The shop owner, equipped with a police scanner, usually arrives at accident scenes before the police arrive. The vehicle owner is tricked into consenting to have the vehicle towed to the target shop, where the vehicle is immediately dismantled, so the true collision damage cannot be easily ascertained. If the vehicle owner attempts to remove the vehicle or have it towed to his own repair shop, the target shop holds the vehicle "hostage" until exorbitant storage and repair fees are paid. A search warrant was executed at the body shop, and the owner and the corporation were charged.

Another long-term undercover repair shop investigation involved billing fraud by the repair shop, most notably charging for services not rendered and for unnecessary repairs. An undercover "bait" car with controlled damage was introduced into the repair shop. The vehicle was repaired, and a post-repair inspection confirmed that the repair estimate was grossly exaggerated, with significant examples of work not performed and parts not replaced. In another case, a repair shop owner was charged with aiding and abetting a customer who falsely reported that his car had been vandalized.

One strategy which has proven successful in the past and was continued in 2010 was the debriefing selected defendants charged with auto theft crime and related fraud offenses, as well as some defendants deemed to be "of interest" and therefore, possible sources of intelligence based on their background. These debriefings, conducted by district attorney investigators, are conducted after the case is in the system, and are distinguished from debriefings conducted by arresting police officers at the time of arrest. Although most of these debriefings produced only marginal intelligence, several debriefings did produce significant intelligence and served as the starting point for several new investigations, both into auto crime and into other criminal areas. In these cases, no plea bargain is considered until the defendant completes a debriefing.

In a continued effort to strengthen the investigation and prosecution of motor vehicle theft and motor vehicle insurance fraud, assistant district attorneys assigned to the Felony Screening Bureau, which serves as a felony intake bureau, assisted in identifying defendants who, though not charged with auto-related crimes, were "of interest" based on their employment or other association. Defendants employed in the auto repair industry, insurance adjusters, employees of medical clinics and other similar associations were referred to the Auto Theft and Fraud Unit, and were debriefed prior to any plea bargain offer.

In 2010, multi-agency cooperation continued to be an important part of the strategy to combat auto theft and motor vehicle-related insurance fraud. Staff met regularly with local law enforcement to maintain open communication, exchange ideas and intelligence, and plan coordinated investigations as well as short- and long-term operations. There were regular meetings and constant contact with members of the Nassau County Police Department's (NCPD) Crimes Against Property Squad (C.A.P.). Members of the NCPD C.A.P. Squad participated jointly with the district attorney investigators in the debriefings of defendants and confidential informants believed to have information in the area of motor vehicle theft and motor vehicle related insurance fraud. An investigator from the National Insurance Crime Bureau (NICB) was assigned to work with the Nassau County District Attorney's Office. The NICB investigator assigned to the office coordinated with NICB investigators in neighboring Suffolk County as well as in adjoining New York City boroughs to identify auto theft and insurance fraud crime patterns that reached outside the Nassau boundaries. He also assisted actively in investigations and provided data analysis and other technical support. During 2010, the office also worked closely with the New York State Police, the New York State Department of Motor Vehicles and the New York State Insurance Frauds Bureau.

Nassau County Office of the District Attorney			
<i>Performance Measures</i>	<i>Total</i>	<i>Performance Measures</i>	<i>Total</i>
Motor vehicles reported stolen	886	MVTIF investigations initiated	13
Motor vehicles recovered	304	Investigations filed with SAFETNet	17
MVT felony arrest prosecutions	98	MVT misdemeanor arrest prosecutions	69

## Nassau County Office Police Department

In 2010, the Nassau County Police Department utilized NYS DCJS Motor Vehicle Theft and Insurance Fraud program funds to continue to run the Search Apprehension Vehicle Enforcement (S.A.V.E) program in six of the eight county police precincts. The Crimes Against Property Squad's Vehicle Theft Section is responsible for the coordination of the S.A.V.E. grant initiatives and training of new personnel in the programs efforts and goals. In keeping with recently redefined goals, the Vehicle Theft Section (VTS) trained a number of precinct squad supervisors and detectives in the initiative.

The Nassau County Police Department police precincts reported a total of 725 vehicles stolen in 2010, a 34% decrease from the 1,105 vehicles stolen in 2009. In 2010, the department reported the initiation of 25 suspected motor vehicle insurance fraud (MVIF) investigations, compared with two in 2009. The investigations into suspected fraud resulted in five felony arrest for MVIF in 2010, compared to none in 2009. The apparently significant increases in both investigations and arrests are a result of S.A.V.E. grant resources being specifically directed at these targets. Additionally, there were a total of 151 motor vehicle-related theft arrests in 2010, in comparison with 127 in 2009.

The first half of 2010 saw continued targeting of the areas of concern identified in 2009. S.A.V.E.-trained police officers and detectives conducted numerous operations in order to solve and prevent motor vehicle theft. Specific details included targeting Japanese supercars, monitoring the thefts of catalytic converters, investigating stolen and recovered Hondas, and enhancing enforcement in local mall parking lots. Additionally, auto salvage/dismantler and scrap metal yards were visited throughout the county by VTS detectives assisted by DMV investigators to ensure compliance with all laws and regulations. The license plate reader is being utilized by all members of the department involved in the S.A.V.E. grant program as an investigative tool. VTS detectives and police officers were involved in street-level investigations of suspected stolen vehicles as well as vehicles with suspected stolen parts.

Following a mid-year MVTIF advisory board meeting the focus of the VTS detectives shifted in the second half of 2010. The detectives began to closely scrutinize stolen vehicles reports in an effort to identify cases involving motor vehicle insurance fraud. This redirection of S.A.V.E. grant resources resulted in the identification of a number of potential insurance fraud cases. The VTS detectives worked closely with precinct squad detectives, DMV investigators, insurance company investigators and NICB investigators in a concentrated attempt to address this costly problem. VTS



Detectives also worked in close collaboration with the NYPD Auto Division as well as the Suffolk County Police Department Vehicle Theft Section to address multi-jurisdictional crimes. The effort yielded positive results and it is expected the focus will continue into 2011.

The database created in 2009 to assist in the analysis of data from stolen vehicle reports and stolen recovered vehicles continues to be utilized. The database was fine-tuned in the first half of 2010 and by June 2010 all eight police precincts were inputting all the appropriate information to help VTS identify patterns of activity. The database has proven to be particularly useful in targeting areas where stripped stolen vehicles are being abandoned. Targeted patrols could then be utilized in an effort to address this issue.

Overall, 2010 saw a reduction in reported stolen motor vehicles and an increase in arrest for motor vehicle related crimes (both thefts and fraud). The Nassau County Police Department will continue to utilize the MVTIF grant funds to supplement normal investigative means in an attempt to better address the problems of motor vehicle insurance fraud and motor vehicle theft.

<b>Nassau County Police Department</b>			
<b><i>Performance Measures</i></b>	<b><i>Total</i></b>	<b><i>Performance Measures</i></b>	<b><i>Total</i></b>
MVT investigations initiated	386	Motor vehicle thefts reported	<b>725</b>
MVT investigations filed With SAFETNet	12	Stolen parts recovered	<b>3</b>
MVT SAFETNet submission hits	0	Stolen motor vehicles recovered	<b>377</b>
MVT misdemeanor arrests	43	MVIF investigations initiated	<b>25</b>
MVT felony arrests	108	MVIF felony arrests	<b>5</b>

### **Suffolk County Office of the District Attorney**

The Suffolk County District Attorney's Office Insurance Crime Bureau was created in 2003 to prioritize the need to combat insurance fraud. There are currently four prosecutors assigned to the Bureau, one bureau chief, two detective investigators, three detectives assigned to the district attorney squad, one member of the National Insurance Crime Bureau, one member of the New York State Insurance Frauds Bureau, one clerk typist and one paralegal. Together, this Bureau handles most of the county's motor vehicle related theft and motor vehicle insurance fraud cases.

Despite the steady decline of motor vehicle theft, Suffolk County still ranks as the fifth highest county in New York State, out of 62 counties, in motor vehicle theft. Honda and Integra thefts by younger defendants are the majority of thefts in Suffolk County. These vehicles are popular steals due to high performance parts, stylish accessories and interchangeable components. Teenagers and young adults often steal these vehicles to strip the parts and then place the stolen parts on their own vehicles.

Suffolk County ranks fifth out of 62 counties in New York State for motor vehicle insurance fraud. The increase in motor vehicle insurance fraud appears to be a sign of the economic downturn. In 2009, the Suffolk County District Attorney's Insurance Crimes Bureau purchased 34 motor vehicles in an undercover operation; nine of these vehicles were determined to be involved in insurance fraud schemes. As a result, 26.5% of the motor vehicles originally thought to be stolen cars were in fact owner "give-ups" reported stolen to the Suffolk County Police Department and other jurisdictions so the perpetrators could file claims with their insurance company. In 2010, the Suffolk County District Attorney's Insurance Crimes Bureau purchased 11 motor vehicles (including motorcycles and two trucks), three handguns, and various types of stolen property. Seven of the motor vehicles purchased were insurance "give-ups", hence, 63.6% of the motor vehicles purchased were fraudulent claims for payment by the respective insurance company.

With the current economic trend, there appears to be an increase in the number of cars stolen for scrap at recycling centers or for other purposes, whether sold at the District Attorney's Insurance Crimes Bureau undercover sting location, or reported stolen as part of an insurance scam. This trend has increased with respect to motorcycles, jet skis, and all-terrain-vehicles (ATVs). It has been found that, unlike 2009, when most of the cases involving part thefts were related to jet skis, ATVs, and motorcycles, there has been a shift back to motor vehicle part thefts, especially Honda and Acura parts. As previously described, the parts are interchangeable and are wanted by teens and young adults because of the styles and cost of the high performance parts.

With respect to other motor vehicle parts thefts, there had been a marked increase in the amount of catalytic converter thefts occurring throughout Suffolk County from June through November 2010. Fortunately, based on a joint investigation with the Vehicle Theft Section of the Suffolk County Police Department, the DA's Insurance Crimes Bureau was able to essentially stop all catalytic converter thefts in Suffolk County and in neighboring Nassau County police precincts. The vehicles that are legitimately stolen (as opposed to those reported stolen during an owner "give-up" scenario) remain to be Honda and Acura, as well as high-end motor vehicles because of their worth. Additionally, the thefts of cargo vans and minivans increased in the beginning of 2010 due to a ring of tire and rim thieves who utilized the vans to transport the stolen tires and rims. Through the Insurance Crimes Bureau undercover sting location, newer and higher-end motor vehicles were purchased, as well as several brand-new flatbed tow trucks that had been stolen.

The Suffolk County District Attorney's Office is continually investigating and prosecuting new motor vehicle theft and motor vehicle insurance fraud cases. In 2010, numerous investigations culminated in arrests and prosecutions that have taken some of the most brazen criminals off the streets and returned restitution to the victims of these crimes. During the past year, the Suffolk County District Attorney's Office recovered \$77,797.18 for victims of motor vehicle theft and \$305,913.47 for victims of motor vehicle insurance fraud.

One of the most successful investigations remains a long-term operation which utilizes an undercover sting location. This strategy will continue to be utilized as it has repeatedly shown success since implementation of the Insurance Crimes Bureau's first sting location in 2005. In 2010, eight motor vehicles, one motorcycle, two flatbed tow trucks, three handguns, and other stolen property including two diamond watches, believed to be proceeds from burglaries, have been purchased by undercover investigators.

The sting location is a garage manned by law enforcement personnel. Through the sting location purchases of stolen motor vehicles, stolen motorcycles, stolen trucks, and burglary proceeds are made. Additionally, purchases have been made of vehicles that were owner "give-ups," which meant that the owner of the vehicle, or someone on their behalf, sold undercover investigators the car and would then report the vehicle stolen to collect money on the insurance claim. All transactions that occurred within the sting location were caught on digital surveillance cameras that have audio and video capabilities. All images are taped directly onto a hard drive and then burned onto a DVD. These digital images provide clearer images than VHS tapes. Two undercover detectives conduct the "purchase" of the vehicles, and approximately four detectives man the technical aspects from a hidden room at the location. Additionally, at least two surveillance teams monitored the activity from the parking lot. The undercover sting location was a great success in part due to the help of funding received from other agencies such as the National Insurance Crimes Bureau and the NYS Insurance Frauds Bureau. The sting location also helped increase collaborative efforts with other law enforcement agencies who utilized the location in their investigations.

A successful strategy often utilized by investigators with the District Attorney's Office is the development of confidential sources to uncover and aid in investigations. For example, the undercover sting location utilizes audio and video equipment to capture the entire criminal transaction between the undercover detectives and the target. Since the cases we prosecute are strong, targets usually want to cooperate in order to mitigate their criminal exposure, and will often give information on other criminal matters they know, or if trusted, will be allowed to bring other individuals who seek to "give-up" their vehicle as well.

Another strategy utilized by the Suffolk County District Attorney's Office involves using technology to aid in the development and furtherance of criminal investigations. One noteworthy, long-term investigation originating from the sting location, and where different types of technologies were utilized, involved a crew of tire and rim thieves. The main target had sold undercover detectives stolen motorcycles, stolen motor vehicles, and 10 firearms, including a .38 Smith and Wesson revolver, .44 Ruger, and a .40 caliber Berretta. Several global positioning system units were placed on vehicles the target was known to drive and use during his criminal activities. A cursory review of the dates, time, and locations, plus a review of subpoenaed cell phone records, indicated that the suspect, while acting in concert with others, had stolen more than 300 tires and rims causing huge monetary losses to the victims. Several dealerships and individuals had been targeted more than once. On January 8, 2010, authorization to intercept

communications of the main target was obtained, and eventually into other known co-conspirators of the tire and rim thefts. In total, there were five authorized wiretaps, and two active GPS units were deployed to aid in the surveillance of the subjects during the timeframe of the intercepted communications.

As a result of the wiretaps, 13 search warrants were executed and 50 tires and rims were recovered at a storage location, and another 15 in the garage of a co-defendant. Also recovered were several computers and other criminal proceeds such as flat-screen televisions, and numerous vehicles were seized that were used in the commission of the crimes, either through transporting the tires and rims, or by using the vehicle to drive to and from theft locations.

Based on intercepted communications, it was discovered that the main defendant had committed an insurance fraud to be paid out on his gray 2003 Mercedes Benz CL500. He stole a tow truck and intentionally drove it into his vehicle and then ran away, so it would look like a hit-and-run accident. Additionally, he was involved in bringing in other targets to the undercover sting location, and as a result, four more firearms and two diamond watches were purchased, believed to be proceeds from robberies committed in Suffolk County. This individual pled guilty to all charges in four indictments against him, and was sentenced to 11 years determinate, to encompass, all charges, on November 30, 2010. The remaining tire and rim theft co-defendants, with the exception of one, have pled guilty and are set to receive upstate sentences from the sentencing judge. The defendants involved in the firearm sales were indicted in March 2010, and since the indictment, all six co-defendants pled guilty and are to receive upstate jail sentences for their roles in the sale and possession of illegal weapons.

Another use of technology implemented by the Suffolk County District Attorney's Insurance Crime Bureau in 2010, was the deployment of a "bait" vehicle. The "bait" vehicle was donated to the Office from Allstate Insurance Company. The vehicle is equipped with a "kill switch" that automatically cuts the engine to the "bait" car, and is also equipped with audio and surveillance equipment to record what is happening within the vehicle. The purpose is to try to get someone, already predisposed to stealing vehicles, to steal the "bait" car and get locked within it. This type of vehicle increases the safety to police officers and civilians, as the target can't flee from the vehicle or cause a police chase by driving off in the vehicle.

The Suffolk County District Attorney's Office also utilized "sting" vehicles in order to investigate automotive repair facilities that were suspected of enhancing insurance claims. In September 2010, based on an initial referral from the New York State Insurance Frauds Bureau, the Suffolk County District Attorney's Office sent a sting vehicle into the suspect facility. The facility had enhanced the damages that were on the vehicle and billed the insurance company for those damages. Additionally, the repair facility did not repair the actual damage according to what was billed, and in several instances either left the broken part intact or claimed the part was replaced when it had only been repaired by the facility. As a result, a search warrant was executed and other insurance claims were being examined to determine the extent of the insurance fraud.

An additional strategy is to maintain interagency cooperation in investigations and both NICB and NYS Insurance Frauds Bureau (IFB) personnel are assigned to the Bureau. Through their assignment, the DA's office has increased manpower when necessary and increased investigative abilities. NICB and IFB have aided in maintaining relationships with the Special Investigation Units of insurance companies, and have helped gather information on previous motor vehicle theft claims by running a claim search and obtaining the insurance files. Furthermore, the Insurance Crimes Bureau has requested the insurance industry to provide medical facilities and auto repair facilities that are suspected of fraudulent activities based on the fraud referrals they have submitted through the NICB and IFB. This information is used to identify future targets.

Interagency cooperation frequently is utilized. For example, numerous agencies have utilized the DA's undercover detectives and their sting location to investigate motor vehicle insurance fraud and theft cases. The DA's office has worked in conjunction with the Suffolk County Police Department as well as the New York Police Department, who, at the time, did not have the location to conduct such undercover operations. A noteworthy joint investigation completed in 2010, resulted in the Suffolk County District Attorney's Office's indictment of two individuals on several counts of criminal possession of stolen property for their possession of stolen tow trucks that they stole from other states. The total value of the stolen tow trucks exceeded \$262,000.

A long-term investigation involving medical fraud that began in 2008 concluded with a guilty verdict in November 2010. The case involved a doctor with offices in the Brentwood and Bay Shore area who was billing insurance companies for invasive procedures performed on patients. The doctor was billing the insurance companies for acupuncture and trigger-point injections for services that were not rendered, totaling in excess of one million dollars. The District Attorney's Office arrested the doctor for insurance fraud. The doctor was subsequently arrested for tax evasion by the FBI arising from the failure to disclose the income received from the payments received from the insurance companies. The U.S. Attorney's Office went to trial on both the insurance fraud and tax evasion matters, and with the testimony of some of the DA's detectives assigned to the case, a jury returned a guilty verdict on all counts.

One case the DA's office has worked in conjunction with the SCPD Vehicle Theft Section involved five subjects who were indicted for their roles in an insurance scam that claimed that a motor vehicle, a boat that had been hitched to the motor vehicle and its trailer were stolen. The investigation ultimately revealed that the defendants had inflated the value of the 2005 Activator boat by claiming to have placed a \$50,000 deposit on it and then insured the boat for that inflated value. The boat, trailer, and a 2004 Chevrolet Silverado SS were then "stolen" from an outlet mall. The two insurance companies paid approximately \$190,000 in total. The investigation uncovered that one of the co-defendants was spotted with the stolen property weeks after the alleged theft and that the boat had been retagged as a 2008 Activator boat. That boat was then repainted and sold to another party who was aware that it had been retagged. After racing the retagged boat on the racing circuit for one season, that person then sold the boat and a trailer to an unsuspecting third party. Each defendant was indicted for charges related to their involvement in this scheme.

<b>Suffolk County Office of the District Attorney</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT investigations initiated	20	MVIF investigations initiated	16
Investigations filed with SAFETNet	3	Investigations filed with SAFETNet	3
Hits resulting from SAFETNet	2	Hits resulting from SAFETNet	0
MVT misdemeanor prosecutions	48	MVIF misdemeanor prosecutions	4
MVT felony prosecutions	247	MVIF felony prosecutions	18
MVT misdemeanor convictions	48	MVIF Misdemeanor convictions	11
MVT felony convictions	150	MVIF Felony convictions	7
Warrants issued	29	Warrants issued	4
Confidential informants developed	15	Confidential informants developed	6

### **Suffolk County Police Department – Vehicle Theft Section**

The SCPD Vehicle Theft Section consists of one detective lieutenant, one detective sergeant and eight detectives. The Vehicle Theft Section is part of the Major Crimes Bureau of the Suffolk County Police Department and reports to the Chief of Detectives. The base of operations for this unit is at the Seventh Precinct in Shirley, New York. The Vehicle Theft Section has primary investigative responsibility for auto and marine theft, auto and marine insurance frauds, odometer frauds, vehicle dismantlers and investigations involving the disposal of junk and salvage vehicles.

Vehicle thefts in the Suffolk County Police District showed a decline in 2010 with 1,513 vehicles reported stolen. This total was 126 vehicles less than was reported in 2009. The vehicle recovery rate has fallen by .4 percentage points, to 77.5 percent. The Vehicle Theft Section conducted 123 insurance fraud investigations in 2010 which was 43 more than were handled in 2009.

Although the number of vehicles stolen in Suffolk County has declined, the make and model of the most frequently stolen vehicles have remained relatively constant, with slight variations in ranking. During 2010, the most commonly stolen vehicle in the county was the Honda Civic, followed by (in decreasing order of frequency) the Honda Accord, Toyota Camry, Nissan Altima, Jeep Cherokee, Ford Explorer, Nissan Maxima and Hyundai Elantra. During 2009, the most commonly stolen vehicles were the Honda Civic, followed by the Nissan Altima, Honda Accord, Jeep Cherokee, Dodge Caravan, Toyota Camry and Nissan Maxima (tied with the Ford Explorer). The elimination of the Dodge Caravan from the 2010 highest theft rate vehicles is, in part, due to the arrest of members of a theft ring who were regularly stealing these vehicles to facilitate the theft of tires and rims.

During 2010, there were 1,192 suspected incidents of auto-related motor vehicle insurance fraud in Suffolk County. This is a decrease from 2009 when 1,396 incidents were reported. The categories of suspected fraud, in decreasing order of frequency are: No Fault, Bodily Injury, 660; Auto Miscellaneous (rate evasion, etc.), 213; Auto Collision Damage, 176; Auto Theft, 7; Auto Fire Damage, 30; Auto Vandalism, 19; and Auto Fraudulent Billing (physical damage), 16.

While motor vehicle thefts are reported throughout Suffolk County, the greatest occurrence is in the West End, South sSore communities, particularly Brentwood and Bayshore. The Honda Civic remains a perennial favorite of local car thieves and accrued more than double the theft rate of the second most stolen vehicle, the Honda Accord.

In Suffolk County, over 60% of stolen vehicles are greater than eight model years old, enabling the vehicle to be sold to scrap processors and vehicle dismantlers for their scrap value. The price of scrap metal has risen from earlier lows and unscrupulous tow truck operators and itinerant vehicle collectors regularly attempt to profit from the theft of older vehicles.

During 2010, Suffolk County experienced an increase in auto stripping incidents. Tire and rim thefts continued into the early part of the year until a joint investigation terminated a prolific ring, which dramatically reduced the number of reported incidents. Late spring and throughout the summer months, catalytic converter thefts increased within Suffolk County and in neighboring jurisdictions. A comprehensive investigation conducted with the assistance of several agencies resulted in several arrests and a major reduction of catalytic converter thefts on Long Island.

#### **Honda Theft Enforcement: Speed Shop, Car Show Inspection, Street Source/ Confidential Informant Cultivation**

To combat the consistently high level of Honda vehicle thefts, VTS detectives regularly inspect local speed shops, car shows and car meet locations. Honda and Acura vehicles are extremely popular vehicles and there is a strong demand for replacement parts, both within and outside Suffolk County. When conducting inspections, detectives regularly locate stolen and defaced parts and obtain information resulting in the recovery of stolen vehicles. The owners of customized Honda vehicles maintain their own close network, locally, regionally and nationally. This network is facilitated through the Internet and at localized car meets, and has proven to be of assistance to VTS detectives in identifying the owners and purveyors of stolen Honda products.

During 2010, VTS detectives seized numerous stolen vehicles and major component parts using these sources. One investigation which commenced with the discovery of a stolen transmission in a local speed shop, subsequently led back to the prior sale of the transmission on the internet through a Honda owner's specialty website. The seller, who was operating an unlicensed repair shop, was also found to be in possession of nine defaced Honda/Acura transmission cases, a stolen Honda Civic transmission, and an Acura GSR Integra motor reported stolen in Yonkers.



Unlicensed repair shop containing nine stolen or defaced Honda/Acura motors and transmissions.



Stolen and defaced Honda/Acura motors and transmissions.

