



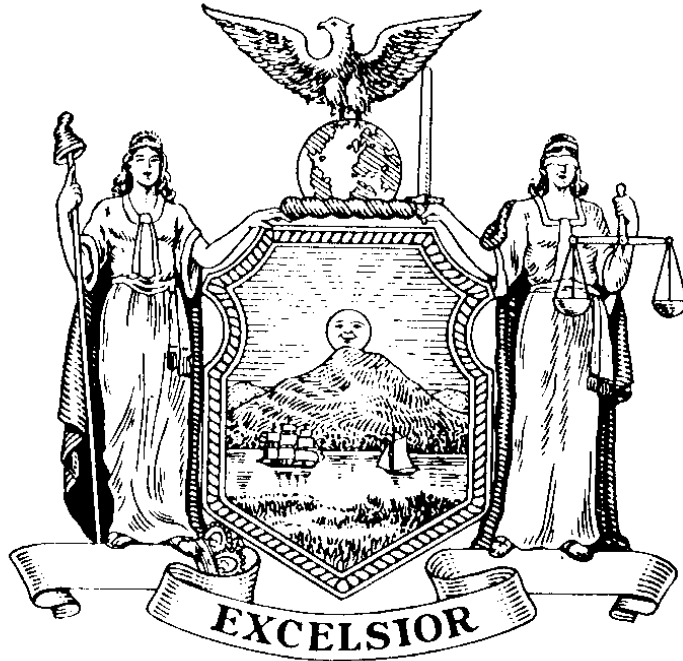
STATE OF NEW YORK  
Andrew M. Cuomo, Governor

**Michael C. Green**  
Executive Deputy Commissioner  
Division of Criminal  
Justice Services

Office of Program  
Development and Funding

**Anne Marie Strano**  
Deputy Commissioner

# New York State



## 2011 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  
[www.criminaljustice.ny.gov](http://www.criminaljustice.ny.gov)



**New York State  
2011 Motor Vehicle Theft and  
Insurance Fraud Prevention  
Board Members**

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

**Kristina L. Baldwin, Esq.**  
Assistant Vice President  
Property Casualty Insurers Association  
of America

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

**Hon. Janet DiFiore**  
District Attorney, Westchester County

**Barbara J. Fiala**  
Commissioner  
New York State  
Department of Motor Vehicles

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

**Thomas Lohmann**  
Regional Director  
National Insurance Crime Bureau

**V. Daniel Robinson II**  
New York Central Mutual Fire  
Insurance Company

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**Anne Marie Strano**  
Deputy Commissioner

**Ron Dickens**  
Assistant Director

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**New York State Department of Financial Services  
Insurance Frauds Bureau**  
Frank Orlando, Director

# 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 (MVT&IF) 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 that 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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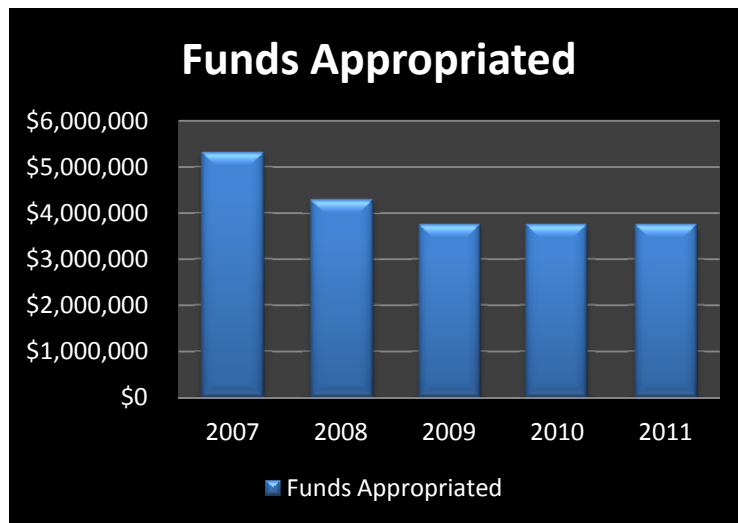
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## I. INTRODUCTION

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 2011/12 State Budget appropriated \$3.7 million to support of demonstration projects.