Another shop inspection resulted in the recovery of an Acura engine from a vehicle stolen in New Jersey and the subsequent arrest of Brooklyn man after he brought the engine block to a Suffolk County speed shop. Working with a confidential informant, detectives located a chop shop in a vacant house in a residential neighborhood and seized a locally-stolen Honda Civic. Speed shop inspections also resulted in the arrest of a Nassau County resident after he brought a vehicle containing a stolen Acura transmission and two Honda fenders with defaced VIN stickers to a Suffolk Honda speed shop and further resulted in the seizures of a 2001 Acura Integra engine stolen locally, a 1997 Acura engine reported stolen in Florida and a Acura GSR race motor stolen locally. Utilizing street sources led to the identification and subsequent arrests of members of an active local theft ring for multiple counts of Grand Larceny, Criminal Possession of Stolen Property, Auto Stripping and Illegal Possession of a VIN. This investigation culminated with the execution of a search warrant at a local storage facility which contained major component parts belonging to five stolen Honda and Acura vehicles. The recovered parts were from a 2008 Honda stolen locally, a 1997 Acura Integra stolen in NYC, 1992 and 2000 Honda Civics stolen locally and a 2000 Civic stolen from a local New York State park.





Storage unit - containing parts belonging to five stolen Honda and Acura vehicles.



Storage unit - parts belonging to five stolen Honda and Acura vehicles.



Storage unit - motors and wheels from stolen Honda and Acura vehicles

During 2008 and 2009 there was a substantial increase in tire and rim thefts in Suffolk County. During these incidents the thieves would remove all four tires from a vehicle and then leave the vehicle sitting on jacks, milk crates, or paving stones.

The majority of thefts occurred in residential neighborhoods; however several dealerships were also targeted. The dealership thefts were extensive with some sustaining losses of several dozen tires. In addition, during some incidents the thieves stole vans and drove through fences and gates to make their getaway. In response, VTS Detectives followed up leads through physical and video surveillance, GPS tracking, a "bait" car and street sources to combat this crime. Detectives made several arrests, however the rim thefts continued. During the last quarter of 2009, detectives initiated a sting operation and working undercover, began purchasing stolen tires and rims. In addition, the Suffolk County District Attorney's Office was working an investigation which had common defendants and in January 2010, the two operations were combined. With additional assistance from NICB investigators, a comprehensive investigation was conducted which led to multiple arrests and property seizures. At the culmination of the case, five individuals were arrested for tire and rim charges and

several search warrants were executed. One hundred fifty tires and rims were recovered during the investigation and a network, which utilized local fences and the internet to distribute the stolen property, was terminated. The number of tire and rim thefts in Suffolk County has since dramatically declined.

During the summer of 2010, Suffolk County experienced an increase in the theft of catalytic converters from vehicles parked at railroad stations, shopping centers, ferry terminals and hospitals. Vehicle Theft Section detectives worked with local jurisdictions experiencing similar incidents: Nassau County Police, Rockville Center Police, Freeport Police, and the Long Island Region of the New York State Park Police. VTS detectives cultivated confidential informants and obtained court orders authorizing the placement of GPS tracking units on vehicles used in the theft ring. Working with detectives from the SCPD Electronic Investigations Section, the GPS tracking provided details of the theft operation which resulted in the arrest of two individuals for multiple catalytic converter theft and possession charges. One individual was subsequently indicted by the SCDA's Office for 35 counts of Grand Larceny, Criminal Mischief, Auto Stripping and Possession of Burglar's Tools. Since these arrests, catalytic converter thefts have virtually ceased in Suffolk County.

During 2010, well over 60% of the vehicles stolen in Suffolk County were greater than eight-years-old and therefore were able to be disposed of by thieves falsifying documents at scrap yards, vehicle dismantling facilities, or through itinerant vehicle collectors. Detectives conducted an initiative to monitor the buyers and sellers of these vehicles in an attempt to locate stolen vehicles and to ensure compliance with industry laws. Frequently, unlicensed Itinerant Vehicle Collectors are responsible for the theft and subsequent scrap disposal of older vehicles. Without directed oversight of records and licenses, these thefts would likely go undetected as any evidence of the crime is quickly destroyed. During these investigations several arrests were made for various charges including Grand Larceny, Criminal Possession of Stolen Property, Filing a False Instrument, Unregistered Itinerant Vehicle Collector and Unlicensed Dismantler. During one recent investigation an unlicensed Itinerant Vehicle Collector was arrested for selling nine stolen vehicles to a local scrap processor.

Several joint investigations were conducted with investigators from the NYS DMV. Enhanced DMV computer abilities have uncovered individuals holding multiple driver's licenses in Suffolk County. Fraudulent document investigations were subsequently commenced resulting in several arrests. In addition, fraud investigations involving the installation of used airbags in salvage vehicles and falsifying salvage history records resulted in the arrests of car dealers. One investigation culminated in the execution of a search warrant for the unlicensed rebuilding and reselling of Ford Mustangs. Five Mustangs, a car carrier trailer, a Cobra engine block and various parts were seized. The operator was arrested for multiple charges including Illegal Possession of a VIN and Unlicensed Dismantler.

During 2010, the Vehicle Theft Section, in a joint effort with investigators from the Suffolk County District Attorney's Office, conducted an insurance fraud investigation and recovered several late model vehicles and motorcycles. Working with the NYS Insurance Frauds Bureau, detectives commenced an investigation into inflated billing

claims by a vehicle repair company. VTS detectives and NICB investigators conducted an investigation into a Suffolk County group responsible for the filing of over one hundred insurance claims in a four-year period. Also detectives culminated investigations into improper billing for auto glass replacement claims by several local corporations which resulted in combined civil restitution of \$240,000.

Detectives uncovered insurance fraud schemes and arrested the individuals involved in multiple claims for the same high-end vehicle audio equipment, the fraudulent reported theft of a Harley Davidson Screaming Eagle motorcycle, the reported theft of a vehicle, reported stolen in Suffolk County, which was found burned in NYC, as well as a vehicle which had been reported stolen in NYC and subsequently found stripped in Suffolk County.

Suffolk County Police Department			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT investigations initiated	298	Reported motor vehicle thefts	1,513
MVT investigations filed with SAFETNet	132	Stolen parts recovered	446
MVT misdemeanor arrests	43	Stolen vehicles recovered	1,173
MVT-related felony arrests	235	Value of parts recovered	\$231,900
MVT confidential informants	5	Value of vehicles recovered	\$672,300
MVIF investigations initiated	123	MVIF-related felony arrests	11
MVIF investigations filed with SAFETNet	64	Confidential Informants	1

### **Westchester County Office of the District Attorney**

The Westchester County District Attorney's Auto Crimes Unit was created in 1998 in response to a need in the county for a centralized unit dedicated to the investigation and prosecution of auto theft and auto insurance fraud on a countywide level. Previously, law enforcement efforts to resolve the problems of auto theft and related crimes including insurance fraud in Westchester County were uncoordinated and piecemeal at best. Arrests were usually limited to those made as a result of the initiative of individual police officers on patrol and in follow-up investigations. With the creation and subsequent expansion of the District Attorney's Auto Crimes Unit, a full-time investigative and prosecutorial unit consisting of two Assistant District Attorneys and a police investigator filled the void that previously existed.

The statistics regarding auto crime in Westchester County reveal that through aggressive investigation and prosecution the Westchester County Auto Crimes Unit has truly made a difference. Since its creation in 1998, auto theft has been reduced in Westchester County by nearly 85 percent between 1997 (4130 steals) and 2010 (657 steals). The latest official statistics rank Westchester County ninth in the state with 657 vehicles reported stolen in 2010, a 26.7 % reduction from 898 vehicles reported stolen in 2009. In fact, with the exception of 2009, the number of steals has dropped significantly every year since the inception of the Unit.

During 2010, the Auto Crimes Unit (ACU) continued to focus on the southern portions of Westchester County which still accounts for the majority of the County's automobile theft. The major thrust of the ACU's activity in 2010 was working with confidential informants to combat theft and insurance fraud. The ACU has been involved in assisting DMV investigators regarding the use and possession of fraudulent driver's licenses, which resulted in the arrest and conviction of an individual responsible for producing and circulating scores of fraudulent driver's licenses. The ACU, with the assistance of the NYPD, conducted an investigation which resulted in the arrest of an individual who stole a 2008 Mercedes by presenting a forged driver's license and registration to a high-end auto dealership to obtain a duplicate key to the 2008 Mercedes and, after the vehicle was recovered, attempted to steal the vehicle again. The ACU continues to attempt to develop additional informants through their policy of holding all defendants "as charged" who have been arrested for felony auto theft where there is sufficient proof of guilt, and by looking at individuals who have been arrested for other crimes, who have a background involving automobiles from their work experiences. The Unit also continues to conduct "Cyclops" LPR operations throughout the entire county to locate stolen vehicles.

In 2010, the ACU commenced and is continuing several joint long-term investigations into vehicle insurance fraud and theft. The ACU assisted the Yonkers Police Department in an investigation that involved the retagging of a high-end motor vehicle that was one of many used in furtherance of a property damage insurance fraud scam and resulted in the arrest of one of the individuals involved in this scheme. Since the scheme involved numerous vehicles in multiple states by numerous individuals, the investigation was referred to the U.S. Attorney's Office for prosecution.

An additional function served by the Auto Crimes Unit is the training it has provided to police officers from throughout the county and the state. Once per year, the unit has conducted a day long training conference at the Westchester County Police Academy. Experts from a number of agencies have been brought in to lecture and offer hands-on demonstrations relating to issues in auto theft and insurance fraud prosecutions. Over the years, unit personnel have trained over 550 officers from 27 police departments. Additionally, unit personnel have been frequent lecturers at NYPTI and IAATI training seminars.

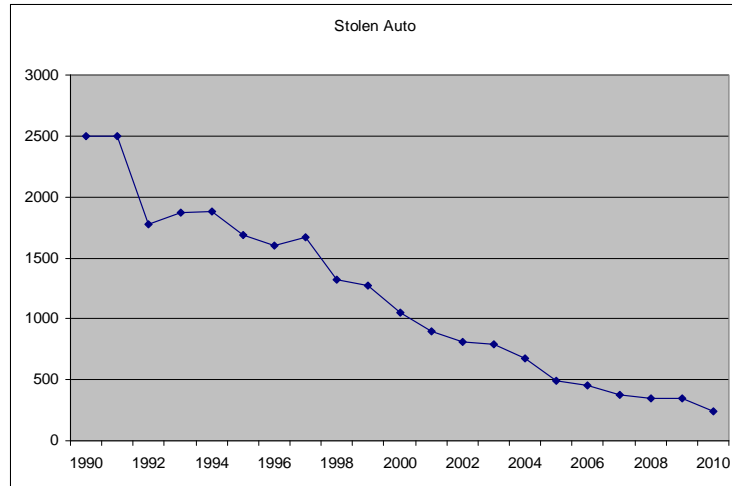
Finally, the Auto Crimes Unit has since its inception serviced the local community by conducting the program entitled, "Watch Your Car". Every year members of the unit conduct free VIN-etching for citizens of the County on their motor vehicles. This program is coordinated with local police agencies. Since the implementation of the program, the Unit has VIN-etched more than 1,000 vehicles.

Westchester County Office of the District Attorney			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT investigations	15	MVT felony arrests prosecuted	98
MVT misdemeanor arrests prosecuted	14	MVT felony convictions	20
MVT misdemeanor convictions	34	MVIF investigations	6
MVT search warrants issued	2	MVIF SAFETNet referrals	5

## Yonkers Police Department

The Yonkers Police Department's Auto Crime Unit works out of its Intelligence Unit.

Due in part to the efforts of the Yonkers Police Department Auto Crime Unit, the number of auto thefts in Yonkers went from 343 in 2009 to 244 in 2010, a decrease of almost 29%. This marked continuation of a downward trend since 1991, when there were 2,502 stolen autos reported in Yonkers, a (decrease of more than 90% over a nineteen-year period.



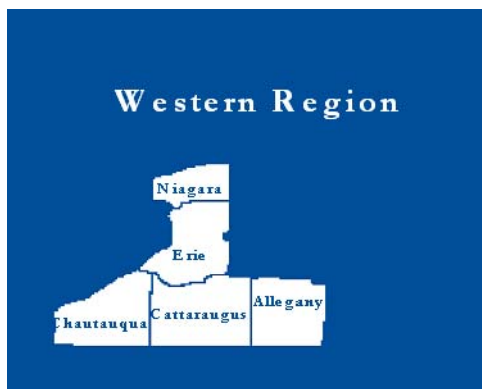
During 2010, the Yonkers Police Department Auto Crime Unit initiated 87 auto theft and auto-related fraud investigations and continued several others from the previous year.

The department's work with other agencies has helped to shut down numerous "chop shops" during the past decade, and instruction by the Auto Crime Unit has taught many officers the signs that a car may have stolen parts, altered VINs, or bogus registration and inspection stickers. Current trends in auto theft include the theft of motorcycles, stolen cars being shipped through the Dominican Republic to foreign countries, and the theft of construction vehicles. Whole vehicles tend to disappear from the street and are resold intact. Many are lifted off the road right into the backs of trucks.

The current trends in auto-related fraud are insurance fraud, i.e. falsely reporting a car stolen; staged accidents and medical mills; and enhanced damage to vehicles (enhanced means causing additional damage to a vehicle by a body shop or owner and collecting on it from an insurance company). These types of frauds have also not changed much over the last several years. In 2010, a major staged accident case was investigated with the FBI and U.S. Postal Service. More than 70 cases of staged accidents were documented with an estimated loss of more than \$1,000,000. Arrests were made in this case. Another group investigated by the Yonkers Auto Crime Unit would file accident claims on the same cars over and over, collecting small sums each time. Numerous cases of fraudulent documents were investigated in 2010. Cases of fake identification cards, bad checks, bad plates, bogus licenses and registrations, and other counterfeit documents were investigated. Some of the cases: bogus rental and dealer plates coming out of Florida; stolen IDs from Delaware used to purchase vehicles; a vehicle wholesaler using bad checks to purchase more than 54 cars; and a dealer selling, but not delivering, cars to victims.

Interagency cooperation has been a staple strategy with the unit working closely with the Putnam County Sheriff, FBI, DEA, U.S. Postal Service, U.S. Customs, NICB, NYSIG, NYS Insurance Frauds Bureau, Department of Motor Vehicles, New York State Police, Suffolk County PD, Delaware State PD, Nassau County PD, White Plains PD, NYPD ATU, Westchester County DA, and Bronx County DA.

Yonkers Police Department			
<i>Performance Measures</i>	<i>Total</i>	<i>Performance Measures</i>	<i>Total</i>
MVT investigations initiated	87	Confidential informants developed	14
Investigations filed with SAFETNet	49	Reported motor vehicle thefts	244
Hits resulting from SAFETNet	4	Stolen vehicles recovered	106
MVT related misdemeanor arrests	14	Value of parts recovered	\$16,300
MVT related felony arrests	19	Value of vehicles recovered	\$675,300



### ***Western Region***

- Buffalo City Police Department
- Cheektowaga Town Police Department
- Erie County Office of the District Attorney
- Niagara County Office of the District Attorney
- Niagara County Sheriff's Office
- Niagara Falls City Police Department

### **Buffalo City Police Department**

The Buffalo Police Department (BPD) continued with its aggressive approach targeting motor vehicle theft and motor vehicle insurance fraud by developing effective strategies and by working collaboratively with the many local, state, and federal law enforcement agencies in Erie County and surrounding counties. In Buffalo, this team approach contributed to an 8.8% drop in the number of motor vehicle thefts from 2009 to 2010. In addition, there has been a decrease in the number of auto thefts reported stolen in the Western Region over the past decade, and historically, Buffalo has been part of this decline, since auto theft in the region declined 44.5% from 2000 to 2010.

Buffalo's GIU auto theft detective continues to train patrol officers from the five police districts, focusing on switched vehicle identification numbers, the use of license plate readers and the identification of potentially stolen vehicles. In 2010, the training included some details on fraudulent lien release and forged titles. Because the volume of cars that have been easy to steal has decreased in numbers, and because of the recession and a tough economy, auto thieves are trying to find new ways to make a buck. The GIU Detective has utilized the assistance of crime analysts assigned to the

Erie Crime Analysis Center and housed in Buffalo Police Headquarters for the analysis of real-time and hot spot data in order to enhance investigative efforts, which is then interfaced with the department's COMPSTAT process. Various crimes, such as motor vehicle theft and insurance fraud are examined.

Surprisingly, during the first part of this reporting period, data was presented that indicated a spike in auto theft during the months of January through March. Patterns were reviewed and discussed because usually crime decreases in the winter months in Buffalo. Upon examination, it was found that when people at various locations (in their driveway, at day care centers, etc.) were starting their cars to warm them up, thus leaving them unattended, thieves worked quickly and took off with vehicles. The GIU Detective worked more closely with patrol in Districts "D and "E," where auto theft was highest, but the good news is that auto theft in "D" has decreased by 16% for the first time in three years. The number of (UUV) "Unauthorized Use of A Motor Vehicle" calls decreased by 2% during this annual reporting period.

One of the largest cases in Buffalo involving fraudulent documents culminated with the arrest of an individual who was charged with three D felonies (including Criminal Possession of Stolen Property, Felony Attempted Grand Larceny, and Tax Fraud), which resulted from three search warrants conducted in December 2009, March 2010 and September 2010. This case, which developed over two years and involved a lot of investigative time on the part of the GIU Detective, was a collaborative effort between the Buffalo Police Department, the Erie County District Attorney's Office, the New York State Tax Office, the Department of Motor Vehicles Division of Field Investigations (DFI) and the Insurance Frauds Bureau. Since this complex investigation involved crimes in multiple states, the FBI was asked for their assistance. Working with the FBI, law enforcement has been able to uncover a total of \$840,000 in fraudulently obtained vehicles so far. The defendant was sentenced to three and half to seven years because the Judge did not feel he was going to "correct his ways" due to his long criminal history for thefts and fraud.

During February 2010, a 1995 Toyota Camry on the "hot" stolen car list, belonged to a homicide victim. Another Toyota, a 1998 Camry, was the subject of a carjacking. Buffalo Police District detectives worked with the GIU auto theft detective and looked very closely at thefts involving Toyota Camry' as a good percentage were showing up on the "hot sheets."

In the first quarter of this reporting period, the Auto Theft Detective went to the home of "ES" regarding the investigation of stolen back hoe and "ES" could not be located at that point. The detective developed some leads and ended up speaking to and obtaining a statement from "JO" regarding the backhoe he reported as stolen. Several weeks later, "ES" was located and a statement was finally taken, with very little leads. Then, on March 11th, Buffalo's GIU detective recovered a stolen Alitec 30 mill head in a lot at 18 Kimmel Street, within Buffalo. This investigation led to an interview

and statement from the lot owner. The lot owner stated that he purchased the stolen mill head from "ES" back in 2008 for \$2,500. BPD's GIU Detective working on the case showed the lot owner a photo array, and he was able to positively identify "ES" as the person who sold him the stolen mill head, and the investigation of this case is ongoing pending an arrest.

Buffalo's GIU Detective and personnel from the Buffalo Fire Marshalls Office have met to discuss enhancement of auto fire cases with the appointment of a full time Fire Marshall to assist in those investigations, as a result of the appointment of a new Director of Fire Investigations in the spring of 2010. As part of the collaborative effort to initiate an Auto Arson Plan with the Buffalo Fire Marshal's Office, investigators from the following agencies also attended the meeting: New York State Police, New York State Department of Motor Vehicles, New York State Insurance Frauds Bureau, Cheektowaga Police, and National Insurance Crime Bureau. Based on information from the Fire Marshal's Office, the Buffalo Fire Department has had 283 Auto Fires and the Fire Department's Arson Squad has investigated 80 of those fires for arson/fraud. There were six felony arrests and four misdemeanor arrests for insurance fraud.

Some of the fraud cases involving Buffalo's GIU Detective include the direct investigation of an insurance company employee who filed a false theft report after an accident. In addition, the GIU Investigator worked on an "arson for hire" investigation in which the complainant was very cooperative. The complainant has given statements as to the extent of her involvement in this investigation, and law enforcement was working with the District Attorney's Office and awaiting a plea on this particular investigation.

Heavy equipment theft is on the rise because the reward for thieves far outweighs the risk taken. Heavy equipment has a relatively high resale value, making it attractive to criminals, including suspects who sell it for drugs or other stolen property. It makes an easy target since it usually doesn't have any anti-theft devices or a lot of times, it is left unattended during non-work hours. During this annual reporting period, several law enforcement agencies, including the New York State Police, Cheektowaga Police Department, Evans Police Department, National Insurance Crime Bureau, and the Erie County District Attorney's Office worked on a heavy equipment theft ring investigation. Numerous thefts involving construction trailers, bobcats, and mini-excavators have been reported stolen throughout Western New York and have been marked by this theft ring for re-sale and rental to unsuspecting contractors. This joint investigation was initiated with the recovery of construction equipment in the Town of Cheektowaga and Niagara County. Three suspects had been targeted who had prior involvement in construction thefts. Buffalo's GIU Auto Theft Detective worked with a New York State Police Investigator on two) specific cases and to date, an arrest is pending. Buffalo's GIU Detective followed up on leads for the Niagara County District Attorney's Office concerning construction equipment thefts at their request.

As part of the collaborative effort between city and suburban law enforcement agencies for addressing motor vehicle theft and insurance fraud crimes as part of this initiative, Buffalo's GIU Detective continues to assist the five patrol districts in Buffalo



and other agencies with similar investigations involving titles and salvage sales. Buffalo's GIU Detective conducted numerous secondary examinations of vehicles with suspected switched Vehicle Identification Numbers. In one of the cases, two engines from the suspected vehicles were seized and the GIU Detective notified the appropriate insurance companies. The value of the engines and transmissions recovered in this particular investigation was \$1,500.

Law enforcement targeted the Central Park Plaza area regarding reports from the New York State Police C-NET that stolen cars were being dumped in a possible chop shop in that area and several covert surveillance operations took place. Information on stolen car checks from one of Buffalo's local towing firms was reviewed as Buffalo Police was monitoring this operation that was reportedly stealing vehicles that were usually eight to ten-years old. The operator allegedly was taking the vehicles to salvage yards, affirmed via an MV-35 that the vehicles are theirs and then they scrapped them.

In September, the GIU Detective and Buffalo Police assisted the Cheektowaga Police Department with a traffic checkpoint in their town. Numerous vehicles and trailers were examined, however, no stolen vehicles or trailers were located during the operation. Cheektowaga Police made three arrests for suspended revoked licenses. The GIU detective assigned conducted three) secondary examinations of vehicles with suspected switched VINs.

The "A" District, located south of Buffalo, had a rash of car pops and break-ins. Buffalo's GIU Auto Theft Detective and "A" District Patrol Officers worked together in setting up some surveillances and increased patrol efforts. Police had zeroed in on a couple of suspects from the city's "old first ward." The increased police presence and some media coverage stopped these break-ins within a week. Because funding is limited, Buffalo's auto theft grant does not direct funds to community education. As part of its public safety mission, Buffalo Police lists an auto theft prevention tip sheet on its website. In addition, the city, in conjunction with the DCJS Erie Crime Analysis Center housed in Buffalo Police Headquarters, printed a "safety tip" pamphlet for distribution within the community at churches, community centers, bingo halls, etc. This pamphlet listed safety precautions to avoid being carjacked before entering a vehicle and once in the vehicle, along with tips to prevent auto theft and property from being stolen in one's vehicle.

On September 8, 2010, the GIU Detective from Buffalo Police trained 40 non-Buffalo PD recruits from the 116th Recruit Class at the Central Police Services Academy. The recruits were trained on various aspects of the Penal Law, Switched VIN Indicators, and Insurance Fraud.

On September 22, 2010, the GIU Detective from Buffalo assisted with NYACT training seminar for law enforcement. Training was conducted at the Center for Tomorrow at the University of Buffalo with 39 attendees. Buffalo Police supplied vehicles and instruction on current trends on the most popular vehicles stolen and re-titled in Western New York.

In addition, during this reporting period, when both GIU Detectives assigned to auto theft were working, they continued to work with patrol and assisted the five (5) police districts in Buffalo, along with a couple of suburban agencies (Cheektowaga and Lackawanna) with similar investigations involving titles and salvage sales. In June, the GIU detective, along with police officers from the Traffic Unit and the New York State Police, assisted the Cheektowaga Police Department and the NYS Department of Transportation with "Operation Eagle Claw". This operation randomly pulls over large tractor trailers and trucks, along with other vehicles and flags them over to a designated examination site where investigators check for a multitude of things (proper paperwork, license, type of goods being carried, driver information, stolen vehicles, etc.) During that operation, there were no stolen vehicles or trailers located, however, many violations were brought to light.

Buffalo Police continue to see the thefts of Hondas and Acura Integras across the five police districts. During this reporting period, Buffalo's GIU Auto Theft detective worked with the Cheektowaga Police Department. In addition to "Eagle Claw," Buffalo Police assisted Cheektowaga on two other joint efforts for stolen motor vehicles that involved cross-border jurisdictions in the Town of Cheektowaga and the City of Buffalo involving Hondas and Acura Integras. The intelligence shared by both the Buffalo Auto Theft GIU detective and the Cheektowaga Auto Theft detective again reinforces the fact that Honda models, particularly Civics, are valued because they are frequently modified to become "street racers". Honda parts are valued as replacement parts on street racers and individuals and gangs known to be involved in auto-related crimes are being targeted by patrol to prevent a more widespread pattern from developing.

Buffalo's GIU auto theft detective and analysts from the Erie Crime Analysis Center identified additional trends, included "hot spot" mapping, whereby the GIU detective would work with patrol in focusing on various repeat steal locations where cars were being taken. The following hotspots were identified from within each of Buffalo's five police districts in 2010:

A District - No repeat locations – Attributed to a concentrated effort by Patrol Officers

B District - Chippewa at Pearl and Chippewa upper Franklin – "Entertainment/Bar" Locations – Patrols beefed up along Chippewa by Mobile Response Unit and Patrol

C District – Genesee at Best; Harmonia/Walden; Rother Avenue; Broadway/Memorial – BPD Officers worked with State Police under IMPACT within some of these areas – high drug concentration

D District – No repeat locations – Attributed to targeted patrols/selective enforcement set-up by Patrol/GIU Auto Theft efforts – As mentioned previously, auto theft in “D” has decreased by 16% for the first time in three years

E District – Fillmore/Kensington; Bailey/E Delavan; 1609 Main (Dwayne Ferguson case) – During this annual reporting period, the GIU Detective spent a significant amount of time on the Dwayne Ferguson case as it was a complicated and time-consuming investigation

Buffalo’s GIU Auto Theft has also been involved on a couple cases with Operation IMPACT partners including New York State Police Troopers. On week-ends, IMPACT troopers work with Buffalo Police patrol officers patrolling designated “hot spots,” including Buffalo’s “E” District where auto theft is high. The GIU Detective specifically works on those IMPACT arrests involving switched or altered Vehicle Identification Numbers. One of the motor vehicle theft investigations led to the confiscation of guns and drugs, supporting the IMPACT mission of strategic crime-fighting and violence reduction.

Buffalo Police City Police Department			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT investigations initiated	24	Reported motor vehicle thefts	1,424
Investigations filed with SAFETNet	4	Stolen vehicles recovered	1,138
Hits resulting from SAFETNet	0	Value of vehicles recovered:	\$10,365,731
MVT misdemeanor arrests	4	Value of parts recovered.	\$430,673
MVT felony arrests	9	MVIF Investigations initiated	92
Overall MVT/UUV arrests Buffalo Police Patrol	304	MVIF felony arrests	6

**Cheektowaga Town Police Department**

The Town of Cheektowaga Police Department spent most of the funding from the grant on field investigation efforts focused on auto theft, insurance fraud, and heavy equipment theft. Field efforts consisted of surveillance, collection of evidence (including fingerprint identification, photography and DNA recovery), and information sharing which included meetings with outside agencies in the area. Collaboration this year involved the police departments from Erie County Sheriff’s Office, Amherst, West Seneca, New York State Police, Buffalo, and the Town of Lancaster, as well as interaction with Erie County District Attorney’s Office, N.I.C.B., New York State Insurance Frauds Bureau, NYS Dept. of Motor Vehicles, Homeland Security/Border Patrol, and insurance company representatives from Geico, Allstate, and State Farm.

In a unique arrest early in the year, detectives developed information regarding an auto stripping suspect who subsequently was arrested, through DNA left on a discarded cigarette butt.

Cheektowaga Police Department once again participated in “Operation Eagle Claw (Part 2).” This venture is a collaborative effort performed under the umbrella of a commercial vehicle checkpoint. Neighboring agencies who participated included, the NYS Police, NYSDMV, NYS Dept. of Taxation, Homeland Security/Border Patrol, Buffalo PD Auto Theft Squad, and Erie County Emergency Services. This effort yielded valuable intelligence as well as the issuance of many V and T summons.

Participation in the UUV Task Force is an integral part of Detective Jedd’s overall game plan. The information sharing with this group coupled with Detective Jedd’s continued networking with Buffalo PD is invaluable in keeping him informed regarding suspects and trends.

### **Highlights of 2010**

- **January 10** – Assisted the Town of Amherst PD, Buffalo PD, NYS Dept. of Motor Vehicles and West Seneca PD with ongoing stolen heavy equipment at 83 Anderson in Cheektowaga.
- **February 10** – Recovered a stolen “Bobcat” valued at \$38,000 that was taken in South Carolina. The item was advertised on “Craigslist” and subsequently investigation lead to an individual’s arrest for Criminal Possession of Stolen Property-3<sup>rd</sup> degree (D Felony).
- **May 10** – Assisted patrol at a traffic checkpoint and observed a motorcycle with switched VIN numbers. Subsequent investigation led to the recovery of a stolen 2004 Kawasaki and one arrest for Criminal Possession of Stolen Property-3<sup>rd</sup> degree (D Felony) and Illegal Possession of Vehicle Information Number (E Felony).
- **May 10** – Attended the Northeast IATTI Conference in Cleveland, Ohio. Specific instruction was given on crimes relating to motorcycles.
- **June 10** – Assisted Buffalo PD and NYS Dept. of Motor Vehicles in a six-month investigation involving forged title and lien releases. The result of this lengthy investigation resulted in the recovery of four stolen vehicles.
- **August 10** – Participated in a joint investigation with the NYS Dept. of Transportation, Canadian Government (Transportation Canada), Amherst PD, and the N.I.C.B. regarding a charter bus from Canada with no VIN Plate. Initially thought to be stolen, further investigation revealed that the bus had ‘switched plates’ and had been taken out of service for several safety violations.

- **October 10** – Participated in a joint investigation with NYS Insurance Frauds Bureau and Buffalo PD involving insurance fraud. Intense investigation led to the arrest of a town resident who falsely reported her vehicle stolen. She was subsequently charged with Insurance Fraud 3<sup>rd</sup> (D Felony), Att. Grand Larceny 3<sup>rd</sup> (E Felony), and Falsely Reporting an Incident (A Misdemeanor).
- **November/December 10** – Spearheaded a task force in which over a dozen auto stripping incidents were investigated. Multiple agencies were involved which eventually lead to the arrest of an individual for several counts of Auto Stripping and Unauthorized Use of a Motor Vehicle (A Misdemeanor).

<b>Cheektowaga Town Police Department</b>			
<b>Measure</b>	<b>Total</b>	<b>Measure</b>	<b>Total</b>
Vehicles reported stolen	91	Arrests (funded by grant)	4
Investigations initiated	60	Arrest warrants issued	3
Auto Theft schools attended	2	Heavy equipment investigations	2
Confidential VIN check's	5	Heavy equipment arrests	1
Stolen vehicle recoveries	15	Heavy equipment (pieces recovered)	2
Value of stolen vehicle recoveries	\$200,000	Insurance fraud investigations	4
Auto stripping investigations	34	Insurance fraud arrests	2
Auto stripping warrants	2	Teaching seminars (academy)	2
Auto stripping arrests	4	Stolen inspection sticker investigations	0
		Stolen inspection sticker arrests	0

### **Erie County Office of the District Attorney**

The Motor Vehicle Theft and Insurance Fraud Unit is a unit of the Special Investigations Bureau. The Unit is comprised of one Assistant District Attorney. The ADA works very closely with detectives from the Buffalo Police Department and Town of Cheektowaga Police Department. The ADA also meets with various law enforcement agencies throughout the area to collaborate on ongoing investigations. The ADA vertically prosecutes the more serious motor vehicle theft crimes as well as all of the insurance fraud cases in Erie County.

The problems facing Erie County regarding motor vehicle insurance fraud and motor vehicle theft have changed significantly over the last few years. It has become much more difficult to commit and get away with traditional motor vehicle theft of late model vehicles. Vehicles are much tougher to steal due to better anti-theft devices in today's vehicles. It is also much easier to catch automobile thieves after they have stolen vehicles. This is due to efforts by the Department of Motor Vehicles and law enforcement agencies to document and trace stolen vehicles. Thieves are having a more difficult time disposing of stolen vehicles and parts, as it is tougher to dispose of stolen vehicles at scrap yards. For the above reasons the number of vehicles stolen in the traditional manner has greatly decreased, however, Erie County has seen an increase in insurance fraud and other fraud-related crimes against vehicles.

Erie County continues to experience a high number of vehicle fires. Most of these vehicle fires occur in Buffalo, despite the fact that a high percentage of these vehicles are owned by suburbanites. The Buffalo Fire Department estimates that nearly 400 vehicle fires occur each year in Buffalo. The great majority of these vehicle fires are committed for insurance fraud purposes. The Buffalo Fire Department performs a cause and origin on as many of these vehicles as possible, but there are many vehicle fires they simply do not have the manpower to examine. According to their records, in 2008, it was determined that 77 vehicle fires were caused by arson and in 2009, it was determined that 95 vehicle fires caused by were arson.

Vehicle fires in Erie County generally occur on a desolate, dead end street in Buffalo, in the early morning hours. Most of these vehicles are burned in a very low-tech manner. Generally, an insured turns their vehicle over to a torch with the keys. The torch generally sets the vehicle on fire using gasoline and simply walks away from the burning automobile. Most of the torches that have been caught over the past few years are people who live very down-and-out lives and have little to lose. The torches are generally parolees and drug addicts who will dispose of a vehicle for several hundred dollars. These individuals are difficult to catch, with most of the ones who are caught apprehended as they walk away from the fire. This occurs if patrol can respond quickly enough. There have been a number of these torches who have come forward to the police themselves in order to turn in the insured, because they are angry as they have not been paid out by the insured. These individuals often claim to have "heard" about an arson and claim they are coming forward as a Good Samaritan.

This office has also had significant success confronting insured people with holes in their stories regarding vehicle arson. When confronted using phone records and other evidence which shows their story to be false, these people often confess that their vehicle was not really stolen, but rather was the subject of an insurance fraud. They often are people with no prior criminal history who have fallen on hard economic times or simply obtained a loan for a vehicle they could not afford.

There are also a growing number of insured people from Buffalo who dispose of older vehicles by committing arson of the vehicle for insurance benefits. These vehicles are often worth less than \$3,000. When caught, they generally state, "I just wanted a new car." To combat this trend the Buffalo Fire Department is requiring all owners of burned vehicles to be interviewed by the Fire Marshall. Additionally, the Fire Marshalls will be notified by the lieutenant on the scene so that an investigation may start as early as possible.

Over the past year, this office has prosecuted a number of defendants who have long histories of making suspect insurance claims. One such case involved a defendant with approximately 20 previous insurance claims over the past 10 years. These defendants have not been criminally convicted in the past for insurance fraud; however, the office has taken a policy of taking a tougher position against such defendants, because they are clearly repeat insurance fraud offenders.

A new area of fraud has been on the rise in motor vehicle theft in Erie County over the past year or two. This has been the use of fraudulent documentation to steal ownership of vehicles. The most common method encountered recently regarding fraudulent documentation, has been the use of fraudulent lien releases to steal leased vehicles and the use of fraudulent power of attorney documentation to re-title leased vehicles into the thief's name. This type of theft has been rising in Buffalo among used car dealers, vehicle wholesalers and a vehicle rental car company. In Buffalo, an increasing number of defendant's have traded in their vehicles to small used car dealers using false lien releases.

Last year this office encountered a defendant who was the largest vehicle wholesaler in the county. He started buying vehicles using bad checks and selling them using fraudulent lien releases. In this manner he was able to steal \$180,000 before being caught and convicted. This defendant is now serving two to six years in state prison. This defendant had no criminal history; however, it was learned from witnesses on the case that the defendant had a long history of nickel and dime type theft. It appears as though this defendant was motivated to move from small thefts to much larger crimes, because his business was hit hard by the downturn in the economy and he wished to continue living a very lavish lifestyle. He was able to steal large amounts of money because he had been in the wholesale business for over 20 years, so when he became delinquent on payments and bounced checks his victims at first gave him the benefit-of-the-doubt.

Over the past year, this office has conducted a major investigation regarding one of the most persistent and devious conmen ever encountered in the MVTIF area in Erie County. This defendant operated several businesses which he used almost exclusively for the purpose of committing fraud. This defendant operated a rental car business and a vehicle repossession business. This defendant created fraudulent corporate tax documentation relating to his businesses. He used this documentation to acquire financing for vehicles from Toyota Financing and Nissan. He also used these false records to lease fleets of vehicles from leasing companies. Using these fraudulent documents, he financed over \$500,000 worth of vehicles from Toyota alone. The defendant then took the titles of the Toyota vehicles to the Virginia DMV and presented them along with fraudulent lien releases to the Virginia DMV. These fraudulent lien releases purported that all liens on the vehicles had been satisfied. In this manner the defendant obtained clean Virginia titles to many of the Toyota vehicles and multiple Nissan vehicles. The defendant defaulted on all of the loans and leased vehicles and tried to claim that his withholding of the vehicles was merely a civil issue. The defendant then sold some of these vehicles around the country using various methods including EBay. One of these vehicles was even shipped to Nigeria. The defendant continued to use the rest of the vehicles at his rental car business until the DA's office started to impound them. At that point, the defendant attempted to sell five of them at a local auction. Luckily, a tip was received from a rival repossession business that the defendant was attempting to sell the vehicles. The Buffalo Police were able to recover the vehicles before the defendant could take payment. Finally, a tip came into the Buffalo Police from a former employee of the defendant as to where he was storing

another group of the stolen Toyota and Nissan vehicles. A search warrant was drafted and five more vehicles were recovered.

This office has worked with investigators from NYS Tax and Finance to put together a theft of sales tax case against this defendant's partner, a detective with the Buffalo Police department. This individual defrauded the state out of about \$16,000 from 2005 to 2008 by falsely listing the sale price of vehicles he sold in his MV 50 books. The defendant collected but failed to remit the \$16,000. This defendant was involved in many of his partner's scams including an insurance fraud owner "give-up".

Finally, Erie County has prosecuted several cases in which identity theft was used for the purpose of purchasing a new vehicle through the use of someone else's credit. In one such case, a thief obtained personal identifying information of several victims from his place of employment, that being a debt collection agency. The thief had a common name and located information, such as social security numbers, for other people in the United States with that name. The thief then went from dealership to dealership purchasing new 2009 Chevrolet Malibu's using his own name, but using the victim's social security number, etc. In this manner he was able to finance the purchase of vehicles worth nearly \$30,000 using someone else's credit.

Another defendant was convicted of Insurance Fraud in the Third Degree and Attempted Grand Larceny in the Third Degree involving a conspiracy to burn a vehicle for an insurance fraud. This defendant was supposed to be the torch, however, he never did burn the car. The defendant had not received his cut yet so he backed out of burning the car, however; he did assist in reporting the vehicle stolen and making it appear stolen when in fact this was an owner give up. The prosecution of this case required the case be presented to a grand jury, hearings were held regarding the admission of statements by the defendant and ultimately the defendant pled guilty on the day of trial. In order to prosecute the case successfully the insured cooperated against the torch. The insured pled guilty to an E felony.

Another defendant who hired a torch to burn her vehicle pled guilty to Insurance Fraud in the Fourth Degree in December. This woman paid an ex-con who was on parole to burn her vehicle. He decided this was not a good idea and came forward to the police. The woman was confronted with his information and she admitted that the claim she filed was untrue.

Two codefendants were sentenced regarding Insurance Fraud in the Fourth Degree convictions from the third quarter. This case involved an insured who paid a man to dump her 2007 Cobalt into a lake in Allegheny State Park. This was not the most brilliantly planned crime. The man pushed the vehicle into the lake in an area that was just deep enough to submerge the vehicle. The vehicle was spotted the next day in the lake and removed. The man who dumped the car in the lake confessed and cooperated against the insured. This enabled the DA's office to secure a conviction against each defendant. One of the defendants was sentenced as a second felony



offender to 1 ½ to 3 years in prison. The other defendant who had no significant criminal history was sentenced to probation.

Another type of fraud that this office has begun to prosecute over the past year involves fraudulent injury claims submitted to the Niagara Frontier Transit Authority. Four individuals claimed to have been injured while riding a Buffalo Metro bus. The NFTA recently acquired new camera systems on their buses which show a clear picture of what occurs on its buses. In each of these cases the claim made by the defendant can clearly be determined to be false when the claim is compared with the video. All of the defendants pled guilty to misdemeanor offenses of Insurance Fraud in the Fifth Degree and Offering a False Instrument for Filing in the Second Degree. Presently, this office is opening cases on four more of these false injury claims from the NFTA which will be resolved in the same manner.

In November, an arrest was made of a defendant who lit his 2007 Lexus on fire using gasoline after failing to push it into the Niagara River to commit an insurance fraud. This defendant claimed that he simply didn't want the car anymore. He admitted this after being confronted with inconsistencies in his story, including that the call he made to report the car being stolen bounced off a cell tower which was near the fire scene. This conflicted with his story that the car was stolen from outside his work which was on the other side of town. The defendant will be offered an E felony or will be indicted on arson and insurance fraud charges.

In December, a woman pled guilty to insurance fraud in the fifth degree for reporting her vehicle stolen when it was not. Cheektowaga PD received a tip that the vehicle was actually in a garage of a friend of the defendant. A detective was able to obtain consent to search the garage where he located the vehicle. The woman had no record, and the claim which was only about \$5,000 was denied so a misdemeanor was offered.

This office also worked with the Cheektowaga PD regarding a Grand Larceny investigation at a Chevrolet dealership. Four employees of the dealership were fraudulently offering incentives to customers to purchase cars. This led to a theft of \$108,000 from GM. The defendants were offering \$1,000 incentive deals to customers who did not qualify for the incentive by manufacturing fake vehicle registrations. The incentive was supposed to offer a \$1,000 reduction in price to any customer who had formerly owned a Toyota. These salesmen were creating fake registrations and submitting them to GM in order to get the incentive for the customer. This helped them to sell more cars and make more in commission. The ring leader of this scam, the sales manager, and the finance manager will be offered D felonies and the other two salesmen may be offered lesser pleas as their culpability was lower and they were involved in fewer of the transactions and they are willing to cooperate in the prosecution of the higher managers.

In the last quarter, a defendant was sentenced to two to four years in prison for the theft of two Ferraris. The victim gave the vehicles to the defendant to sell at an auto auction but the defendant failed to give the proceeds of the sale to the victim.

This office obtained a conviction against an 18-year-old from Detroit who came to Buffalo in order to steal a vehicle and then use it in a grand larceny at a jewelry store. This defendant pled guilty to UUV 1<sup>st</sup> and Grand Larceny in the 3<sup>rd</sup>. After the conviction a proffer was conducted at this office between the defendant and FBI. Apparently, there has been a ring of thieves operating out of Detroit who drive to jewelry stores located near a Thruway exit in order to steal diamond rings. In this case as in close to 100 other similar thefts the masterminds of this scheme find a teenager who they convince to accompany on a road trip for the purpose of stealing diamond rings. They steal a car and then they send the teenager into a jewelry store to look at diamond engagement rings. When the teenager has two rings in his hand he runs out and gets into the stolen car which he left running outside. In this case the defendant made it out of the store with over \$10,000 in rings. The police saw the defendant trying to drive away and apprehended him after a chase. This defendant told his story to the FBI agent and he identified two individuals from mug shots which the FBI agent showed to him. The FBI agent said this was helpful to confirm these were the two defendants running this scheme.

The above areas of fraud are mostly committed by a small number of individuals committing a proportionally large number of crimes. The exception to this involves the cases involving owner "give-ups" for insurance fraud purposes. Owner "give-ups" create a difficult problem as it cannot be predicted who to target or who is likely to commit this type of crime ahead of time. However, the DA's office has become better at recognizing after the fact, which individuals likely committed insurance fraud. This has led to increased levels of detection and created more prosecutable cases.

Vehicle theft in Erie County has declined because it has become less profitable. Vehicles that are stolen in Erie County are often taken with the keys. This type of theft is enabled by careless owners. Many of these vehicles are used for the personal use of the thief. These cars are also rented out by the thief to drug dealers as "crack rides." These cars are often recovered in a damaged and dirty condition, as the thief abuses the vehicle while it is in his possession.

Erie County continues to see a high rate of vehicle theft regarding older model vehicles. These vehicles can be stolen by a thief possessing a low level of ability to hotwire a vehicle. This type of vehicle includes older model Chrysler and Dodge products along with older GM models and older Honda models. All of these vehicles are easy pickings for low tech auto thieves.

The final type of theft relating to vehicles which is rampant in Erie County is vehicle break-ins or "car popping." Car popping is an easy way for a thief to steal valuable items with a low risk of being caught. A thief can enter a vehicle in a manner of seconds, clear out valuable items such as GPS devices and laptops, and be on his

way. The high crime rate in Buffalo leaves little manpower to address this type of crime. Even when these thieves are caught they generally receive slaps on the wrist, because these cases often produce misdemeanor arrests because the property taken from a single car/ victim is usually worth less than \$1,000. The profile of these offenders includes two primary components, those being career petty thieves and wayward youths.

The primary strategy implemented over the past year has been to target and aggressively prosecute the worst repeat offenders. The strategy employed for the current grant cycle has been largely successful and will be continued with some minor changes for this upcoming grant cycle. The strategy for the most part has been to not offer a reduced plea to offenders with past histories of auto theft. During 2009, this office prosecuted an 11-time felon. Most of his prior convictions involved vehicle theft and stolen property from vehicles. This defendant was ultimately convicted of two E felonies which were the highest possible charges in the case. The defendant is now serving two to four years in state prison. Another case handled in this manner involved the identity thief mentioned above. This defendant was indicted and he was not offered a reduced plea. Eventually, he pled to the entire indictment and is currently serving two to four years in state prison.

Regarding insurance fraud investigations, this office attempts to flip insured against the people setting up the insurance fraud. Through the experience of prosecuting insurance fraud cases, it has been determined that many insured do not commit insurance fraud by themselves and that insured are often times encouraged to commit insurance fraud by a codefendant. The person setting up the fraud often is a repeat offender and should rightly be the main target of the investigation. In one such prosecution a defendant was indicted as an accomplice to an insurance fraud for his role in setting up the "theft" of a vehicle. This defendant arranged to have the vehicle "stolen" for the insured. This defendant owns a repair shop and it is believed that he is often involved in insurance fraud cases. It is believed that after the insured receives payment for benefits regarding the "theft," this defendant either switches the VIN and sells the vehicle or chops up the vehicle in order to use the parts at his repair shop. This defendant is currently indicted and will likely end up going to trial in 2011.

The following strategy has been taken recently regarding an offender who was continuing to run a fraudulent enterprise during the length of his prosecution. This defendant pled guilty to three class D felonies and is now facing mandatory state time as a second offender. In cases such as this one, where a defendant is continuing to defraud the public in an ongoing scheme from day to day, this office will offer a reduced plea for the purpose of removing the offender from the street and putting an end to the criminal enterprise. This approach was successfully used in the prosecution of the conman mentioned above who was title washing leased vehicles. This defendant was continuing to commit new financial crimes on a daily basis as his case was being prosecuted. Eventually, the defendant pled guilty to three class D felonies as a second offender and will likely receive a jail sentence of three to six years. Some of the cases that the defendant was being prosecuted for were stronger than others, therefore, the

emphasis had to be on getting the defendant into custody and ending his ongoing criminal enterprise.