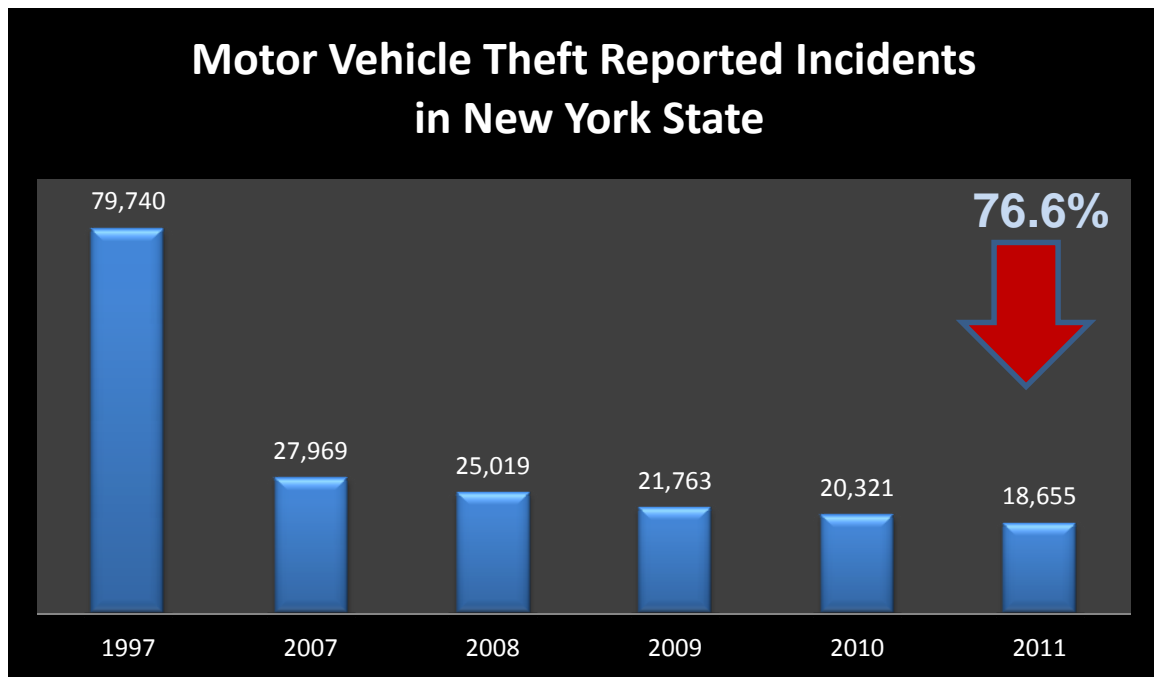


Having completed its organizational tasks of crafting bylaws and a mission statement, as well as creating a strategy for conducting a Request for Proposal (RFP) process, the Board made its first awards in September of 1997. The Board has issued RFPs annually since then and 2011 marked the 15<sup>th</sup> 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 2011, reported thefts are down 76.6 percent. In 2011, there were 18,655 motor vehicles stolen in New York State.