Over the past year this office has increased efforts to communicate more often with other agencies with a great degree of success, working closely with the Buffalo Fire Department, NYS Police, Department of Motor Vehicles, NYS Insurance Fraud Bureau, New York State Taxation and Finance and local police agencies, including Buffalo and Cheektowaga. Specifically, a Task Force meeting was held including members of the State Police, Department of Motor Vehicles, Insurance Frauds Bureau, NICB, Buffalo Fire Department, Buffalo Police and the Cheektowaga Police in March 2010 at the Erie County District Attorney's Office. This sharing of intelligence has led to greater ability to identify the worst offenders and the ability to build stronger cases. This in turn has led to many convictions and jail sentences in cases. This office has also obtained many convictions over the past year to offenses which will serve as predicate offenses in the future. This strategy has led to a number of convictions this year under the enhanced charge of Unauthorized Use of a Vehicle in the 2nd degree.

In an attempt to address one of Erie County's largest problem areas, regarding motor vehicle insurance fraud, this office is working with the Buffalo Fire Department, in order to designate a full time Fire Marshal who will be assigned to investigate only vehicle arsons, which are suspected insurance frauds. Having one fire marshal specializing in this area would greatly enhance vehicle arson insurance fraud investigations and prosecutions for obvious reasons. According to the Fire Department a request has been made to staff this position and it is likely to happen.

This office will also continue to work with local police agencies to encourage the use of DNA recovery in motor vehicle theft cases as a tool to identify offenders. An increased number of databank DNA and fingerprint hits have been obtained over the past year, and the bank will continue to be utilized. Other tools used this year include monitoring jail phone calls and the use of cell tower and phone records.

This office has aggressively prosecuted insurance fraud cases and has obtained a high number of insurance fraud convictions this year. Many of these offenders have received state prison time. This office has made it a point to have the Buffalo News report upon insurance fraud convictions so that the word gets out that people are convicted and go to jail for these offenses. The strategy of publicizing these convictions through major news outlets will continue next year and it is hoped this acts as a deterrent for would-be criminals.

Another strategy this office employs is to assist in the proper education of members of law enforcement regarding insurance fraud investigations. On September 22, 2010, an Erie County ADA gave a lecture regarding insurance fraud prosecution at a NYACT Training seminar. The focus of the lecture was to educate police officers regarding the most effective means of constructing an insurance fraud investigation. During the lecture officers were informed what is required under the law to prove an insurance fraud case and what evidence will be needed in order to have a successful

case. The lecture also covered methods to obtain this evidence. In addition, to this formal training seminar, the same ADA often devotes time to teaching local members of law enforcement on an ad hoc basis, and fields requests for assistance regarding insurance fraud questions from officers on a weekly basis. All of this is meant to enhance the prosecution of insurance fraud cases.

Erie County District Attorney			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT indictments	11	MVIF indictments	4
MVT misdemeanor convictions	24	MVIF misdemeanor arrest prosecuted	13
MVT felony convictions	28	MVIF felony arrest prosecuted	10
MVT misdemeanor arrest prosecuted	97	MVIF misdemeanor convictions	9
MVT felony arrest prosecuted	114	MVIF felony convictions	9
Confidential informants	9	MVIF investigations opened	11
MVT warrants issued	9		
MVT investigations opened	18		

### Niagara County Office of the District Attorney

The Niagara County District Attorney's Office has a specific unit dedicated to Motor Vehicle Theft and Insurance Fraud that consists of one full-time criminal investigator and one full time assistant district attorney. The District Attorney's Office also provides office space to the New York State Insurance Fraud Bureau for an investigator who works very closely with the District Attorney's Motor Vehicle Theft and Insurance Fraud Unit.

The introduction of the Motor Vehicle Theft and Insurance Fraud Prevention Program to Niagara County in 2002 showed immediate results. After an increase in reported motor vehicle thefts of 17% from 533 in 2001 to 623 in 2002, 2003 saw a decrease of 19% with 505 reported motor vehicle thefts. In 2004, there was a slight increase of 7.1% to 541 reported motor vehicle thefts with 269 of those vehicles, or approximately 50%, recovered. In 2005, 433 motor vehicles were reported stolen, a reduction of 20% from 2004 with 273, or 63% of these vehicles recovered. In 2006, again there was a slight decrease in the number of reported motor vehicle thefts to 383. Of this number, 142 vehicles were recovered, resulting in a recovery rate of 37%. In 2007, reports show the number of thefts in Niagara County decreased by 26% to only 284 thefts with a recovery rate of 72%, with 204 of the stolen vehicles recovered. In 2008, numbers show a 10% increase from 2007 with 312 reported motor vehicle thefts, with 81% or 252 of these vehicles being recovered.

During 2008, this office initiated 19 motor vehicle insurance fraud investigations. Statistics for 2009 showed a 25% decrease of stolen vehicles to 235. A total of 140 vehicles were logged as recovered which is approximately 60% of vehicles reported stolen. The statistics for 2010 cover a nine-month period that coincides with the funding period of April through December 2010. A total of 151 vehicle thefts were reported

which appears to be a 0% increase compared to the same period during the previous year. There appears to be a 0% variation in the amount of recovered vehicles for the nine months of 2010.

The Niagara County District Attorney's Motor Vehicle Theft and Insurance Fraud Unit has developed excellent working relationships with many law enforcement agencies. These relationships have been instrumental in developing leads and uncovering illegal activities and have resulted in the prosecution of many individuals. These agencies include the New York State Insurance Bureau, the New York State Police SIU Vehicle Theft, the New York State Department of Motor Vehicles, the National Insurance Crime Bureau, many local insurance companies and investigators, various agencies from within the Department of Homeland Security, in addition to local county, town and village law enforcement agencies

One ongoing strategy will include periodic checks of salvage/scrap yards checking for reoccurring names of car owners scrapping cars. The types and VINs of cars will continue to be checked against stolen property police reports. The checking of salvage/scrap yards will become more common during warmer weather as persons are more likely to haul vehicles to a scrap yard for money. Also, the price of scrap metal has been on the rise which will encourage more people to scrap cars for profit.

The following descriptions represent a sample of the cases the Niagara County District Attorney's Office was involved in during 2010:

- **Vehicle Fires.** Since the fall of 2009, vehicle fires have been on the rise. In the past, a vehicle reported stolen and later located hidden on the Reservation was usually burned. There have also been several instances of vehicles found burning in rear alleys in the Niagara Falls area. It had been surmised that some vehicles burned on the Reservation had been owner-complicit and were too well hidden and not being discovered soon enough and burning them in the city would have them discovered much sooner ensuring a quicker insurance payoff. In 2010, the trend seems to have returned to more vehicles found/recovered on the Reservation which have been stripped and burned. Initially vehicles were being found with items stripped off or they were abandoned with the expectation that persons would return at a later date and strip the vehicle. During the second half of 2010, the majority of vehicles discovered on the Reservation were apparently stripped and burned immediately. Comments had been heard that the perpetrators are so concerned with DNA being found that they strip what they can, in many instances the catalytic converters, and immediately burn the vehicle to hide DNA and do not return to it again.
- **Heavy equipment.** An investigation involving a principal target and his associates led to a meeting held in January 2010 by the Niagara County District

Attorney's Office. Law enforcement agencies throughout Niagara and Erie Counties, NICB, and NYS IFB were invited to share information on this individual since many jurisdictions were experiencing similar crimes. He and his associates were suspected of moving stolen equipment up from the south to New York and New England states. This person has a prolific history of defrauding equipment dealers, car companies, building contractors, appliance and furniture stores, and federal agencies such as the IRS, and is very willing to teach his ways to others and share his knowledge. He was prosecuted and convicted and a prison term of five years was secured.

- **Fraudulent Documents.** An individual from Lewiston, N.Y. presented an altered FS-1 to DMV office in Niagara Falls, N.Y. to attempt to register his vehicle. The FS-1 would not scan into the system and when DMV personnel were checking the validity of the FS-1, the suspect left the DMV office. Lewiston PD arrested this subject for Criminal Possession of a Forged Instrument, a D felony, and additional felony and misdemeanor charges.
- **Vehicle Larceny.** Two suspects were observed in the Crowne Hotel acting nervous and in a restricted area. They were asked to leave by police and they complied. A short time later they were back in a hotel restroom and found to be in possession of a GPS that was stolen from a car earlier. They were charged with Criminal Mischief, CPSP 5<sup>th</sup> and Trespass. Subsequent items on their persons revealed that they had entered several vehicles in the area and their case disposition included restitution for the damages, thus saving claims made to the insurance companies.
- **Accident Fraud.** On March 26, 2010, a man and his son attacked a man with whom they had an ongoing feud. The victim owns property that adjoins theirs to the rear. The victim was on their street when they cornered him with their vehicles and started to ram his vehicle causing damage to his vehicle as he tried to escape. At some point, the father sustained an injury to his leg and a car chase ensued through city streets and ended back where it started. Police responded and the father claimed he was struck by the man they were chasing causing his leg injury and that was why they took chase. Investigation resulted in both the father's and son's arrest for Reckless Endangerment, Criminal Mischief and Reckless Driving.
- **Vehicle Vandalism.** An individual was with four friends and hanging out at a drinking party in a field in Niagara Falls. He left alone and returned a few hours later saying he had just slashed two hundred tires. He claimed he did it to be in

the paper the next day. The following day there were 15 reports of vehicles vandalized, with one to four tires punctured on each. A week later four more cars were vandalized and a burglary in the Town of Niagara was reported. While investigating the burglary, a suspect was developed. Witnesses indicated that the burglary suspect might also be responsible for the tire slashing in the city which led to additional charges laid by the Niagara Falls Police Department. The suspect eventually pled guilty to Auto Stripping 3<sup>rd</sup> and paid several thousand dollars in restitution.

- **Policy Fraud.** The salesman and manager of an auto sales business fraudulently collected some \$11,000 from individuals who were sold non-existent extended warranty policies, which were never submitted to the warranty company. One consideration that hampers moving forward on this case is that these two defendants and the owner of the business are the victims on a Grand Larceny case where a former employee was on trial for stealing over \$12,000 in proceeds from sold vehicles. That case has to be satisfied before this one can proceed.
- **Stolen Vehicle.** The defendant was walking home in North Tonawanda and decided to steal a bike to get home. He could not locate one but found keys in a 2010 Charger parked in the owner's driveway. He stole the car and later in the day he made contact with his ex-girlfriend and gave her and two children a ride. Police located the vehicle and attempted to stop the car. The defendant refused to pull over and a pursuit occurred at speeds in excess of 150 mph. He eluded police when they disengaged due to his excessive speed and reckless driving. He let the woman and her children out of the car and sped from the scene in the Charger. Police were able to identify the operator of the car and located the girlfriend who cooperated. This person was arrested a few days later through his attorney for CPSP, two counts of Endangering the Welfare of a Child, Reckless Endangerment, UUMV and various Vehicle and Traffic Law charges. Through stringent prosecution he pled guilty to Grand Larceny (E Felony) and paid \$7,703 in restitution to the insurance company and \$900 to the vehicle owner. This disposition saved the insurance company the cost of this loss.
- **Insurance Fraud/Grand Larceny.** A woman had a one-vehicle accident on the NYS Thruway and the NYSP responded. She presented a valid insurance card to the NYSP trooper and an accident report was filed and her car was towed from the scene. She returned home and within 55 minutes contacted her insurance company and reinstated her insurance coverage which she allowed to lapse at the beginning of that month for non-payment. She also included collision coverage to pay for the damage she incurred in her accident. A recording of her declaration/contact with an insurance representative to reinstate her policy was



obtained. She was clearly asked several times if she or anyone had any type of accident during the policy lapse or if the vehicle was damaged at all during the period of the policy lapse. She and the responding trooper were interviewed by NCDCA and NYSIFB investigators, and an arrest is pending for Insurance Fraud and felony Grand Larceny.

<b>Niagara County Office of the District Attorney</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT Investigations initiated	124	MVIF Investigations initiated	128
MVT Indictments	13	Confidential informants developed	2
Confidential informants developed	3	Warrant Issued	2
MVT related Felony Prosecutions	17	MVIF related Felony Prosecutions	0
MVT Felony Convictions	7	MVIF Felony Convictions	0
MVT related Misdemeanor Prosecutions	178	MVIF related Misdemeanor Prosecutions	11
MVT Misdemeanor Convictions	42	MVIF Misdemeanor Convictions	4

### **Niagara County Office of the Sheriff**

In 2010, the Niagara County Sheriff's Office Stolen Vehicle Task Force continued to combat vehicle theft, vehicle parts theft, and insurance fraud through full utilization of the Motor Vehicle Theft and Insurance Fraud grant provided by DCJS. The Task Force is comprised of deputies, investigators, and supervisors who have participated in many training opportunities in order to increase their knowledge of vehicle theft and fraud. The Task Force meets on a regular basis formally and constantly is in contact with each member for information sharing purposes. The sheriff's field intelligence officer assists in documenting, mapping, and disseminating information.

#### ***2010 Activity Report***

In 2010, the number of stolen vehicle reports made to the Sheriff's Office and towns and villages under its jurisdiction was 241. This is a significant increase over the 189 reported in 2009 and the 141 reported in 2008.

There were 163 stolen motor vehicles recovered in 2010, 50 more than the 2009 total of 113, and triple the 52 recovered in 2008. The estimated value of the stolen vehicles recovered in 2010 was \$539,704, and the value of stolen vehicle parts recovered was \$16,300.

Seven insurance fraud cases were opened in 2010. Between the theft and insurance fraud investigations, the Sheriff's Office made 31 misdemeanor arrests and 16 felony arrests, developed six confidential informants and made three SAFETNet entries. In 2009, there were 37 arrests for misdemeanor and eight arrests for felonies.

## **Crime Patterns and Trend Identification**

In 2010, two trends were identified as being the most prevalent in Niagara County related to automobile theft. The first was the “return” of an old problem. The rise in value of metal, aluminum, platinum, other precious metals, and automobile parts in general, directly led to a tremendous increase of vehicles being stolen in and around our county. Stolen vehicles from Buffalo, Grand Island, Niagara Falls, North Tonawanda, and other municipalities in Western New York were being located in multiple locations on the Tuscarora Indian Reservation in the Town of Lewiston throughout the year. Prices being paid by scrap yards and repair shops were at their highest levels since early 2008. A ring of thieves operating from the Lewiston area would steal the vehicles generally between the hours of midnight and 4:00 a.m. and take them to several areas on the reservation where they would strip off the parts of value that they wanted and then set fire to the vehicle, leaving only a burned out shell. **(See Figure 1.1)**



*Figure 1.1*

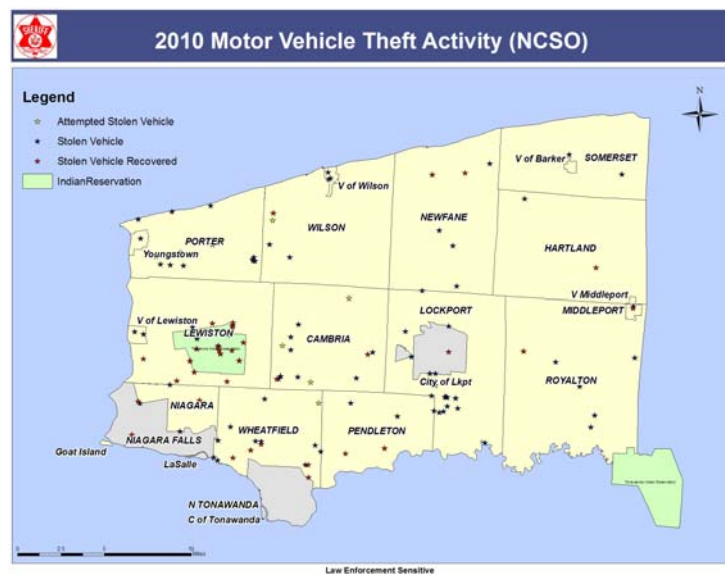
If the thieves felt that at the time of theft, the situation was too “hot”, they would hide the vehicle and come back the next day to work on it. During this delay is when confidential informants on the reservation would attempt to look for vehicles and alert law enforcement to their location before they were further damaged and burned. The vehicles most likely to be stolen in Western New York are General Motors products, trucks, vans, and SUVs being the most popular due to their ease of theft and the large number of GM vehicles on the road in this part of the state.

A second trend that occurred this year was really a continuation of one started last summer involving larcenies committed from vehicles. The number of electronic items left in vehicles by owners, like GPS devices, cell phones, laptops, etc., is a large attraction. Also, money left in vehicles overnight is a draw. Entry to vehicles is still mainly targeted at vehicles left outside during overnight hours at private residences as many of the vehicles are left unlocked. The crime is generally committed by younger adults and is neighborhood-specific for the most part. In the spring of the year most larcenies occurred in the northern part of the county, Wilson, Newfane and Porter. The summer attracted thieves to the southern towns of Wheatfield and Pendleton, while the fall and early winter had a crime spike in the Lockport area. Several of the Lockport cases were cleared up with the arrest of an individual in the first part of 2011.

## Strategy Implementation

With the crime wave of stolen vehicles that centered around the Tuscarora Reservation, the number one area was the Town of Lewiston. The strategy was multi-faceted and maintained throughout the year. First, there was a need to develop informants on the reservation or who had at least had working knowledge of the suspects involved. A member of the Task Force was instrumental in developing three who provided information on a regular basis, and a handful of others who provided details on specific cases.

Second, patrol units were kept up-to-date with working knowledge of what vehicles were currently listed as stolen, areas to check, and roads and trails onto and off of the reservation. LPR cars were also used.



Third, a helicopter was utilized almost weekly to check the trails and areas that were not accessible to motorized units or visible from the roadways for vehicles that appeared out of place. (As an unintended consequence a couple marijuana grow operations were located while doing this) And fourth, special teams of deputies from the Task Force and the ATV unit were used to secure the recovered stolen vehicles and process them through the Crime Scene Unit. These procedures combined led the Niagara County Sheriff's Office to break up the ring operating on the reservation, resulting in arrests and recovery of almost 70% of the reported stolen vehicles.

On one occasion, a "bait operation" was attempted by placing a pre-selected General Motors truck in a hotel parking lot on Niagara Falls Boulevard in Niagara Falls to see if someone would approach it. Some stolen vehicles were from tourist locales in the city and surveillance was set up, however, this particular operation was not successful.

In regard to vehicle break-ins and related larcenies, a strategy started in the summer of 2009 was continued. Through the field Intelligence officer, information regarding where the highest percent of car larcenies had occurred was identified and disseminated to patrol units and investigators. Deputies in marked and unmarked police vehicles patrolled these neighborhoods looking for suspicious activity.

On two weekends, a “bait car” was utilized again in conjunction with the Niagara County District Attorney’s Office and the Sheriff’s Drug Task Force. A vehicle was planted in a Wheatfield neighborhood with a GPS unit clearly visible, and the vehicle was left unlocked. A stakeout of the vehicle was conducted using a team of a deputy and investigator from NCSO and an investigator with the DA’s Office. Arrests were made of suspects in car larcenies from Pendleton and Lockport in which several cases were closed and stolen merchandise recovered.

### ***Noteworthy Cases and Agency Coordination***

- On November 3, 2010, the lead suspect from the year-long investigation of the stolen vehicles occurring in and around Niagara County and ending up on the Tuscarora Indian Reservation was arrested. The suspect had been indicted by a Niagara County grand jury on several felony charges, including Criminal Possession of Stolen Property and Reckless Endangerment. During the arrest, the suspect fled on foot and was caught after a short chase. An informant working in association with the Niagara County Drug Task Force provided crucial information about the suspect’s whereabouts for his arrest, and his arrest and those of a couple of his associates put a large dent in the stolen vehicle operation working on the Reservation. Several local agencies including Niagara Falls Police, North Tonawanda Police, and New York State Police also were involved in the lengthy investigation.

- On May 7, a deputy and a New York State Environmental Conservation Officer in the Town of Newfane stopped a man for operating a dirt bike on the roadway. A check of the vehicle identification number revealed that the bike had been stolen two years earlier in a burglary in Barker, NY. The suspect was charged with felony criminal possession of stolen property.



- On June 22, an alert deputy on the midnight shift spotted three individuals pushing an ATV down Walmore Road in the Town of Wheatfield. When the deputy stopped to interview them, all three fled. A search of the area resulted in the apprehension of the three plus a fourth suspect. Five ATV’s also were found stashed in a wooded area. The investigation revealed that the four youths all from Erie County had just committed four burglaries of area garages and sheds.

All the stolen vehicles were returned to owners. The suspects were each charged with four felonies and one misdemeanor. All dispositions to this case are currently being settled in county court.

- In July, a parolee from the state of Florida stole a Dodge Charger in the town of Wheatfield. A short time after the report was taken, an alert deputy spotted the distinctive vehicle still in Wheatfield. When the deputy attempted to stop the vehicle, a high-speed pursuit started which led into North Tonawanda. The deputy broke off the pursuit because of the high speeds taking place in daylight traffic in a busy area. The vehicle was located shortly thereafter on a residential side street in North Tonawanda. A day-long search of the area by the Niagara County Sheriff's Office and North Tonawanda Police resulted in the eventual capture of the suspect and the charging of several felonies.
- On December 31, 2010, a suspect in a home invasion in Newfane was arrested for burglary, robbery, assault, and stolen vehicle charges after tying up the residents and stealing their vehicle. The suspect had 17 prior arrests and is once again locked up in the Niagara County Jail.

<b>Niagara County Office of the Sheriff</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT investigations initiated	200	Reported motor vehicle thefts	241
Investigations filed with SAFETNet	3	Stolen parts recovered	200
Hits resulting from SAFETNet	0	Stolen vehicles recovered	163
MVT-related misdemeanor arrests	31	Value of parts recovered	\$16,300
MVT-related felony arrests	16	Value of vehicles recovered	\$539,704
Confidential informants developed	6	MVIF investigations initiated	7

### **Niagara Falls City Police Department**

The project is managed as a special operation under the direction of the Captain of the Criminal Investigation Division. Emphasis is placed on investigations and follow-ups and insurance fraud cases. Currently, the Niagara Falls Police Department handles motor vehicle theft and insurance fraud cases in the following manner: Crime reports are generally taken by the Patrol Division and forwarded to the Criminal Investigation Division where they are reviewed by supervisors and assigned to a criminal investigator or to patrol division personnel for follow-up or continued investigation. Copies of the Auto-Theft / Insurance Fraud-related reports are then forwarded to the Police Planning/Computer Division for statistical analysis. This information is then forwarded to the Superintendent of Police and Captain of C.I.D. for analysis to be used in the weekly supervisors' meeting attended by all division supervisors.

Within Niagara Falls, Motor Vehicle Theft has *increased 4.7%* compared to 2009 according to the 2010 Division of Criminal Justice Services statistics. The time of day that the most motor vehicle thefts are being reported is between 8:00 a.m. and 12:00

p.m. The days of the week that vehicles are reported stolen are as follows: Sunday (40) / Monday (32) / Tuesday (28) / Wednesday (31) Thursday (29) / **Friday (42)** / Saturday (36). Out of the 238 vehicles reported stolen in 2010, 56 vehicles were recovered (24%) with a recovery value of \$272,107. The MVTIF Unit made 37 misdemeanor arrests for motor vehicle theft and 34 felony arrests.

Within Niagara Falls three factors continue to contribute to the motor vehicle theft and insurance fraud problem currently faced. First, Niagara Falls, NY borders the Canadian Province of Ontario and has two international bridges and a New York State Park within its jurisdiction. Each year, Niagara Falls hosts between 10 million to 12 million tourists visiting in the downtown section or the south end of the city. Due to the popularity of the Seneca Niagara Gambling Casino and Hotel and the increased economic development around the Casino and State Park, the typical tourist season has been extended and there is an influx of vehicles and people in the downtown area that were not present in previous years. Tourists and vacationers present easy prey for organized criminal activity. Second, Niagara Falls is located adjacent to the large upstate city of Buffalo. Past cases have shown that vehicles are often stolen from urban streets and shopping malls and transported to Niagara Falls where thieves believe that fewer law enforcement officers make it an easier location to chop and dismantle automobiles. Finally, organized youth gangs have operated from the extremely impoverished area of the Tuscarora Indian Reservation for many years. Vehicles are often stolen from Niagara Falls and recovered on the Reservation.

In an ongoing effort to combat motor vehicle theft and automobile insurance fraud in Niagara Falls, the following strategies will be utilized: crime analysis, surveillance, sting operations, development of confidential informants, patrol level training, investigator level training, follow-up investigations, and public education. The primary components of the project will be criminal investigations assigned by the supervisors of the Criminal Investigations Division. The investigations will be analyzed to predict crime pattern indicators and will focus on auto theft, insurance fraud, and false insurance claims. As the situation warrants, this agency will operate surveillance in locations identified as high auto theft crime areas through crime analysis data collected. Stings and undercover operations will be used if deemed necessary. Interagency projects are encouraged when criminal activity is identified as interjurisdictional. This department also intends to expand public awareness of auto theft and insurance fraud and will focus on presenting information to area neighborhood groups on a regular basis.

The project focuses on criminal investigations in the areas that show the greatest number of vehicle thefts and break-ins within Niagara Falls. The greatest number of vehicle thefts continue to be located in the north end of the city. The south end of the city, a tourist area, also shows a considerable number of vehicle thefts and vehicle break-ins. Known auto theft gangs, individuals and "chop shops" will also be targeted by investigators. Any areas that show patterns of auto theft will come under increased patrols and will be investigated by the Criminal Investigation Division. The times of future operations will be determined through the use of crime analysis techniques but

will be any time of the day or night when indicated as necessary through the analysis of crime reports and at the direction of the Captain of the Criminal Investigation Division.

The Niagara Falls Police Department, the Niagara County District Attorney's office, the Niagara County Sheriff Department, New York State Police, New York State Park Police, Lewiston Police, and the Town of Niagara Police comprise the countywide Motor Vehicle Task Force. NFPD investigators also work closely with representatives of the New York State Insurance Fraud Bureau. Task Force members assist each other in surveillance and recovery operations and the exchange of intelligence information. The Niagara Falls Police Department has expanded the Task Force to include US and Canadian Customs and Canadian Police to address the auto theft-related problems that the three international bridges with Canada pose.

<b>Niagara Falls City Police Department</b>			
<i><b>Performance Measures</b></i>	<i><b>Total</b></i>	<i><b>Performance Measures</b></i>	<i><b>Total</b></i>
Stolen vehicles reported	238	Misdemeanor arrests (SV)	37
Vehicles recovered	56	Felony arrests (SV)	34
Recovery rate	24%	Misdemeanor arrests (IF)	4
Value of recovered vehicles	\$272,107	Felony arrests (IF)	2
DNA hits (SDIS) MVT Cases	3	Confidential informants	5



***Finger Lakes Region***

Monroe County Office of the District Attorney  
 Monroe County Office of the Sheriff  
 Rochester City Police Department

**Monroe County Office of the District Attorney**

The Monroe County District Attorney's Office established a Motor Vehicle Theft and Insurance Fraud Bureau in mid-2004, under the supervision of the Economic Crimes Bureau Chief. The unit has been fully staffed on a continual basis since its inception. The majority of stolen vehicle and insurance fraud cases involving motor vehicles have been assigned to this unit. Misdemeanor auto theft cases (UUV 3rd charges) continue to be prosecuted by various ADAs assigned to the local criminal courts in which such cases are adjudicated, but the members of the MVTIFP unit advise

these ADAs on procedures and prosecution strategies, and intelligence gained as a result of misdemeanor prosecutions is provided to the unit to assist with its investigations. The current Economic Crimes Bureau Chief has over 11 years of experience as a prosecutor.

The ADA assigned to the MVTIFP unit, after an initial screen by the Economic Crimes Bureau chief, fully evaluates all of the cases referred to the program by police agencies, advises police on procedures, and meets with officers on a regular basis to discuss programmatic issues of mutual concern. The Investigator assigned to the MVTIFP unit enhances the prosecution of cases by interviewing witnesses, evaluating evidence, serving subpoenas, checking defendant's prior criminal histories to identify repeat offenders, and works closely with police agency personnel assigned by their respective departments to investigate the target crimes.

The Economic Crimes Bureau chief advises and supervises both of the personnel assigned to the program, chairs meetings with NYS DMV and local representatives of the Insurance Frauds Bureau of the New York State Insurance Department, and provides input in developing strategies and setting priorities for the program. The principal members of the Auto Theft Task Force include the District Attorney's Office, the Rochester Police Department, the Monroe County Sheriff's Office, the Greece Police Department, the Gates Police Department, the New York State Police, the NYS Insurance Fraud Bureau, and the NYS Department of Motor Vehicles. The Auto Theft Task Force assists other department members as well as outside agencies with any motor vehicle-related theft or motor vehicle insurance fraud investigation. The Task Force also utilizes intelligence information to initiate investigations into chop shop locations, retagging operations and motor vehicle theft rings.

## **Current Trends**

The District Attorney's Office in conjunction with the Auto Theft Task Force has tried to educate the law enforcement agencies in Monroe County about the Auto Stripping statute in the NYS Penal Law. The law enforcement agencies have been directed to also charge defendants with Auto Stripping when appropriate in cases of auto theft as well as larcenies from vehicles. Along those same lines, the District Attorney's Office has also tried to educate law enforcement that when dealing with a stolen auto case, that they charge the driver with UUV 3<sup>rd</sup> in addition to the appropriate felony charge (i.e. CPSP 4<sup>th</sup>, CPSP 3<sup>rd</sup>, CPSP 2<sup>nd</sup>). Since the UUV 3<sup>rd</sup> conviction provides a predicate element for a felony UUV 2<sup>nd</sup> prosecution, it would be something that the ADA would seek either through indictment or a plea offer.

During the early part of 2010, members of the Task Force were involved in a Scheme to Defraud case involving odometers that had been rolled back. There were at least 14 vehicles identified during this investigation, and during the month of February 2010 four individuals were arrested and charged with Scheme to Defraud in the 1<sup>st</sup>



degree. These cases are being aggressively prosecuted by the District Attorney's Office.

On February 10, 2010, members of the Task Force executed a court ordered search warrant on a residential two car garage, and rear yard of a two-family dwelling located within Rochester. Seized subsequent to the execution of said search warrant were assorted vehicle parts, which were determined to be stolen. Numerous interviews have been conducted relative to this investigation, which subsequently led to the arrest on July 16, 2010 of an individual who was charged with CPSP 4<sup>th</sup> and Auto Stripping 3<sup>rd</sup>. This case was indicted by the Grand Jury on December 8, 2010.

On November 22, 2010, the district attorney Investigator along with other Task Force members executed a court ordered search warrant at a residence located within Rochester. Recovered pursuant to the execution of said search warrant was property that had been identified as being stolen, and which had been stolen from a used car dealer in e Rochester. Additionally it was determined that said property had been stolen from said car dealership during the commission of two separate burglaries at that business. The main suspect in the investigation was already in custody on unrelated charges when this search warrant was executed. This is an ongoing investigation.

Monroe County continues to experience a high volume of larcenies from vehicles, both locked and unlocked. There have been a number of individuals and groups that have been identified, and subsequently targeted by the Task Force, as well as other members of the law enforcement community. A number of individuals have been arrested, and subsequently charged with crimes of Larceny and Auto Stripping, and these cases have been aggressively prosecuted by the District Attorney's office.

Monroe County continues to experience a problem with fraudulent New York State inspection stickers, as well as the theft of valid NYS inspection stickers from repair garages and used car dealers.

The Monroe County Sheriff's Office, along with the Monroe County District Attorney's Office, agreed to once again host the Western New York MVTIF Regional Meeting which was scheduled to take place on November 18, 2010. The date was subsequently changed to December 16, 2010 and then cancelled due to adverse weather conditions. This meeting has now been rescheduled for Tuesday, March 1, 2011, and will be held at the Monroe County Public Safety Training Center in Rochester.

### **Monroe County MVTIFP Operational Strategy**

The Auto Theft Task Force in Monroe County utilizes intelligence information to initiate investigations into chop shop locations, retagging operations and motor vehicle theft rings. The Task Force also utilizes collaborative investigative measures among its members. The District Attorney's MVTIFP Program in Monroe County also involves a coordinated effort with the Rochester Police Department, the Monroe County Sheriff's

Office, the various town and village police departments, and the NYS Police in collecting and sharing intelligence on motor vehicle theft trends countywide. All of the local police agencies, along with the District Attorney's Office, already share a common offender database (the MoRIS system), thus further streamlining the sharing of information. All of the police agencies involved will also utilize SAFETNet.

The District Attorney Investigator meets on a regular basis with police agencies to discuss issues of mutual concern. Beginning in 2004, the District Attorney's Office established a policy that severely restricts plea reductions in serious felony cases, and this policy has been extended to repeat offenders charged with the types of crimes targeted by this program. By continuing to seek stiffer penalties for auto-related offenses, and by reducing the number of plea reductions, the District Attorney's Office reinforces the work of police in trying to reduce the incidence of these offenses. The police agencies involved also implement their own additional programs to educate the public on ways to reduce motor vehicle thefts. Information is also being solicited from citizens willing to disclose any knowledge they have about persons committing the targeted crimes.

The overall strategy also utilizes public service announcements as well as other media (radio, newspaper etc.) to advise the public about the high number of vehicle thefts due to keys left in vehicles. In conjunction with this, citations will be issued for this offense in an effort to curb this practice. The District Attorney's Office spearheaded the effort that introduced a standard supporting deposition form used by all police agency personnel when responding to reported incidents of motor vehicle theft. By standardizing the information that is collected concerning each incidence of motor vehicle theft, Task Force investigators are better able to analyze the nature of such thefts countywide, including offender profiles, methods used, gang affiliations, most vulnerable vehicle models, and the most common times and locations of incidents.

The strategy used to combat auto insurance fraud utilizes the New York State Insurance Frauds Bureau as the primary source for insurance frauds cases. At each regular monthly Task Force meeting, new referrals received by the NYS Insurance Frauds Bureau are reviewed by those in attendance, and assigned to investigators working under the grant. This close working relationship with IFB investigators has proven to be essential when conducting these investigations. IFB investigators have experience and knowledge about fraud investigations and are able to obtain necessary documents from insurance SIU's regarding the cases. Because the referrals come from insurance SIU's, some investigation has already been conducted. This allows the District Attorney's Office, and the specific local law enforcement agency to review the cases and determine which have the best solvability factors, thus insuring that time, money and effort will be expended wisely. This practice will remain part of the strategy for enforcement in the area of insurance fraud investigations. Inter-agency collaboration will continue to be a cornerstone upon which the continued success of the program rests.

The District Attorney's Office continues to take advantage of assorted training seminars hosted by DCJS, NYACT and NYPTI. On April 6-7, 2010, the Chief of the

Economic Crime and County Court Bureaus and the DA's Investigator attended the MVT&IF Statewide Advisory Work Group in Albany. This was a very informative meeting, in that it gave members of the Task Force insight into some of the problems that law enforcement agencies, insurance companies and prosecutors are faced with. It was at this meeting that staff first were introduced to the new senior Investigators of the NYS Police who are in charge of Auto Theft.

During the early part of August 2010, the ADA assigned to the Auto Theft Task Force attended a training seminar held in Syracuse which was sponsored by NYPTI.

On September 22, 2010, the Chief of the Economic Crime and County Court Bureaus attended a training seminar held in Buffalo which was sponsored by NYACT.

On December 8, 2010 the ADA assigned to the Task Force along with the DA Investigator assigned attended a training seminar in Rochester which was sponsored by NYPTI. This training titled, "Where the Robber Meets the Road," dealt primarily with insurance fraud.

Monroe County Office of the District Attorney			
<i>Performance Measures</i>	<i>Total</i>	<i>Performance Measures</i>	<i>Total</i>
MVT felony arrests	137	MVIF felony arrests	6
MVT misdemeanor arrests	177	MVIF misdemeanor arrests	0
MVT SAFETNet targets RPD	13	MVIF SAFETNet targets RPD	6
MVT indictments/SCI's	44	MVIF indictments	0
MVT felony convictions	34	MVIF felony convictions	0
MVT misdemeanor convictions	91	MVIF misdemeanor convictions	2
Task Force meetings held	21		

### Monroe County Office of the Sheriff

Monroe County has strategically implemented a countywide Auto Theft and Insurance Fraud Task Force. The Task Force is made up of the Monroe County DA's Office, Monroe County Sheriff's Office, Rochester Police Department, New York State Police, New York Insurance Fraud Bureau, and NYS Department of Motor Vehicles. Together they are coordinating all efforts and investigations to reduce motor vehicle theft and auto-related insurance fraud in Monroe County. Informational and intelligence sharing meetings are held in order to analyze trends in motor vehicle theft and insurance fraud. Weekly and monthly meetings are held with the Task Force and other police agencies to share information related to stolen vehicle and fraud investigations.

The Sheriff's Office worked closely with the Monroe Crime Analysis Center (MCAC). By working with the MCAC, MCSO is now able to quickly access reports submitted by various county agencies who do not directly participate in the Auto Theft Task Force. This has greatly improved MCSO's ability to disseminate information throughout the state. The improved system of multiagency communication has greatly enhanced the speed of pattern crime investigations. An investigator has been added to

the Task Force and will be assisting the sergeant. They will continue to work together to coordinate multiagency details to target persistent offenders. Zone sergeants continued to review all auto theft and insurance fraud cases and forwarded the reports to the Investigator.

During the past year the MCSO Auto Theft Investigators and the Monroe County Auto Theft and Insurance Fraud Task Force has gained many new contacts within the Greater Rochester Law Enforcement Community. The improved contacts are helping to speed-up the interagency cooperation thereby speeding the identification of persistent offenders which in turn produces faster arrests. By identifying emerging trends quickly the length of time an offender is free to victimize the community has been decreased greatly, thereby reducing the number of crime victims and the loss of property.

In 2010, there were 168 reported motor vehicle thefts, down 21 from the year prior (11% decrease). There were 10 fewer motor vehicle theft investigations initiated (15.4% decrease).

Investigators also were involved in nine major investigations involving multiple suspects, some of whom were operating in a very organized manner, committing commercial and residential burglaries and car larcenies. In some cases, several Monroe County jurisdictions and outside counties were involved. Multiple arrests were made, and several crimes were cleared and charged. In many cases, arrests were for suspects committing a dozen or more larcenies from cars, or multiple burglaries. More often than not, arrests for a single car larceny resulted in the recovery of property from several incidents.

Theft from vehicles continues to be a challenge for the Monroe County Sheriff's Office. GPS units are the most common item stolen from within motor vehicles. One trend emerged from examination of reports throughout 2010; there was an increase in burglaries in residences with open or forced garages to facilitate theft from vehicles. Another trend was the roaming from neighborhood to neighborhood by suspects looking for open vehicles in driveways. Toward the end of 2010, there was an increase of forced entry into vehicles, with windows being smashed to gain entry into the cars.

Another trend identified in 2010 was the number of stolen vehicles being used to commit other crimes. In several cases, the Monroe County Sheriff's Office investigated several incidents where stolen vehicles were used for car larcenies and burglaries. Arrests were made in several of these cases. Additional items targeted for theft were electronics, cellular telephones, loose change, and laptop computers.

Collaboration with a NYS Insurance Fraud investigator in 2010 led to several arrests for motor vehicle accident insurance fraud, homeowner's insurance fraud, Medicaid fraud, and health care premium insurance fraud.

## Strategies Implemented

The investigative strategy implemented by the Motor Vehicle Theft and Insurance Fraud Task Force involved five elements:

- 1. Collection and organization of active investigations county and region wide:** Weekly and monthly meetings were held to share information about auto theft and insurance fraud investigations. Some of these meetings involved only Task Force members and some of these meetings included crime coordinators from all Monroe County law enforcement agencies. The crimes reported regionwide were then looked at to identify a specific trend (e.g. cars stolen from driveways and garages by using the sleeping home owner's keys) or multiagency issues identified through networking.
- 2. Dissemination and coordination of new information:** After a trend was identified the Task Force worked with MCAC to disseminate information with the specific trend details. PIN maps and crime information bulletins were used to highlight the problem. Contact information was sent along with the brief to ensure one person would coordinate all of the intelligence that came back.
- 3. Suspect identification and game plan:** Once a possible suspect or suspect vehicle was identified the trend information was updated and a request for additional information was sent out that would lead to an arrest or would lead to an organized proactive detail. Task Force members would then meet with the police agency that had the most victims or the best case. The Task Force would offer assistance and piece together information from other jurisdictions that the original agency may not have been aware of. The coordinated information was then used to make an arrest or as the basis for a full detail. The preferred detail method involved the use of GPS tracking devices that were attached to suspect vehicles. These details utilized the bulk of the grant overtime and equipment budget. During the past year there was a 100% arrest rate for the details orchestrated by the Task Force. Each successful detail also produced an immediate and significant decrease in crime.
- 4. Prosecution:** The MCSO auto theft members worked very closely with the District Attorney's Office to ensure a quality prosecution. The goal has been to obtain the maximum penalty for the persistent offenders. To date, all of the suspects arrested in 2010 have either been convicted or are in the court process. The members of the DA's office assigned to the Task Force do an excellent job of keeping relevant members apprised of the status of the cases before them.
- 5. Education:** Task Force members have attended all possible training. In addition, crime coordinators, investigators and patrol officers throughout the county have been trained on relevant topics.

<b>Monroe County Sheriff's Office</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT Investigations initiated	144	MVIF Investigations initiated	4
Confidential informants developed	2	MVT-related Felony Arrests	2
MVT-related Misdemeanor Arrests	35	Stolen vehicles recovered	90
MVT-related Felony Arrests	8	Value of parts recovered	\$11,123
Reported motor vehicle thefts	168	Value of vehicles recovered	\$718,936

**Rochester City Police Department**

The Auto Theft Unit of the Rochester Police Department Special Operations Division is responsible for grant work relating to the Motor Vehicle Theft and Insurance Fraud Prevention Grant. The Auto Theft Unit investigator is assigned full-time to the multiagency Auto Crimes Task Force. This member coordinates investigations and auto theft initiatives utilizing personnel from a cross section of the Department including; School Resource Officers, Tactical Unit, Traffic Enforcement Unit, Major Crimes Unit, as well as the East and West Patrol Divisions. Throughout the year, a total of 82 members have utilized grant funds to conduct follow-up investigations to stolen vehicle reports and initiate investigations into “chop shops” and theft rings. Activities include search warrant execution, physical and electronic surveillance, license plate reader, unattended vehicle, and VARDA details (Voice Activated Radio Dispatched Alarm). Cases of suspected motor vehicle related insurance frauds are initiated based on referrals submitted to the NYS Insurance Frauds Bureau by insurance company SIUs. In 2010, a total of three members were involved in grant funded motor vehicle related insurance fraud investigations.

In 2010, there were 761 vehicles reported stolen in Rochester, a 21% decrease from the 963 reported thefts in 2009. Suspected cases of motor vehicle-related insurance fraud referred to the New York State Insurance Frauds Bureau in Monroe County decreased 15% in 2010 with 191 referrals as compared with 226 referrals in 2009.

**Current Trends**

Rochester continued to experience many of the same motor vehicle theft problems that have plagued it in the past. The most numerous motor vehicle theft problem in Rochester continues to be theft for joyriding or transportation. The problem is difficult to address due to the number of persons involved and the randomness of the crime. More than 70% of all motor vehicles stolen are taken for joy riding or transportation. The suspects in these crimes are often juveniles or teenagers. In previous years, Dodge and Chrysler products were the most commonly stolen joyride vehicle due to the ease of theft and availability. Now, all makes and models are stolen for joyrides because many of these thefts occur due to people leaving vehicles running and unattended. At least 200 motor vehicles were confirmed stolen with keys in 2010 (28% of all thefts). This does not account for many other vehicles that were recovered

with no ignition or column damage leading to the belief that keys were used despite owners claiming otherwise. Most vehicles stolen for joyrides are generally recovered within a few days of the theft. Grant funding was used to conduct 14 investigations into vehicles stolen for joyriding or transportation in 2010.

In 2010, the Rochester Police Department investigated 21 cases of motor vehicles that were stolen and sold for scrap. The problem started several years ago and after peaking in 2008, it seemed to decrease for most of 2009. Near the end 2009 and throughout 2010, thefts of this nature continued to increase. Suspects are now using NYS DMV, "Statement of Vehicle Owner Who Does Not Have a Valid Title" forms (MV35) as often as NYS DMV, "Statement of Abandoned Vehicle" forms (MV37). In the past, primarily MV37's were used. The suspects in these crimes are sometimes drug addicts who are aware of vehicles in their neighborhoods that may be disabled or parked for extended periods of time and would not be immediately missed. They contact one of the many companies that post advertisements throughout the city offering "Cash for Cars". Other cases involve tow truck operators that scour the city for vehicles that can be scrapped using DMV forms. The drivers will pay a minimal fee to anyone they can get to sign the paperwork in an attempt to defer criminal responsibility.

In 2010, Rochester Police Department members using grant funds investigated five new cases where vehicles were stolen and retagged for resale or for personal use. Persons involved in this type of crime generally have a history of motor vehicle-related offenses. None of the retagged vehicles recovered this year showed signs of highly skilled or sophisticated efforts to change the vehicle identity. Suspects simply defaced or removed federal labels and replaced public vehicle identification number plates which were easily detectable.

Department members conducted six investigations in 2010 related to the theft of vehicles for parts. Hondas and Acuras are the vehicles most often stolen for parts. These makes are favored by a group of local street racers who modify the V-Tech engines for racing. Due to the seemingly long life of Hondas and Acuras, body parts for these vehicles are also in demand.

Rochester was again plagued by the increasing problem of larcenies from vehicles. There were 2,938 reported vehicle larcenies during the year, a 10% increase compared to 2,663 in 2009. Many of the larcenies included damage to vehicle windows, locks, dashboards or doors to facilitate the larceny. GPS units, cell phones, digital cameras, purses and golf clubs were among some of the more common items stolen from inside vehicles. Many of the suspects associated with this type of crime are repeat offenders.

Insurance frauds have varied in nature throughout the year. Investigations involved vehicles being reported as stolen in an attempt to cover up the insured's vehicle being involved in a motor vehicle accident. Other cases involved motor vehicles being reported as stolen to cover other crimes, claims for unrepaired damage, arsons, vehicles traded for drugs and fraudulent claims due to financial difficulties.

## **Strategies Implemented – Investigations – Prosecution**

**Theft for joyride or transportation:** The strategies utilized for these investigations included physical surveillance of known active offenders and targeted deployment of the Remington license plate readers. License plate readers were utilized in areas determined by the Monroe Crime Analysis Center to be “hot spots” for recent vehicle thefts or recoveries.

To combat the problem of vehicles stolen with keys, members conducted enforcement details utilizing plainclothes spotters to identify persons leaving vehicles running unattended. Citations were issued and informational brochures offering theft prevention suggestions and vehicle theft statistics were provided to motorists. Officers assigned to these details are also actively looking for would-be thieves that prey on locations where this practice frequently occurs. The suspicious individuals are stopped and identified by officers.

The RPD has also utilized a “bait” car equipped with GPS tracking, remote shut down and a video recorder to target suspects stealing vehicles left running and unattended. Undercover officers deploy the bait car in areas determined by the Monroe Crime Analysis Center to have a high frequency of thefts with keys. The vehicle is left running unattended providing the opportunity for theft after the undercover officer temporarily walks away. The vehicle only has been utilized on a few occasions due to the manpower requirements for such an operation. There has not been any success yet but deployment methods are being refined.

Members of the Auto Crimes Task Force in conjunction with the Monroe County District Attorney’s Office continue to educate officers and reinforce the importance about appropriate charges when dealing with any motor vehicle-related crime. This includes the use of Auto Stripping, Criminal Possession of Stolen Property, Grand Larceny and Unauthorized Use of a Vehicle statutes.

**Theft for Retag-Resale-Parts:** Strategies to combat crimes of this nature involve working closely with RPD Neighborhood Service Centers to identify possible chop shop locations. The Service Centers are staffed by a variety of city officials who address quality-of-life issues on a daily basis. These issues include citizen complaints about unlicensed repair garages and unregistered vehicles on properties that are sometimes indicators of other illegal activities.

Additionally, RPD Auto Pound staff members have received training in vehicle identification. They notify Auto Theft Task Force members of any vehicle received by the auto pound that has evidence of stripping or VIN tampering. Members also assist the NYS DMV Field Investigations Division with cases where stolen parts are identified on vehicles undergoing salvage exams.

On February 10, 2010, a search warrant was executed at a residential garage suspected of chopping vehicles. The NYSP, NYS DMV, Monroe County DA’s office and



NYS Insurance Frauds Bureau assisted with the search warrant execution. As a result, a front quarter panel, driver's door, rear spoiler, hatchback, dashboard, front bumper skin, hubcap, and transmission from a stolen 1991 Acura were recovered. The suspect was charged with Auto Stripping 3<sup>rd</sup> and CPSP 4<sup>th</sup> and indicted by the Grand Jury on December 8, 2010. The suspect and his associates are known for their modified street racers. Several other Hondas were identified this year as having stolen parts on them.

The Rochester Police Department in conjunction with the NYS DMV, NICB, and Monroe County DA's Office are continuing a major retagging investigation that started in 2009. A National Insurance Crimes Bureau agent identified a vehicle involved in an insurance claim for damage as being a stolen retagged 2002 Cadillac. The Cadillac was recovered after a search warrant execution on November 17, 2009. It was discovered that the suspect in this case was arrested by RPD 12 years ago and was involved in the theft and retagging of more than 25 vehicles. A link was established between the victim of the theft and a person associated with the donor vehicle that supplied the VIN, indicating a possible insurance fraud by the victim as well.

Based on this information RPD began checking registration histories on the suspect and his family members with the help of DMV investigators. Several suspicious vehicles with color changes or odometer discrepancies have been identified, and attempts have been made throughout the year to locate and examine those vehicles without alerting the suspect. In November 2010, there was a new development in the case. One of the suspects, using deceptive means, acquired a Cadillac with mechanical problems and it is anticipated that it will be used as a donor vehicle. The investigation is continuing.

A suspect that was arrested on October 1, 2009 for CPSP 3<sup>rd</sup> was indicted by the Grand Jury on April 27, 2010. The case started in 2008 with a search warrant executed in June 2009 to recover vintage British and Japanese motorcycles stolen from a victim who was serving with the US Army in Iraq as part of operation Enduring Freedom. Six motorcycles, seven frames, six swing arms and various other motorcycle parts were recovered. On June 22, 2010, the suspect pled guilty to CPSP 3<sup>rd</sup>.

In June 2010, a small motor vehicle dealership was burglarized three times within a week. A 2000 Chevy Venture van, 1998 Mercury Grand Marquis and a 2003 Impala were stolen. Also taken were all the business records, vehicle titles, DMV records and some tools.

Members recovered the Chevy van that was sold as scrap to a local dismantler. The Impala was also recovered with several parts stripped. As the investigation continued, information was developed leading to the Grand Marquis which a suspect was trying to sell. Before it could be recovered, the Marquis was moved and has not been located since.

Members were able to gather enough evidence to obtain a search warrant for a suspect's residence. On November 22, 2010, members assisted by the Monroe County

DA's office and NYSP, executed the search warrant. Recovered during the search was a compressor and battery charger stolen during the burglary at the dealership. Also recovered was a 42" LCD television stolen from a separate residential burglary. Members also located a sawed off shotgun inside the residence. The suspect's mother claimed ownership of the shotgun and charges are pending. The suspect has not yet been charged with the possession of the stolen property pending further investigation to establish burglary charges.

**Theft for Scrap:** The Rochester Police Department Records Unit produces a "hot sheet" of vehicles stolen in Rochester. The hot sheet is updated each time a vehicle is reported stolen or recovered. Every department member can access and print the hot sheet for use on patrol. The investigator assigned to the Auto Crimes Task Force electronically sends the hot sheet several times a week to five local and state law enforcement agencies, five area scrap processors/dismantlers and the National Insurance Crimes Bureau. Task Force members maintain a working relationship with scrap yard operators and make regular visits to the locations to review records of persons selling vehicles to the business. Scrap yard operators regularly check vehicles they have purchased against the hot sheet and contact RPD if a stolen vehicle is identified.

Most of the theft for scrap cases investigated this year involved the theft of parked or disabled vehicles by suspects contacting scrap companies and selling the vehicle using forged DMV documents. In three other theft for scrap cases, a suspect has been identified who targets small automotive dealerships and private citizens offering vehicles for sale. The suspect feigns interest in purchasing the vehicle and acquires the keys from the seller so that he can look at the vehicle. The suspect then drives away and in some cases he has sold the vehicle directly to scrap processors. In other cases he has convinced other persons to do it for him using a variety of deceptive stories. The investigation is continuing.

**Larcenies from Vehicles:** Many of the suspects involved in these crimes are repeat offenders. To address the high number of vehicle larcenies, members have conducted targeted enforcement and surveillance of known offenders. RPD also utilizes a covert vehicle equipped with a voice activated radio dispatched alarm (VARDA). The VARDA car is parked at a location determined through analysis to have a high number of vehicle larcenies. Bait property is placed inside the vehicle in plain view. When a suspect opens a vehicle door to steal the property, the alarm is activated without alerting the suspect. A pre-recorded message is immediately broadcast over the police radio about the activation and alarm location. The response time for patrol officers is rapid and arrests have been made using this equipment.

**Insurance Frauds:** The strategy for conducting fraud investigations involves working closely with the NYS Insurance Frauds Bureau. At monthly Auto Crimes Task Force meetings, referrals received by the NYS Insurance Frauds Bureau are reviewed by those in attendance and assigned to investigators working under the grant. This close working relationship with IFB investigators has proven to be essential when

conducting these investigations. IFB investigators have experience and knowledge about fraud investigations and are able to obtain necessary documents from insurance SIUs regarding the cases. Because the referrals come from insurance SIUs, some investigation has already been conducted. This facilitates review of the cases to determine which have the best solvability factors, allowing maximization of time and money.

Five investigations in 2010 involved vehicles being reported as stolen in an attempt to cover up the insured's vehicle being involved in a motor vehicle accident. In another case involving a motor vehicle accident, the insured did not have insurance coverage at the time of the accident. The suspect added collision coverage and then claimed the accident happened after the coverage was added.

There were four fraud investigations involving vehicles that were reported as stolen and found burned. Cases involved an insured with a previous stolen and burned vehicle, a burned vehicle with an ownership dispute between a couple going through a divorce, and two cases of vehicles with suspected mechanical problems being burned.

In another fraud case, the police pursued a vehicle fleeing from a shoplifting incident. The vehicle crashed into a building killing the driver. The owner then reported the vehicle stolen and filed an insurance claim. The investigation showed that the deceased driver was a relative of the insured to whom she had lent the vehicle. The insured owner was arrested for Falsely Reporting an Incident 3<sup>rd</sup>.

Several other fraud investigations were initiated based on suspicious circumstances surrounding the theft of the insured's vehicles. Some of the victims claimed that they had hidden a key inside their vehicle that must have been found by the suspect and used to facilitate the theft. Another case involved the theft of a transponder equipped BMW 530XI. It was discovered that the insured is behind on her payments.

Four other fraud investigations involved vehicles being reported stolen that were suspected of having been traded for drugs. In one of the cases, the vehicle was also involved in a motor vehicle accident. The insured in these cases have past drug histories, inconsistencies in their report, or have a vehicle that can only be stolen with a key.

Other fraud cases involved repairs to vehicles after accidents. In one case an insured filed a new claim for previously claimed damage that was never repaired. In another case the insured's vehicle was involved in an accident and required repair. The vehicle had a lien on it so the claim payment would normally be sent directly to the repair garage to insure that the vehicle was repaired. The insured obtained forged receipts claiming collision repair work on his vehicle had been completed and paid out of his pocket to a local garage. The insured was reimbursed based on the forged receipts. After being involved in another accident, the claim adjuster discovered that the

previous damage for which they had paid a claim was never repaired. The suspect who provided the forged documents was arrested for Forgery 2<sup>nd</sup>.

In a final fraud case, the insured reported the theft of his 2006 BMW 530 from his parking lot while on vacation. The investigation found that the insured obtained a loan and purchased the vehicle for another person. The person left with the vehicle and stopped making payments. Unable to locate the vehicle himself, the insured filed the claim so that he could be compensated for his failed attempts to act as a financial loan institution. The insured suspect was arrested for Falsely Reporting an Incident 3<sup>rd</sup>.

## **Coordinated Efforts**

One investigator is assigned to the multi-agency Auto Theft Task Force housed in the New York State Police Special Investigations Unit in Rochester. The Monroe County District Attorney's Office is also a full-time member of the Task Force. Members also work on a daily basis with the New York State Department of Motor Vehicles Field Investigations Unit, the New York State Insurance Frauds Bureau, and the Monroe County Sheriff's Office. Task Force members have also assisted several other local law enforcement agencies with motor vehicle related investigations. The NICB has also provided investigative assistance on several occasions this year.

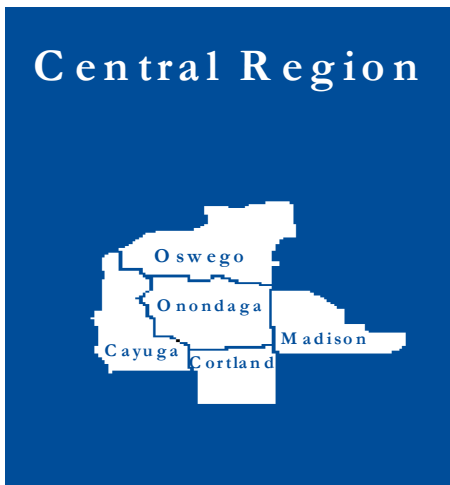
The Rochester Police Department continues to work closely with other local law enforcement agencies on motor vehicle related investigations. Each month members attend a meeting hosted by the Monroe County DA's office. All local agencies are invited regardless of their involvement with the Auto Theft Task Force. Recent trends and active cases are discussed by the group. Suspected fraud referrals from insurance SIUs sent to the Insurance Fraud Bureau are read and discussed. A second meeting of Task Force member agencies is held later in the month. Members attended 21 such meetings in 2010. Task Force members also attended one MVTIFP Board Statewide Advisory Group meeting.

## **Training**

Members continue to provide Motor Vehicle Theft and Vehicle Identification Training to all police recruits attending the Monroe Community College Public Safety Training Facility. A total of 65 recruits received the training in 2010 representing the Rochester Police Department, the Monroe County Sheriff's Office, Greece Police Department, E. Rochester Police Department, Batavia Police Department, Gates Police Department and the Monroe Community College Campus Police.

In 2010, one investigator attended NYPTI training entitled "Where the Robber Meets the Road" and RPD members attended NYACT training at the SUNY Buffalo Center for Tomorrow.

<b>Rochester Police Department</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT Investigations initiated	71	MVIF Investigations initiated	24
Investigations filed with SAFETNet	13	Investigations filed with SAFETNet	6
Hits resulting from SAFETNet	1	Hits resulting from SAFETNet	0
MV- related Misdemeanor Arrests	11	MVIF-related Misdemeanor Arrests	1
MVT-related Felony Arrests	23	MVIF-related Felony Arrests	2
Confidential informants developed	0	Confidential informants developed	0
Reported motor vehicle thefts	744		
Stolen parts recovered	17	Value of parts recovered	\$3,450
Stolen vehicles recovered	41	Value of vehicles recovered	\$304,510



### **Central Region**

Syracuse City Police Department

### **Syracuse City Police Department**

Motor vehicle theft within Syracuse still appears to be a crime of opportunity committed by juveniles who are using the vehicle for transportation purposes. In 2010, there were 114 vehicles stolen through the use of a key either left in the vehicle or stolen during the course of another crime (residential burglaries). Thirty four cases of motor vehicle theft occurred due to the vehicle being left running in the early morning by the owner warming up their vehicle. Many of the 34 were stolen just before the city schools' first bell and were recovered within blocks of the schools. Nineteen vehicles were towed away from where the owner had parked the vehicle (either witnessed or with physical evidence at the scene). These vehicles ranged in age from a 1971 to 2000 models. Two were recovered through paperwork at a local scrap yard, two others at the scrap yard awaiting transport out of the city and the remainder were probably scrapped and will never be recovered. Another 12 vehicles were stolen through ignition bypass, which is an increase of one from 2009. Carjacking thefts dropped from ten in 2009 to two in 2010 and drug trade/stolen dropped to seven in 2010 from nine in 2009.

Officers continued to scour the city looking for stolen vehicles or suspicious activity in high theft areas. Roll call trainings continue to be conducted to update patrol officers on the latest trends and what can be done to combat these trends (i.e. stopping tow trucks operating during the middle of the night and checking the paperwork of the towed vehicle). The Department has been working with the NYS Police and Onondaga County Sheriff as well as the NYS DMV to investigate and attempt to deter theft within the city. At this time there are no organized groups operating within Syracuse to steal vehicles. Two separate tow operators were arrested and both were operating independently of each other. They admitted to multiple thefts and were charged accordingly. Dedicated details have been checking scrap yards on a regular basis. One operator has skirted the letter of the law by moving all paperwork to his main location in Owego nightly. This deters law enforcement from checking the books for stolen vehicles unless they go to the yard daily. DMV is checking into this and may be filing charges against the operator.

Department members attended a number of trainings during 2010, including the Western Regional spring conference in Monroe County and the NE-IAATI conference held in Cleveland ,Ohio..

Internal roll call training was held twice during the year with patrol officers concerning trends and preventive measures. Throughout the year the DA's Office is consulted to see that motor vehicle prosecutions are being handled properly and that the judges are not dismissing charges because they want paperwork changed (this happened a few years ago, but new Information was designed to address their requirements). A department detective and his counterpart in the NYS Police conduct joint investigations and share information with each other and with the rank and file when required. The Department puts information out through e-mail concerning trends and crime mapping. Much of this information comes from the OCAC (Onondaga county C r i m e A n a l y S e r i f f ' s D e p t, NYS PD, NYS Probation, Onondaga DA's office and DCJS.



### ***Capital District Region***

Albany City Police Department  
Albany County Office of the District Attorney  
Schenectady County Office of the District Attorney

## Albany City Police Department

The Albany Police Department's Auto Crimes Task Force primary objective is to conduct investigations for all auto thefts, unauthorized use of a motor vehicle and possible motor vehicle insurance fraud. All reported cases of theft, unauthorized use and possible insurance fraud are assigned to members of the Auto Crimes Task Force to be investigated and arrests are made if warranted.

During 2010, there was an approximate 11% decrease from 2009 in stolen motor vehicles. The department's recovery rate was 91% in 2010 for stolen vehicles and 94% when including unauthorized use recoveries. Most of the vehicles stolen were a result of victims leaving their vehicles running unattended or leaving spare keys in an unlocked vehicle. Very few of the vehicles recovered (perhaps one percent) showed any damage to the steering column or ignition. Most of the recovered vehicles show no signs of forced entry (broken windows/ door handles, etc.) into the vehicle. The top two locations for MV theft happen to be the areas where the most calls for service are received. These areas have higher instances of criminal activities such as assaults, robberies, drug sales/possessions, weapons possession (generally lower-income areas). As a majority of the city's population live and work in these areas, motor vehicles are in abundance.

The first of two areas which had the highest instance of motor vehicle theft is the West Hill area, Patrol Zone 108 (West of Henry Johnson Blvd. up to Quail St. between Central Ave. and Clinton Ave). The second area is the South End area, Patrol Zone 201 (West of S. Pearl St. up to Elizabeth St. between Morton Ave. and Second Ave.). The areas of motor vehicle recoveries are almost identical to the reported theft locations. Motor vehicle thefts spiked in June, July and October of 2010 going from the teens to the mid to high twenties. The most common makes stolen were Chevrolet and Ford, making up about 23% of thefts. The most common model stolen was the Honda Accord, followed by the Toyota Camry, which happen to be the models stolen most often in the country. The most likely day and time of theft appeared to be between early morning hours Saturday and mid-afternoon Sunday. Vehicle theft in the City of Albany appears to be a crime of convenience. Most of the vehicles stolen in the city are not used in committing crimes. As in the prior two years, Albany experienced thefts of non-working or what appear to be non-working vehicles (abandoned/shell vehicles parked in lots, yards and other properties which have not been maintained) that were sold for scrap, as metal prices have remained high.

Despite a decrease in motor vehicle theft in 2010, there was an increase of approximately 15% from 2009 in the Unauthorized Use of a Motor Vehicle. However, 84 of the 85 vehicles involved in the unauthorized use cases were recovered. The areas for the highest reported incidents of unauthorized use of a motor vehicle were fairly similar to locations of thefts. Most of these incidents of unauthorized use were due to domestic incidents (such as husband/wife or boyfriend/girlfriend disputes over use of a shared motor vehicle) or due to drug addicted victims lending their vehicle out to obtain

drugs from a third party or as a form of payment for drugs. Most reported incidents of unauthorized use of a motor vehicle occurred Friday, Saturday and Sunday during daytime.

Resources such as crime mapping, license plate readers and relationships with scrap yards have led to the recovery of many vehicles.

## **Strategies and Programs**

In an effort to decrease the amount of stolen vehicles the Albany Police Department has implemented several programs. Some programs are educational for citizens and business owners and some are geared to strict enforcement of motor vehicle and traffic laws to safeguard property. Most of the strategies and programs implemented this year were done by pooling resources from other agencies such as NYSP SIU, NYS DMV Investigators, NICB, NYSSIU, APD DART and reassigning trained personnel for periods ranging from 30-90 days. The following programs operated during 2010:

### **Bait Car**

NYSP SIU installed electronic surveillance equipment to monitor APD's bait car. The operations were run in areas that had higher instances of vehicle theft, and on specific days and times which were consistent with incidents of thefts regarding motor vehicles. These operations lead to two juvenile arrests and halted a larceny spree in the uptown area.

### **Take Your Keys With You**

The purpose of the "Take Your Keys With You" program, which the Albany Police Department began in 2006, is to educate citizens about the dangers of leaving their keys in the ignition with the engine running during the colder months of the year. Citizens are educated that a majority of the vehicles stolen within Albany are as a result of the vehicles being left running with the keys in the ignition. Citizens also are informed that leaving a vehicle running unattended is in violation of the NYS Vehicle and Traffic Law and that they could receive a ticket which would result in a fine and/or points being placed on their license.

The Albany Police Department has also made it a priority to visit commercial establishments within the city that are in high-risk areas where employees or patrons would leave their vehicles unattended. The Albany Police Department has also had information regarding "Take Your Keys With You" conveyed by media outlets such as local television news stations and local newspapers. All informative sessions are followed by an enforcement portion shortly after.



## **Thefts from Vehicles**

During June, October and November the Albany Police Auto Crimes Task Force and DART ran a number of details targeting theft from motor vehicles. These details are listed as follows:

June 9<sup>th</sup> - detail was run in N. Manning Bl/ Livingston Ave area, which had a high occurrence of thefts from motor vehicles.

June 10<sup>th</sup> - detail was run in Whitehall Rd area, which had a high occurrence of thefts from motor vehicles.

October 15<sup>th</sup> - detail was run in Downtown area (Pearl/ Pine St) which had a high occurrence of thefts from motor vehicles.

These details resulted in 11 arrests, mostly involving juveniles.

## **Key Swaps**

CIU and APDACTF members conducted a multijurisdictional investigation involving vehicle thefts initiated through key swaps. The defendant arrested in this case was swapping similar looking keys from old vehicles for the keys to other vehicles at car dealerships. He would ask to test drive cars or even just sit in cars. After he was given the key to the vehicle he would switch the key for a key belonging to another vehicle, then return to the dealership later during the night to steal the car. This trend had been observed in 2008, and the person arrested at that time was known to hang out with the individual responsible for the 2010 offenses. The current defendant was charged with one count of grand larceny and has four additional grand larceny charges pending.

## **Reassignment of APDACTF Members**

During 2010 the Albany Police Department faced the same fiscal restraints the rest of the state encountered. With smaller budgets and increasing call volumes it was necessary to make changes in the way vehicle theft investigations were addressed. Instead of assigning cases to all auto crimes-trained personnel to work on during their patrol shifts or after their shift ended, it was decided that the most cost effective way to continue investigations into auto crimes would be to temporarily re-assign APDACTF members, in groups of two or three, for periods of up to 90 days to work only on motor vehicle theft/ unauthorized use cases during their shifts. Reassignment allowed officers to focus solely of motor vehicle theft/ unauthorized use cases and allowed for more consistency on following-up with leads and victims. Although there were less members working at any given time, the number of arrests increased and many more cases were closed.

## False Store Front

During November and December, APDACTF members conducted a false store front business where nine stolen cars were recovered. This was made possible with assistance from the NYSP SIU, NICB, IFB, NYSSIU and the Albany County District Attorney's Office. Multiple arrests are pending.

## Crime Mapping

Crime mapping has allowed the identification of areas which have a high occurrence of motor vehicle theft as well as a map of where these vehicles are being recovered. Crime mapping provides a snapshot of the most common types of stolen vehicles in Albany. Along with trends, crime mapping also helps to track decreases in crime after arrests of known offenders in a particular area (generally areas that known offenders reside). It also pinpoints ideal areas to focus enforcement (vehicles running unattended), recovery and educational ("Take Your Keys With You") efforts.

## Task Force Meeting/Training

Representatives from the Albany Police Department continued to attend several meetings and held several training sessions which have aided the development of best practices when dealing with Motor Vehicle Theft and Insurance Fraud. On June 21, APDACTF members attended a departmental meeting regarding in-house reporting and routing procedures in an attempt to streamline the processes for receiving information regarding vehicle theft investigations. This meeting was geared toward developing ways to get all paperwork which is generated regarding the theft of a motor vehicle into the proper files and in a timely fashion no matter where or when the documents are generated (e.g., affidavits, witness statements, recovery forms, information obtained by patrol days after the incident, etc.). On October 8, six APDACTF members attended a training class regarding identification procedures which was given by DCJS at DOCS. Members learned the proper procedures for developing photo arrays and other identification procedures and the legal limitations associated with them. On October 20, some members of the APDACTF attended a meeting in Verona where topics like Using Computer/Cellphone Forensics for Investigations, Social Networking Sites as Investigation Tools, Insurance Fraud Trends and NY State Fire/Arson Investigations were discussed.

<b>Albany City Police Department</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
MVT Investigations initiated	37	Reported motor vehicle thefts	232
MVT-related Misdemeanor Arrests	34	Reported Unauthorized Use of Vehicle	85
MVT-related Felony Arrests	85	Stolen vehicles recovered	211
MVIF- related Arrests	2	Value of vehicles recovered	\$1,905,523

## Albany County Office of the District Attorney

In an effort to increase the effectiveness of the prosecution of these cases, the District Attorney has established a unit to vigorously investigate and prosecute auto theft and suspected insurance fraud cases. By establishing and maintaining a specialized unit designed and equipped to target only these types of cases, the Office of the Albany County District Attorney has been able to more effectively strive to prosecute auto-related insurance fraud and auto theft cases. Additionally, the specialized unit has undertaken an informational and educational role throughout the community. Programs will include informing the public on how to avoid becoming a victim of insurance fraud and/or auto theft. Additional programs will include educating local law enforcement and insurance investigators on issues ranging from identification, detection and apprehension of individuals involved in insurance fraud as well as prosecution of auto theft and related cases.

### Current Trends

The majority of Albany County auto-related insurance fraud remains the opportunistic enhancement of actual accidents. These accidents are random, leading to a conclusion that most auto-related insurance fraud in Albany consists of crimes of opportunity which occur at any given time at any given location. There is no typical offender profile for the insurance fraud cases in Albany County and it is often the case that the offenders are those who have had no previous contact with the criminal justice system as well as offenders who are just off parole. During the past year, the following trends have been identified:

- a high amount of 'jump-ins' incidents where the car owner will leave the car running when they go, for example, into a convenience store;
- a large amount of thefts where the car owner will park the car in a lot while attending church or the gym. Defendants will then steal the car keys from a jacket or locker, go out to the parking lot and find the corresponding car by using the remote door lock function on the key chain, and;
- a number of thefts occur when the owners leave a set of keys in the car over night. When the defendant goes through the unlocked car in search of money or CD's, they discover the keys and take the car.

With respect to a sample of insurance fraud cases prosecuted during 2010, the Office of the Albany County District Attorney:

- Continued to assist the New York State Department of Motor Vehicles to investigate cases of filing false instruments with DMV Headquarters.

- Continued to assist the New York State Insurance Frauds Bureau in several cases, including a car fire involving a 2002 Acura which has been investigated for both Arson and Insurance Fraud.
- Assisted the Albany Police Department in an investigation where a defendant left his 1992 Honda Accord unattended and running. When Albany Police noticed the vehicle, they ran the VIN number, which matched a 1990 Honda. The defendant later admitted to switching the VIN numbers in order to get the 1992 Accord titled in his name.
- Assisted the Albany County Sheriff's Department in investigating brothers who were involved with a variety of schemes including eBay fraud and removing VIN numbers from engines. During a search warrant executed during this case, deputies found forged driver's licenses, laminate used to encase licenses and a NYS Driver's License template on a computer which was being altered and printed.

In regard to motor vehicle thefts and related crimes, the following trends have been identified in Albany County:

- A higher concentration of thefts in and around the City of Albany and the Town of Colonie, which is the county's largest town.
- A majority of the cases are theft, rather than unauthorized use.
- The top two models stolen in 2010 were the Honda Accord and the Honda Civic.
- The day of the week was fairly spread out with the most incidents on Saturday.
- The location of vehicle thefts and recoveries was concentrated in a few areas in the City of Albany: Arbor Hill, Pine Hills, and within the North and South End of Albany. This is due to the majority of the population living and working within these areas.
- Most repeat offenders were victims of domestic problems resulting in unauthorized use charges.
- An increase in 'crack rental' cases. This occurs when the owner trades the use of the car to a drug dealer for drugs. When the car is not returned, the owner reports the car stolen. Furthermore, there have been a number of instances where the owner of a car allows the defendant to use the car and the car is not returned.
- An increase in defendants who are removing catalytic converters, frequently removing converters from multiple cars in a time period. Defendants often target parking lots or garages, where they can slide beneath the vehicles and remove

several converters at once. Converters are made with small amounts of platinum, palladium, and rhodium, which catalyze chemical reactions to help purify car emissions.

- An increase in the use of the Internet to scam buyers and to steal identities. One such use of the Internet involves the use of the eBay internet auction site as well as the Craigslist site to sell and auction stolen vehicles that have been found to have switched VINs. It has also been found that persons are selling VIN tags, license plates and other illegal parts of vehicles. eBay’s policies bar the sale of such items. However, the number of items placed on the site makes it impossible to remove all of the illegal items in a timely fashion.

### Related Crimes

An integral part of the insurance fraud and motor vehicle theft problem continues to be the alteration, production, sale and possession of illegal documents such as titles, registrations and insurance cards. The Albany County District Attorney’s Office is uniquely positioned to conduct investigations and prosecute these methods of auto theft based upon Albany County having jurisdiction over every crime which involves filing paperwork with the New York State DMV. The unit continues to work with investigators from all agencies, including the DMV, in investigating and prosecuting these types of scams

<b>Albany County Office of the District Attorney</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
Investigations initiated	8	Indictments	25
MVT-related Felony Prosecutions	40	MVT Misdemeanor Convictions	5*
MVT Felony Convictions	22	MVT-related Misdemeanor Prosecutions	5*
Types of sentences	From 1 year in county jail to 3-6 years in state prison		

\*The grant only funds a felony prosecutor, Misdemeanor cases are not tracked, unless prosecuted by the felony prosecutor.

### **Schenectady County Office of the District Attorney**

The Schenectady County District Attorney’s Office Motor Vehicle Theft and Insurance Fraud Crimes Unit is administered and prosecuted by an assistant district attorney who specializes in the investigation and prosecution of motor vehicle theft and insurance fraud cases. The ADA works in collaboration with local law enforcement agencies to assist in investigations to improve the rate of Motor Vehicle Theft and Insurance Fraud apprehension. The primary goals of the unit are to further enhance the prosecution of motor vehicle theft and insurance fraud-related cases, and to continue improving the arrest rate for these crimes.

The number of misdemeanor and felony arrests for motor vehicle theft are up from 2009, as well as rates of conviction for these crimes. In 2009, the unit prosecuted

a total of 61 cases, resulting in 23 criminal convictions. In 2010, the office prosecuted a total of 82 cases, resulting in 36 criminal convictions.

The statistics for motor vehicle insurance fraud prosecution have remained about the same, and the goal for 2011 is to increase both arrest and conviction rates for these crimes.

In 2010, the District Attorney's Motor Vehicle Theft and Insurance Fraud Crimes Unit continue to collaborate with local law enforcement agencies on the investigation of motor vehicle theft and insurance fraud-related crimes. Case data continues to suggest that the majority of motor vehicle thefts in Schenectady County are unauthorized use type crimes arising from a domestic or "crack lease" situation, transportation theft and joyriding, as opposed to crimes of organized theft for profit. According to DCJS statistics as of November 15, 2010, Schenectady County has the highest Index Crime Rate per capita in New York State. A large majority of the motor vehicle theft cases in Schenectady are directly linked to the high volume of drug activity in the City of Schenectady. In 2010, the DA's Office focused on the investigation of many cases that came in as "crack leases." Initially, such cases require additional investigation and work for prosecution. A common case will involve a vehicle that is taken by a family member of the victim, and leased out for drugs. Actually proving that the driver (at time of arrest) had knowledge that the car was stolen requires more information than the original case file contains. Gathering this information requires more interviews, collaborative efforts from local law enforcement and cooperation of defendants when several people are accused.

New investigations toward the end of 2010 show motor vehicle theft on a more organized level through certain auto dealers. A new investigation with the New York State Department of Motor Vehicles revealed an operation of a used car dealership illegally repossessing cars and falsifying documents turned in to DMV. The DA's Office believes that continued investigations will lead to similar organized operations of motor vehicle theft in Schenectady County.

The strategies implemented by the DA's Office to combat motor vehicle theft and insurance fraud, and successfully prosecute cases in 2010, focused on investigating cases and collaborating with law enforcement. Work with the Department of Motor Vehicles toward the end of 2010 led to the investigation of an auto dealer involved with stealing vehicles through illegal repossession. The DA's Office intends to continue to follow such leads and investigations to root out more organized operations of vehicle theft in our County.

This office also is attempting to increase the number of arrests and convictions for motor vehicle insurance fraud, and plans to work on a closer relationship with the Insurance Department to seek out and prosecute such cases.

<b>Schenectady County Office of the District Attorney</b>			
<b><i>Performance Measures</i></b>	<b><i>Total</i></b>	<b><i>Performance Measures</i></b>	<b><i>Total</i></b>
MVT misdemeanors	24	MVT felony convictions	13
MVT felonies	58	MVIF felony convictions	3
MVT misdemeanor convictions	23	Confidential informant	1

## **New York Anti-Car Theft & Fraud Association**

The New York Anti Car Theft & Fraud Association, Inc. (NYACT) is a not-for-profit organization, whose mission is to reduce auto crime and insurance fraud in New York State. To this end, NYACT offers educational and training programs for law enforcement and for insurance SIU and claims personnel, and provides useful information to New York State consumers. In addition, NYACT sponsor sand manages many events, meetings and campaigns in auto crime prevention and insurance fraud detection and investigation.

2010 was a year of transition for NYACT as the association sought to revamp and improve its overall operations in order to project and offer a fully statewide operation. In July 2010, after a six-month search, the NYACT Board of Directors contracted with Capitol Hill Management Services, Inc. (CHMS) to provide full-service association management and to assist NYACT in ensuring that all of its operations meet 21<sup>st</sup> century association management and not-for-profit best practices.

NYACT's training efforts in 2010 attempted to focus on areas where law enforcement was dealing with the greatest incidence of motor vehicle crime. The bulk of the 2010 training took place in the top 8 ranked counties for motor vehicle thefts (in order of ranking): Queens, Kings, Bronx, Erie, Suffolk, Nassau, Monroe and New York Counties. These same counties also showed the bulk of the reports for suspected no-fault and other auto incidents of insurance fraud in 2010.

NYACT also wanted to provide training in an area where the association had yet to be very visible—the Southern Tier. This was important as six of the nine counties of this region showed an increase in motor vehicle thefts (though the total number of incidences for the region was down 6.9%).

NYACT utilized the following strategies in combating motor vehicle theft and motor vehicle insurance fraud:

- Training & Education – Recognizing that the most effective efforts at combating motor vehicle theft and motor insurance fraud come when both law enforcement and insurance investigation personnel are aware of the latest techniques and information, NYACT focused on providing innovative and hands-on training through its seminars, meetings and conferences. *The listing of training offered in 2010 can be found in Section 3.*

- Collaborative Planning – Recognizing that there is a wealth of knowledge and experience within NYACT's membership and through affiliated agencies, the association taps into this professional community in joint planning of training seminars, for speakers and courses, and in offering our organizational capabilities. This collaborative community includes auto crime experts, experienced law enforcement leaders and other knowledgeable professionals from the NYS Department of Insurance Frauds Bureau, Attorney General's Office, the FBI, DMV, NICB, Office of Medical Misconduct, NYPD Auto Crime, NYS State Police and NYS Prosecutors.
- Expanded & Improved Communication – With the operational transition in NYACT, the association expanded its communication outreach to law enforcement agencies and affiliate organizations across the state through a more robust web presence and greater electronic communications. Law enforcement feedback about online needs and interests was solicited at every training session. Recognizing that many law enforcement agencies were still utilizing facsimile technology in communicating with their personnel and other agencies, NYACT also used increased mailings to inform these agencies about the changes at NYACT and informing them of the training opportunities available to their staff.
- Building Greater Connectivity & Networking – As an umbrella organization, NYACT, whose members include law enforcement, insurance carriers, the New York State Insurance Department Frauds Bureau, NYS Department of Motor Vehicles, and many other state agency Fraud Units, creates an effective networking arena, a forum for sharing information, the opportunity for effective communications between agencies, and a spirit of cooperation and helpfulness that runs deeply in all of the training programs. NYACT also cooperates with other not-for-profit organizations such as NEIAATI, NYSSIU and NYPTI – fostering strong networking relationships among the attendees.

This spirit of cooperation extends to the communications among law enforcement investigators, long after the program concludes, and in some cases establishes strong connections of interagency cooperation for years to come. NYACT training classes offer attendees the ability to access many different agencies that they might not have had contact with during the normal course of duty. The NYACT training seminars have opened new information resources to law enforcement that will aid in their investigations of insurance fraud crimes and for many other crimes, as well as in the sharing of information and expertise. NYACT uses the vast network of interagency communication opportunities to enhance its efforts.



## **Calendar Year 2010 Activity**

As the grant covering 2010 was compressed into the second half of the year, which coincided with the establishment of NYACT's new state office operation, the association sought to provide a wide range of training opportunities stretching across the state.

### **February 16, 2010 - Half-Day Training Seminar on Long Island**

National Insurance Crime Bureau – Melville

Program:

*Health Care Fraud Task Force Update*

Catherine A. Begley, Supervising Special Agent, FBI Health Care Fraud Squad – NY Office

Number of Verified Attendees: 141

Number of Agencies Attending: 37

### **April 27, 2010 – Half-Day Training Seminar on Long Island**

Allstate Insurance – Lake Success

Program:

*Neurological Diagnostic Testing from a SIU Perspective:*

*What's Appropriate and What's Genuine?*

Dr. Howard B. Reiser, Neurologist

*Indicia of Improper Billing & Self-Referral Relationships When Claims are Received:*

*Self-Referral Statute and Manipulation Under Anesthesia*

Skip Short, Esq., Short & Billy, PC

Number of Verified Attendees: 132

Number of Agencies Attending: 38

### **June 22, 2010 - Upstate SIU Seminar in Syracuse**

Sheraton Syracuse University Hotel – Syracuse

Conducted in conjunction with NYSSIU & NYAIP

Program:

*Keynote Address*

V. Daniel Robinson, II , President, New York Central Mutual

*Internet Insurance Policy Applications, What to Look Out For:*

*Broker Procurement, Red-Flagging Fraud and Other Issues*

John E. McCormack, Esq.

*NYAIP Update*

Jack Houston, SIU Manager, New York Automobile Insurance Plan

*Legal Update: Proposed Changes to Regulation 68 and Their Effect on the Insurance Industry*

Scott D. Storm, Esq., Mura & Storm, PLLC

*Electronic Discovery in New York State*

Scott D. Storm, Esq., Mura & Storm, PLLC

*NYS DMV Recent Program Changes/Rollouts/Implementations and Their Impact on Fraud in New York State*

Ryan M. Lang, Senior Investigator, NYS Department of Motor Vehicles

*NICB Overview: Fraud Patterns & Trends in New York State*

John Perkins, Special Agent, National Insurance Crime Bureau

Number of Verified Attendees: 43

Number of Agencies Attending: 22

**June 29, 2010 – Half-Day Training Seminar in New York City**

MTA New York City Transit Building – Brooklyn

Program:

*NYPD FAIS: Current Trends in No-Fault Insurance Fraud in NYC*

Detective Patrick Donohue, NYPD

*Manipulation Under Anesthesia, Acupuncture & No-Fault Litigation Update*

Kevin W. O’Leary & Jeffrey Siegel, Partners, Bruno, Gerbino & Soriano, LLP

*IMES: Determining Provider Fraud Based on Correlation of Radiologic Reports*

Dr. A. Robert Tantleff, Comprehensive Radiology Review, PLLC

Number of Verified Attendees: 47

Number of Agencies Attending: 17

**September 21, 2010 – Half-Day Training Seminar on Long Island**

Travelers Insurance – Melville

Program:

*Acupuncture & No-Fault Fraud: A Practitioner’s Perspective*

Eric Baron, L.A.c.

*How to Succeed in Automobile Fraud & Enhanced Damage Investigations*

John Cappabianca, Special Investigations Unit, Liberty Mutual

Number of Verified Attendees: 112

Number of Agencies Attending: 30

**September 22, 2010 - Auto Theft Training Seminar for Law Enforcement in Buffalo**  
University at Buffalo, Center for Tomorrow

Program:

*Keynote Address*

Honorable Michael Violante  
Niagara County District Attorney  
& ADA Charles Pittaresi

*Fraud Patterns & Trends in New York State*

Special Agent Fran Hannigan, National Insurance Crime Bureau

*Fraudulent Identification Trends in Western New York*

with Senior Investigator Dan Haughney, NYS Department of Motor Vehicles

*Hands-On Vehicle Identification Training of the Top 5 Stolen Vehicles in Western New York*

Instructors:

Special Agent Fran Hannigan, NICB  
Investigator John Lubecki, New York State Police  
Detective Gary Chwojdak, Buffalo Police Department  
Senior Investigator Ryan Lang, NYS Department of Motor Vehicles  
Senior Investigator Dan Haughney, NYS Department of Motor Vehicles

Number of Verified Attendees: 42

Number of Agencies Attending: 10

**September 23, 2010 - Vehicle Arson Awareness Program (VAAP) in New York City**

New York Fire Department Training Academy – Randall's Island

Conducted in conjunction with NYS Office of Fire Prevention and Control, National Insurance Crime Bureau & the New York City Fire Department

Program:

*Unit 1*

Opening by Investigator Carlson & Supervising Fire Marshal Pinto  
PowerPoint Presentation by OFPC Investigators Ryan & Anderson  
Overview of day's program and activities;  
Vehicle Fire Statistics

*Unit 2*

Section 1 – Vehicle Components, Systems, Sources of Heat

Section 2 – Electrical Causes & Identification

Section 3 – Complete Electrical Causes & Identification

*Unit 3*

Section 4 – Live Burns (Vehicles 1 & 2)

Section 5 – Review of Pre-Burned (Vehicles 3, 4, 5 & 6)  
Section 6 – Review Video of Pre-Burned Vehicle Sets

Number of Verified Attendees: 118  
Number of Agencies Attending: 27

**November 16, 2010 - NYACT Annual State Education Conference on Long Island**  
Sheraton Long Island – Smithtown

Program:

*The “New” NYACT: Serving the Insurance Industry & NYS Law Enforcement*

Patty O’Sullivan, Chairman

Brian Buff, Executive Director

*New York State Post-Election & Consumer Protection Updates*

Honorable John J. Flanagan, New York State Senator, District 2

Keynote Address: *The State Insurance Department Today*  
& Greetings from Superintendent of Insurance James Wrynn  
Lawrence Fuchsberg, Principal Attorney & No-Fault Counsel  
New York State Insurance Department

*No-Fault Medical Fraud: Past, Present & a Strategic Future*

Ellen Burach Zion, Esq. & Jasmine Garcia-Vieux, Esq., Smith & Brink, P.C.

*NYO FBI Health Care Fraud Task Force: Impact on Insurance Fraud (NF, PIP, P&C)*

Michael N. Rosanova, Supervisory Special Agent, Health Care Fraud

*Update from the New York Alliance Against Insurance Fraud (NYAAIF)*

John Sargent, NYAAIF Board Member

Presentation of Annual NYACT Awards & Honors, including those to NYS Law Enforcement

*No-Fault Fraud: An Update on the Latest Schemes & Scams*

Glen Hallahan, President & John Moran, Licensed Private Investigator

The Hallahan Group, Inc.

*A Neurologist’s Take on No-Fault Fraud: The Medical Perspective*

Howard B. Reiser, M.D.

*Making SIU Results Count in Court*

John McCormack, Esq., John McCormack, P.C.

Number of Verified Attendees: 186  
Number of Agencies Attending: 44

**December 8, 2010 - Auto Theft Training Seminar for Law Enforcement in Elmira**  
Corning Community College Academic & Workforce Development Center

Program:

*Investigation Overview*

Chief Investigator Richard Ehlinger, Fraud & Auto Theft Units  
NYS DMV Division of Field Investigation

*Keynote Address*

Honorable Weeden A. Wetmore  
Chemung County District Attorney

*Fraud Patterns & Trends in New York State*

Special Agent Fran Hannigan, National Insurance Crime Bureau

*Successful Prosecution of Auto Theft & Insurance Fraud Related Cases*

Deputy District Attorney William Gargan, Chief  
Monroe County Economic Crime Bureau & County Courts

*Observations for Patrol & Law Enforcement Reference:*

*Inspection/Dealer Plate Issues, How DMV Can Assist Investigations*

Trooper Steven Kelley, New York State Police

Investigator Benjamin Schiavone, NYS Department of Motor Vehicles

Number of Verified Attendees: 32

Number of Agencies Attending: 7

<b>New York Anti-Car Theft &amp; Fraud Association</b>	
<i>Performance Measure</i>	<i>Total</i>
Number of Seminars/Trainings/Conferences	9
Number of Verified Attendees	853
Number of Agencies Attending	232

### **New York Prosecutors Training Institute**

The New York Prosecutors Training Institute, Inc. ("NYPTI"), a not-for-profit corporation, was created in 1995 through a legislative grant to the District Attorneys Association of the State of New York ("DAASNY"). NYPTI's mission is to enrich the quality and efficiency of justice by providing comprehensive continuing legal education, training, advice and assistance to New York State's prosecutors. NYPTI regularly designs successful software applications for prosecutors. Each year, NYPTI hosts approximately 30 continuing legal education conferences for over 2,500 Prosecutors in New York. Since 1995, NYPTI has more than tripled in size as it meets DAASSNY's

needs. All of NYPTI's services are provided to District Attorneys and their assistants at no charge.

In 2010, the New York Prosecutors Training Institute, Inc. ("NYPTI") further supported and participated in New York's ongoing efforts to reduce motor vehicle insurance fraud and theft throughout the state by providing specialized training, research, and support to prosecutors and law enforcement agencies across New York State. As reflected in this annual report, NYPTI continued to devote its resources to New York's aggressive battle of the complex crimes that destructively increase the costs of insurance rates, doing business, and general goods and services in New York State.

### **Strategies Implemented**

With NYPTI's support, prosecutors were trained and equipped to dismantle crime rings and protect consumers from higher motor vehicle insurance costs. NYPTI's programs featured presentations from experienced members of the prosecutorial and law enforcement communities, in order to coordinate and enhance prosecutions of motor vehicle insurance fraud and theft. NYPTI also conducted state-of-the-art computer training which focused on using software to organize cases and enhance the trial presentation of complex motor vehicle insurance fraud and theft investigations.

This year, NYPTI launched Prosecutors' Encyclopedia ("PE"), a completely new approach to NYPTI's invaluable Brief Bank System. PE is an online application that combines the "best features of the web" into a one-stop resource for prosecutors. Developed under a separate grant, PE contains briefs, memos, transcripts, videos, black letter law, prosecutors' annotations, sample search warrants, motion responses, and much more, to create a one-of-a-kind resource that combines legal authority and practical commentary. PE is much more than the Brief Bank because in addition to thousands of sample documents, it also contains every published decision in the United States from 1970 to the present -- a total of over four million decisions.

PE also makes streaming videos of expert witnesses' courtroom testimony available to prosecutors nationwide. By this time next year, PE will have one of the most extensive and substantive libraries of streaming videos for prosecutors. There are already over 300 videos of expert witnesses testifying, and these videos are carefully edited by NYPTI attorneys in order to show the most crucial portions of their testimony, and maximize a busy prosecutor's time.

At its launch, PE already contained more articles than the English version of Wikipedia. Currently, PE contains over 4.3 million articles. Within two months of its launch, nearly 20 percent of New York's prosecutors had created their own PE accounts and used the system. Over 700 prosecutors from 48 other states have also created accounts and are contributing to PE. New users continue to sign up every day, and with continued growth, PE will become an invaluable resource and directory for all prosecutors throughout the U.S.

The vast array of resources available on PE will shorten the learning curve for prosecutors new to the fight against motor vehicle insurance fraud and theft, and will serve as another tool to increase the efficiency of investigations and prosecutions of motor vehicle insurance fraud and theft.

In addition, NYPTI continues to maintain and enhance CrimeTime Online, a web-based sentencing calculator that determines possible sentencing options available for New York State crimes based on a defendant's criminal history, as well as Online CLE, through which prosecutors may create accounts and, from their own office desktop computers, view recordings of NYPTI's training programs at their convenience. The Prosecutors Case Management System ("PCMS") is a comprehensive case tracking and management system used by 49 of the 62 counties in New York State. NYPTI also maintains a public website containing information about NYPTI, New York State District Attorneys, and pattern New York State Jury Instructions, at [www.nypti.org](http://www.nypti.org).

Finally, NYPTI continues to publish articles relating to motor vehicle insurance fraud and theft prosecutions in its quarterly magazine, *Empire State Prosecutor*, and provide updates and legal assistance to prosecutors as requested regarding motor vehicle insurance fraud and theft cases.

### **Calendar Year 2010 Activity**

This year, NYPTI conducted training on motor vehicle insurance fraud and theft investigation and prosecution for over 135 prosecutors, members of law enforcement, and representatives of the insurance industry. The training was performed in three separate programs.

NYPTI conducted the first training program in Manhattan on June 3, 2010. Hosted at the NYPD Police Academy, the course provided an opportunity for prosecutors and members of law enforcement to learn together, and better coordinate efforts to more effectively combat motor vehicle insurance fraud and theft.

NYPTI's second training program was a two-day course at its 12<sup>th</sup> Annual Summer College in Syracuse on August 2-3, 2010. This two-day course brought together prosecutors from every area of New York State to share their experiences and consult with experts about the challenges they face in the fight against motor vehicle insurance fraud and theft. The two-day design of the Summer College course fostered a group dynamic that encouraged participation by the attendees and interaction with the presenters. The Summer College course also provided an opportunity to present a wide audience of prosecutors with the latest developments in case law and crime trends, and included a live demonstration of PE.

NYPTI's third training program was in Rochester on December 8, 2010. Its focus was three-fold: The challenges of motor vehicle insurance fraud and theft were addressed from the vantage points of prosecutors, members of law enforcement, and

SIUs to provide a holistic presentation of the crimes and the many ways in which they negatively impact New Yorkers. The course also provided prosecutors and members of law enforcement with the opportunity to share experiences, crime fighting and prevention strategies, and contact information with experts in all areas of motor vehicle insurance fraud and theft investigation and prosecution.

NYPTI training programs provided attendees with high-quality presentations on relevant and substantive topics such as: the particulars of the DMV Form MV-104; medical mills and insurance fraud; enhanced investigative techniques in auto crime and insurance fraud investigations; technology, efficiency, and the law; managing successful insurance fraud investigations; an examination of the links among auto crime, organized crime, and terrorism; the available investigative and prosecutorial support from the Frauds Bureau of the New York State Insurance Department; and an examination of the role of the National Insurance Crime Bureau and how it can assist prosecutors and members of law enforcement.

NYPTI distributed lecture outline materials to all attendees at each training.

NYPTI also recorded the training programs on June 3 and August 2-3, 2010, and added the recordings to the new NYPTI CLE online site, <http://cle.nypti.org>. Copies of the materials from each of the three courses are available upon request to prosecutors free of charge, and are available for direct download from Prosecutors' Encyclopedia ("PE").

## **Publications**

NYPTI continued to supplement its training efforts through the publication and distribution of its magazine, *Empire State Prosecutor*. An article titled *People v. Weaver: A Dissent-Based Analysis, and Dodging Weavers in the Road Ahead*, written by NYPTI attorney Joshua Vinciguerra, was published in the Spring 2010 edition of *Empire State Prosecutor*. A second article, titled *Prosecuting Insurance Fraud: You Have What It Takes (And There's More Where That Came From!)*, also written by NYPTI attorney Joshua Vinciguerra, was published in the Fall 2010 edition of *Empire State Prosecutor*.

## **Legal and Technical Assistance**

NYPTI further continued to support New York prosecutors by providing legal and technical assistance upon request, and through the establishment and maintenance of NYPTI's Prosecutors' Encyclopedia ("PE") and Online CLE. In fact, nearly 100 lectures are available to be viewed through NYPTI's Online CLE site in the categories of "insurance fraud" and "auto crime" alone. In 2010, over 110 prosecutors viewed approximately 170 motor vehicle insurance fraud- and theft-related lectures through NYPTI's Online CLE.



NYPTI continued to add material to PE throughout the year, including all of the motor vehicle insurance fraud and theft material previously available on NYPTI's Brief Bank. Since its launch, NYPTI has provided PE demonstrations and training to prosecutors so that they may use it to their maximum advantage, and share their knowledge, insight, and sample pleadings with other users across New York State. Through its training programs, publications, and legal and technical assistance, NYPTI continues to assist in New York State's fight against motor vehicle insurance fraud and theft by educating prosecutors and members of law enforcement, and providing them tools to increase the efficiency and enhance the success of their investigations and prosecutions.

<b>New York Prosecutors Training Institute, Inc. ("NYPTI")</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Locations</i>	<i>Dates</i>
Number of Seminars/Trainings/Conferences	3	Manhattan	June 3
Number of Verified Attendees	137	Syracuse	August 2-3
Number of Agencies Attending	38	Rochester	December 8

# Appendix – 2010 Statistics

## Reported Incidents of Motor Vehicle Theft - 2010

Rank	COUNTY	MV THEFTS	Rank	COUNTY	MV THEFTS
1	Queens	3,484	32	Tompkins	42
2	Kings	3,337	33	Cattaraugus	41
3	Bronx	2,163	34	Clinton	38
4	Erie	1,834	35	Cortland	37
5	Suffolk	1,592	36	Ontario	35
6	Nassau	1,151	37	Genesee	34
7	Monroe	1,028	38	Greene	33
8	New York	987	39	Jefferson	32
9	Westchester	657	40	Montgomery	30
10	Onondaga	541	41	Washington	29
11	Albany	360	42	Franklin	27
12	Richmond	348		Otsego	27
13	Niagara	245	44	Cayuga	26
14	Orange	237	45	Herkimer	24
15	Rensselaer	230		Putnam	24
16	Schenectady	220	47	Delaware	23
17	Oneida	165	48	Columbia	21
18	Dutchess	137	49	Madison	20
19	Rockland	122	50	Chenango	16
20	Ulster	106		Lewis	16
21	Oswego	104	52	Essex	15
22	Broome	88		Warren	15
23	Chautauqua	85	54	Alleghany	14
24	Saratoga	79	55	Tioga	10
25	Fulton	54		Wyoming	10
	St. Lawrence	54	57	Schoharie	9
27	Sullivan	51		Seneca	9
28	Orleans	48	59	Livingston	8
29	Chemung	47	60	Yates	7
30	Wayne	45	61	Schuyler	4
31	Steuben	44	62	Hamilton	2

## Motor Vehicle Theft Trends 2006 - 2010

	2006	2007	2008	2009	2010	5 Yr Average	Ranking on 5 YR Average
Albany	443	427	331	351	360	382	12
Allegany	16	16	18	17	14	16	54
Bronx	3,431	2,991	2,927	2,425	2,163	2,787	3
Broome	128	119	127	106	88	114	21
Cattaraugus	49	60	52	37	41	48	31
Cayuga	44	41	24	23	26	32	38
Chautauqua	105	105	88	60	85	89	22
Chemung	63	70	39	45	47	53	28
Chenango	16	24	19	18	16	19	51
Clinton	34	44	37	34	38	37	35
Columbia	26	38	20	14	21	24	46
Cortland	26	34	30	29	37	31	40
Delaware	21	19	15	11	23	18	53
Dutchess	234	263	211	162	137	203	18
Erie	2,592	2,771	2,362	2,018	1,834	2,315	4
Essex	14	21	6	12	15	14	58
Franklin	30	33	14	28	27	26	43
Fulton	81	50	46	43	54	55	27
Genesee	37	45	43	37	34	39	34
Greene	31	33	41	22	33	32	37
Hamilton	0	0	0	0	2	0	62
Herkimer	27	16	20	12	24	20	48
Jefferson*	36	29	27	18	32	28	42
Kings	5,176	4,292	3,879	3,459	3,337	4,029	1
Lewis	14	12	13	16	16	14	57
Livingston	27	27	15	19	8	19	50
Madison	25	30	23	22	20	24	45
Monroe	3,030	2,121	1,698	1,341	1,028	1,844	6
Montgomery	16	23	15	15	30	20	48
Nassau	1,593	1,586	1,446	1,548	1,151	1,465	7
New York	1,737	1,506	1,333	1,082	987	1,329	8
Niagara	383	370	297	264	245	312	13
Oneida	258	269	207	141	165	208	16

	2006	2007	2008	2009	2010	5 Yr Average	Ranking on 5 YR Average
Onondaga	931	771	687	488	541	684	10
Ontario	85	39	37	34	35	46	32
Orange	321	340	326	262	237	297	15
Orleans	25	41	48	41	48	41	33
Oswego	55	62	71	78	104	74	24
Otsego	21	22	21	18	27	22	47
Putnam	30	33	31	36	24	31	41
Queens	4,964	3,945	3,831	3,300	3,484	3,905	2
Rensselaer	236	233	164	175	230	208	17
Richmond	628	522	470	428	348	479	11
Rockland	184	179	138	152	122	155	19
Saratoga	100	86	82	63	79	82	23
Schenectady	395	358	288	258	220	304	14
Schoharie	13	12	12	9	9	11	59
Schuyler	8	4	4	5	4	5	61
Seneca	16	7	24	19	9	15	56
St Lawrence	74	43	48	37	54	51	29
Steuben	31	32	32	22	44	32	36
Suffolk	2,484	2,260	2,093	1,648	1,592	2,015	5
Sullivan	93	101	58	34	51	67	25
Tioga	22	25	19	17	10	19	51
Tompkins	73	53	55	33	42	51	29
Ulster	154	129	97	117	106	121	20
Warren	35	32	17	25	15	25	44
Washington	38	37	24	30	29	32	38
Wayne	86	50	48	48	45	55	26
Westchester	1,087	969	841	896	657	890	9
Wyoming	28	20	13	10	10	16	54
Yates	9	6	3	1	7	5	60

New York State	31,969	27,900	25,005	21,713	20,321	25,381
New York City	15,936	13,256	12,440	10,694	10,319	12,529
Non-New York City	16,033	14,644	12,565	11,019	10,002	12,852

## Motor Vehicle Thefts by Region 2009 - 2010

<i>REPORTED MOTOR VEHICLE THEFTS: 2009-2010</i>					
Region	Counties	2009	2010	# Change	% Change
<b>New York City Region</b>		<b>10,694</b>	<b>10,319</b>	<b>-375</b>	<b>-3.5%</b>
	Bronx	2,425	2,163	-262	-10.8%
	Kings	3,459	3,337	-122	-3.5%
	New York	1,082	987	-95	-8.8%
	Queens	3,300	3,484	184	5.6%
	Richmond	428	348	-80	-18.7%
<b>Suburban Region</b>		<b>4,244</b>	<b>3,522</b>	<b>-722</b>	<b>-17.0%</b>
	Nassau	1,548	1,151	-397	-25.6%
	Suffolk	1,648	1,592	-56	-3.4%
	Rockland	152	122	-30	-19.7%
	Westchester	896	657	-239	-26.8%
<b>Mid-Hudson Region</b>		<b>611</b>	<b>555</b>	<b>-56</b>	<b>-9.2%</b>
	Dutchess	162	137	-25	-15.4%
	Orange	262	237	-25	-9.5%
	Putnam	36	24	-12	-33.3%
	Sullivan	34	51	17	50.0%
	Ulster	117	106	-11	-9.4%
<b>Southern Tier Region</b>		<b>275</b>	<b>301</b>	<b>26</b>	<b>9.5%</b>
	Broome	106	88	-18	-17.0%
	Chemung	45	47	2	4.4%
	Chenango	18	16	-2	-11.1%
	Delaware	11	23	12	109.1%
	Otsego	18	27	9	50.0%
	Schuyler	5	4	-1	-20.0%
	Steuben	22	44	22	100.0%
	Tioga	17	10	-7	-41.2%
	Tompkins	33	42	9	27.3%

**REPORTED MOTOR VEHICLE THEFTS: 2009-2010**

Region	Counties	2009	2010	# Change	% Change
<b>Western Region</b>		<b>2,396</b>	<b>2,219</b>	<b>-177</b>	<b>-7.4%</b>
	Allegany	17	14	-3	-17.6%
	Cattaraugus	37	41	4	10.8%
	Chautauqua	60	85	25	41.7%
	Erie	2,018	1,834	-184	-9.1%
	Niagara	264	245	-19	-7.2%
<b>Capital District Region</b>		<b>938</b>	<b>987</b>	<b>49</b>	<b>5.2%</b>
	Albany	351	360	9	2.6%
	Columbia	14	21	7	50.0%
	Greene	22	33	11	50.0%
	Rensselaer	175	230	55	31.4%
	Saratoga	63	79	16	25.4%
	Schenectady	258	220	-38	-14.7%
	Warren	25	15	-10	-40.0%
	Washington	30	29	-1	-3.3%
<b>Mohawk Valley Region</b>		<b>220</b>	<b>282</b>	<b>62</b>	<b>28.2%</b>
	Fulton	43	54	11	25.6%
	Herkimer	12	24	12	100.0%
	Montgomery	15	30	15	100.0%
	Oneida	141	165	24	17.0%
	Schoharie	9	9	0	0.0%
<b>North Country Region</b>		<b>145</b>	<b>184</b>	<b>39</b>	<b>26.9%</b>
	Clinton	34	38	4	11.8%
	Essex	12	15	3	25.0%
	Franklin	28	27	-1	-3.6%
	Hamilton	0	2	2	NA
	Jefferson	18	32	14	77.8%
	Lewis	16	16	0	0.0%
	St Lawrence	37	54	17	45.9%

<b>REPORTED MOTOR VEHICLE THEFTS: 2009-2010</b>					
Region	Counties	2009	2010	# Change	% Change
<b>Finger Lakes Region</b>		<b>1,550</b>	<b>1,224</b>	<b>-326</b>	<b>-21.0%</b>
	Genesee	37	34	-3	-8.1%
	Livingston	19	8	-11	-57.9%
	Monroe	1,341	1,028	-313	-23.3%
	Ontario	34	35	1	2.9%
	Orleans	41	48	7	17.1%
	Seneca	19	9	-10	-52.6%
	Wayne	48	45	-3	-6.3%
	Wyoming	10	10	0	0.0%
	Yates	1	7	6	600.0%
<b>Central Region</b>		<b>640</b>	<b>728</b>	<b>88</b>	<b>13.8%</b>
	Cayuga	23	26	3	13.0%
	Cortland	29	37	8	27.6%
	Madison	22	20	-2	-9.1%
	Onondaga	488	541	53	10.9%
	Oswego	78	104	26	33.3%
<b>New York State</b>		<b>21,713</b>	<b>20,321</b>	<b>-1,392</b>	<b>-6.4%</b>
<b>New York City</b>		<b>10,694</b>	<b>10,319</b>	<b>-375</b>	<b>-3.5%</b>
<b>Non-New York City</b>		<b>11,019</b>	<b>10,002</b>	<b>-1,017</b>	<b>-9.2%</b>



## Motor Vehicle Thefts Rates per Population

<i>Reported Motor Vehicle Thefts: 2010 Rates per 100,000 Population</i>				
<b>Rank</b>	<b>County</b>	<b>2010</b>	<b>Population</b>	<b>Rate/100,000</b>
1	Erie	1,834	895,158	204.9
2	Bronx	2,163	1,387,983	155.8
3	Queens	3,484	2,291,352	152.0
4	Rensselaer	230	154,087	149.3
5	Schenectady	220	151,036	145.7
6	Monroe	1,028	724,942	141.8
7	Kings	3,337	2,550,004	130.9
8	Albany	360	295,267	121.9
9	Onondaga	541	449,339	120.4
10	Orleans	48	41,377	116.0
11	Niagara	245	211,650	115.8
12	Suffolk	1,592	1,511,183	105.3
13	Fulton	54	54,344	99.4
14	Oswego	104	119,906	86.7
15	Nassau	1,151	1,344,303	85.6
16	Cortland	37	47,401	78.1
17	Oneida	165	228,059	72.3
18	Richmond	348	488,456	71.2
19	Westchester	657	948,303	69.3
20	Greene	33	48,478	68.1
21	Sullivan	51	75,137	67.9
22	Chautauqua	85	131,411	64.7
23	Montgomery	30	47,969	62.5
24	Lewis	16	25,785	62.1
25	Orange	237	383,475	61.8
26	New York	987	1,618,207	61.0
27	Genesee	34	56,871	59.8
28	Ulster	106	179,764	59.0
29	Franklin	27	49,634	54.4
30	Chemung	47	87,073	54.0
31	Cattaraugus	41	76,602	53.5

<i>Reported Motor Vehicle Thefts: 2010 Rates per 100,000 Population</i>				
Rank	County	2010	Population	Rate/100,000
32	Delaware	23	43,997	52.3
33	Wayne	45	90,027	50.0
34	St Lawrence	54	108,273	49.9
35	Dutchess	137	291,541	47.0
36	Clinton	38	80,874	47.0
37	Washington	29	62,227	46.6
38	Steuben	44	95,252	46.2
39	Broome	88	191,892	45.9
40	Otsego	27	60,905	44.3
41	Essex	15	35,964	41.7
42	Tompkins	42	101,158	41.5
43	Hamilton	2	4,824	41.5
44	Rockland	122	298,092	40.9
45	Herkimer	24	61,330	39.1
46	Saratoga	79	219,519	36.0
47	Columbia	21	60,786	34.5
48	Ontario	35	105,010	33.3
49	Cayuga	26	78,400	33.2
50	Chenango	16	49,978	32.0
51	Yates	7	24,182	28.9
52	Madison	20	69,222	28.9
53	Schoharie	9	31,169	28.9
54	Allegany	14	48,531	28.8
55	Jefferson	32	118,131	27.1
56	Seneca	9	33,740	26.7
57	Wyoming	10	40,743	24.5
58	Putnam	24	98,472	24.4
59	Warren	15	65,549	22.9
60	Schuyler	4	18,455	21.7
61	Tioga	10	49,341	20.3
62	Livingston	8	62,020	12.9

New York State	20,321	19,374,160	104.9
New York City	10,319	8,336,002	123.8
Non-New York City	10,002	11,038,158	90.6

## Motor Vehicle Thefts Rates per Registration

<i>Reported Motor Vehicle Thefts: 2010 Rates per 100,000 Registrations</i>				
<b>Rank</b>	<b>County</b>	<b>2010 MV Theft</b>	<b>Registrations</b>	<b>Rate/100,000</b>
1	Bronx	2,163	227,955	948.9
2	Kings	3,337	403,811	826.4
3	Queens	3,484	667,643	521.8
4	New York	987	221,048	446.5
5	Erie	1,834	557,434	329.0
6	Rensselaer	230	99,988	230.0
7	Monroe	1,028	469,841	218.8
8	Schenectady	220	105,312	208.9
9	Albany	360	180,143	199.8
10	Onondaga	541	281,645	192.1
11	Orleans	48	25,429	188.8
12	Niagara	245	137,429	178.3
13	Fulton	54	35,075	154.0
14	Suffolk	1,592	1,067,748	149.1
15	Oswego	104	72,621	143.2
16	Richmond	348	246,634	141.1
17	Cortland	37	27,471	134.7
18	Nassau	1,151	904,323	127.3
19	Oneida	165	137,157	120.3
20	Westchester	657	598,150	109.8
21	Chautauqua	85	78,352	108.5
22	Lewis	16	15,539	103.0
23	Orange	237	243,669	97.3
24	Sullivan	51	52,629	96.9
25	Montgomery	30	31,766	94.4
26	Franklin	27	28,936	93.3
27	Greene	33	36,379	90.7
28	Genesee	34	37,946	89.6
29	Cattaraugus	41	46,173	88.8
30	St Lawrence	54	60,982	88.6
31	Chemung	47	54,921	85.6

*Reported Motor Vehicle Thefts: 2010 Rates per 100,000 Registrations*

Rank	County	2010 MV Theft	Registrations	Rate/100,000
32	Ulster	106	128,904	82.2
33	Tompkins	42	51,949	80.8
34	Clinton	38	50,698	75.0
35	Washington	29	39,412	73.6
36	Wayne	45	62,459	72.0
37	Steuben	44	61,464	71.6
38	Otsego	27	37,892	71.3
39	Delaware	23	32,669	70.4
40	Broome	88	126,603	69.5
41	Dutchess	137	209,360	65.4
42	Herkimer	24	37,471	64.0
43	Rockland	122	193,069	63.2
44	Essex	15	24,140	62.1
45	Cayuga	26	46,088	56.4
46	Allegany	14	26,560	52.7
47	Saratoga	79	155,227	50.9
48	Hamilton	2	3,964	50.5
49	Jefferson*	32	63,692	50.2
50	Ontario	35	70,151	49.9
51	Yates	7	14,191	49.3
52	Chenango	16	33,173	48.2
53	Madison	20	41,522	48.2
54	Columbia	21	45,698	46.0
55	Seneca	9	20,587	43.7
56	Wyoming	10	24,294	41.2
57	Schoharie	9	22,288	40.4
58	Schuyler	4	12,186	32.8
59	Warren	15	46,532	32.2
60	Putnam	24	79,187	30.3
61	Tioga	10	33,493	29.9
62	Livingston	8	39,594	20.2

New York State	20,321	8,988,666	226.1
New York City	10,319	1,767,091	584.0
Non-New York City	10,002	7,221,575	138.5

## Motor Vehicle Insurance Fraud Suspected Incidents 2010

Rank	COUNTY	MV INSURANCE FRAUD	Rank	COUNTY	MV INSURANCE FRAUD
1	Kings	5,371		Chautauqua	15
2	Queens	3,099	33	Seneca	14
3	Bronx	2,379	34	Cortland	13
4	New York	1,789		Columbia	13
5	Nassau	1,436		Herkimer	13
6	Suffolk	1,196		Warren	13
7	Erie	421	38	Wayne	12
8	Richmond	405		St. Lawrence	12
9	Westchester	346	40	Fulton	11
10	Monroe	230		Steuben	11
11	Orange	117	42	Clinton	10
12	Rockland	106	43	Allegany	9
13	Onondaga	98		Genesee	9
14	Dutchess	83		Washington	9
15	Albany	80	46	Ontario	8
16	Niagara	76	47	Tompkins	7
17	Ulster	66	48	Delaware	6
18	Oneida	52		Schoharie	6
19	Schenectady	45		Montgomery	6
20	Broome	32		Orleans	6
21	Cayuga	31	52	Franklin	5
22	Sullivan	30		Madison	5
	Oswego	30		Tioga	5
24	Saratoga	29		Wyoming	5
25	Rensselaer	27	56	Chenango	4
26	Putnam	22		Livingston	4
	Jefferson	22	58	Essex	3
28	Greene	18		Lewis	3
29	Otsego	17		Schuyler	3
	Chemung	17	61	Yates	1
31	Cattaraugus	15	62	Hamilton	0

## Motor Vehicle Insurance Fraud Suspected Incidents 2010 Rate per Population

<i>MVIF 2010 Rate per Population</i>				
<b>Rank</b>	<b>County</b>	<b>2010 MVIF</b>	<b>Population</b>	<b>Rate/100,000</b>
1	Kings	5,371	2,567,968	209.10
2	Bronx	2,379	1,398,093	170.16
3	Queens	3,099	2,303,205	134.55
4	New York	1,789	1,642,066	108.94
5	Nassau	1,436	1,352,956	106.13
6	Richmond	405	489,575	87.72
7	Suffolk	1,196	1,521,962	78.58
8	Erie	421	905,273	46.50
9	Seneca	14	34,162	40.98
10	Sullivan	30	76,387	39.27
11	Greene	18	49,071	36.68
12	Ulster	66	182,041	36.25
13	Westchester	346	956,850	36.16
14	Niagara	76	213,831	35.54
15	Rockland	106	299,944	35.33
16	Monroe	230	731,849	31.42
17	Orange	117	383,829	30.48
18	Schenectady	45	151,942	29.61
19	Dutchess	83	294,145	28.21
20	Otsego	17	61,976	27.42
21	Cortland	13	48,257	26.93
22	Albany	80	298,400	26.80
23	Oswego	30	121,238	24.74
24	Oneida	52	231,141	22.49
25	Putnam	22	99,574	22.09
26	Onondaga	98	451,917	21.68
27	Columbia	13	61,871	21.01
28	Herkimer	13	61,943	20.98
29	Fulton	11	54,912	20.03
30	Warren	13	66,247	19.62
31	Chemung	17	87,431	19.44

<i>MVIF 2009 Rate per Population</i>				
<b>Rank</b>	<b>County</b>	<b>2010 MVIF</b>	<b>Population</b>	<b>Rate/100,000</b>
<b>32</b>	Cattaraugus	15	77,397	19.38
<b>33</b>	Schoharie	6	31,936	18.78
<b>34</b>	Jefferson	22	118,766	18.52
<b>35</b>	Allegany	9	49,605	18.14
<b>36</b>	Rensselaer	27	155,511	17.36
<b>37</b>	Broome	32	194,381	16.46
<b>38</b>	Schuyler	3	18,839	15.92
<b>39</b>	Genesee	9	57,420	15.67
<b>40</b>	Orleans	6	41,904	14.31
<b>41</b>	Washington	9	62,991	14.28
<b>42</b>	Delaware	6	45,075	13.31
<b>43</b>	Saratoga	29	218,936	13.24
<b>44</b>	Montgomery	6	48,557	12.35
<b>45</b>	Clinton	10	82,153	12.17
<b>46</b>	Wyoming	5	41,453	12.06
<b>47</b>	Steuben	11	96,303	11.42
<b>48</b>	Chautauqua	15	133,112	11.26
<b>49</b>	St Lawrence	12	109,430	10.96
<b>50</b>	Tioga	5	49,986	10.00
<b>51</b>	Franklin	5	50,448	9.91
<b>52</b>	Essex	3	36,495	8.22
<b>53</b>	Chenango	4	50,830	7.86
<b>54</b>	Ontario	8	104,919	7.62
<b>55</b>	Madison	5	69,784	7.16
<b>56</b>	Tompkins	7	101,616	6.88
<b>57</b>	Livingston	4	63,003	6.34
<b>58</b>	Yates	1	24,634	4.05
<b>59</b>	Cayuga	31	79,569	3.77
<b>60</b>	Lewis	3	26,082	1.15
<b>61</b>	Wayne	12	91,270	1.09
<b>62</b>	Hamilton	0	4,980	0
	New York State	18,108	19,537,441	92.68
	New York City	13,043	11,136,534	117.11
	Non-New York City	5,065	8,400,907	60.29