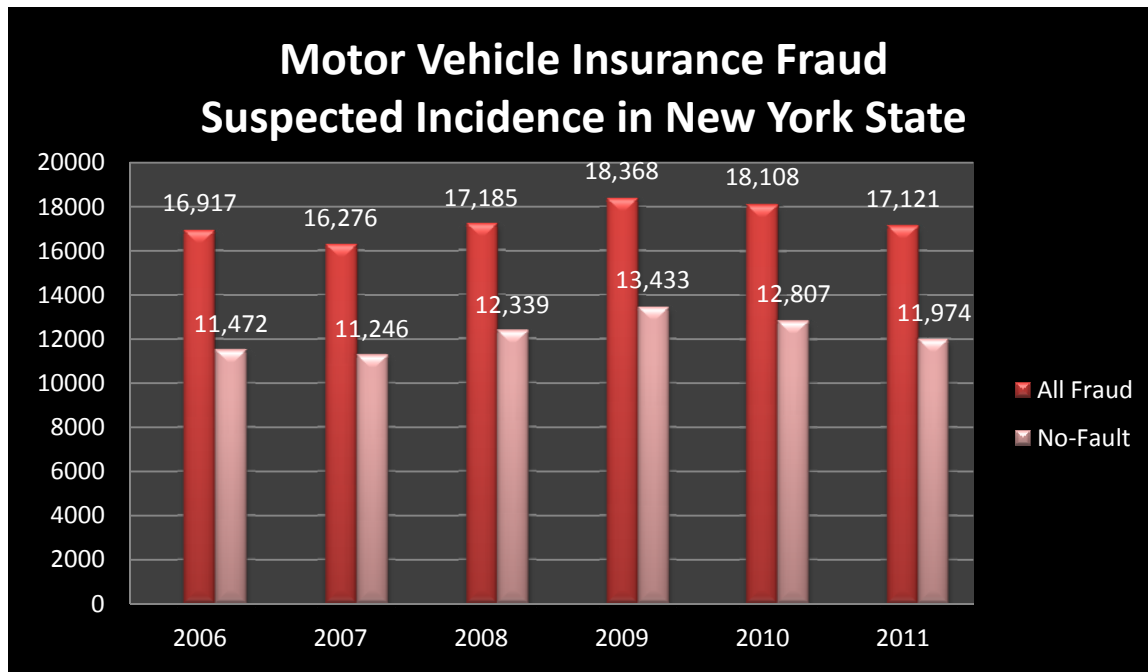
Law enforcement knowledge gained in the dynamics of motor vehicle theft makes it apparent that the trafficking of stolen vehicles knows no state or international boundaries and that insurance fraud, in many cases, is perpetrated by well-organized groups of profit-motivated conspirators.

## 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 percent 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 coupled with changes in the insurance laws resulted in a 33 percent decrease in all types of motor vehicle insurance fraud from 2003 to 2007 (including a 36.9 percent drop in no-fault fraud and a 22 percent decline in other types of motor vehicle insurance fraud).

With the economic downturn that started in 2008, the suspected incidence of no-fault motor vehicle insurance fraud increased by 19.4 percent from 2007 to 2009 before declining 10.9 percent from 2009 to 2011. Other types of motor vehicle insurance fraud dropped percent from 2006 to 2008, then rose 9.4 percent from 2008 to 2010 before

declining 2.9 percent in 2011.<sup>1</sup> Although current levels of motor vehicle insurance fraud are well beneath historic highs, they are above where they were in 2007 and a continued focus on reducing the incidence of these offenses is warranted.



## Statewide Plan of Operation

In August 1999, the New York State Motor Vehicle Theft and Insurance Fraud Prevention Board 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.

The size of the Motor Vehicle Theft and Insurance Fraud Statewide Advisory Group, which is comprised of individuals with 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 2011 Statewide Advisory Group:

<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 defined differently 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.

Albany City Police  
Albany County District Attorney  
Bronx County District Attorney  
Buffalo City Police  
Cheektowaga Town Police  
Erie County District Attorney  
Hempstead Town Police  
Kings County District Attorney  
Monroe County District Attorney  
Monroe County Sheriff's Office  
Nassau County District Attorney  
Nassau County Police  
New York City Police  
New York County District Attorney  
Niagara County District Attorney  
Niagara County Sheriff's Office  
Niagara Falls City Police  
Queens County District Attorney

Richmond County District Attorney  
Rochester City Police  
Schenectady County District Attorney  
Suffolk County District Attorney  
Suffolk County Police  
Syracuse City Police  
Westchester County District Attorney  
Yonkers City Police  
National Insurance Crime Bureau  
New York Anti Car Theft and Fraud  
Association, Inc.  
New York Prosecutors' Training  
Institute, Inc.  
NYS Attorney General's Office  
NYS Department of Financial Services  
NYS Department of Motor Vehicles  
NYS Division of State Police

The following insurance industry carriers also were represented at the 2011 Statewide Advisory Group: Allstate, Auto One, New York Central Mutual, MetLife, State Farm, and Zurich North America.

The Statewide Advisory Group reconvenes annually with members responsible for:

- Researching and developing updates for both plans that reflect at the current crime trends of motor vehicle theft and motor vehicle insurance fraud, and;
- Recommending 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 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

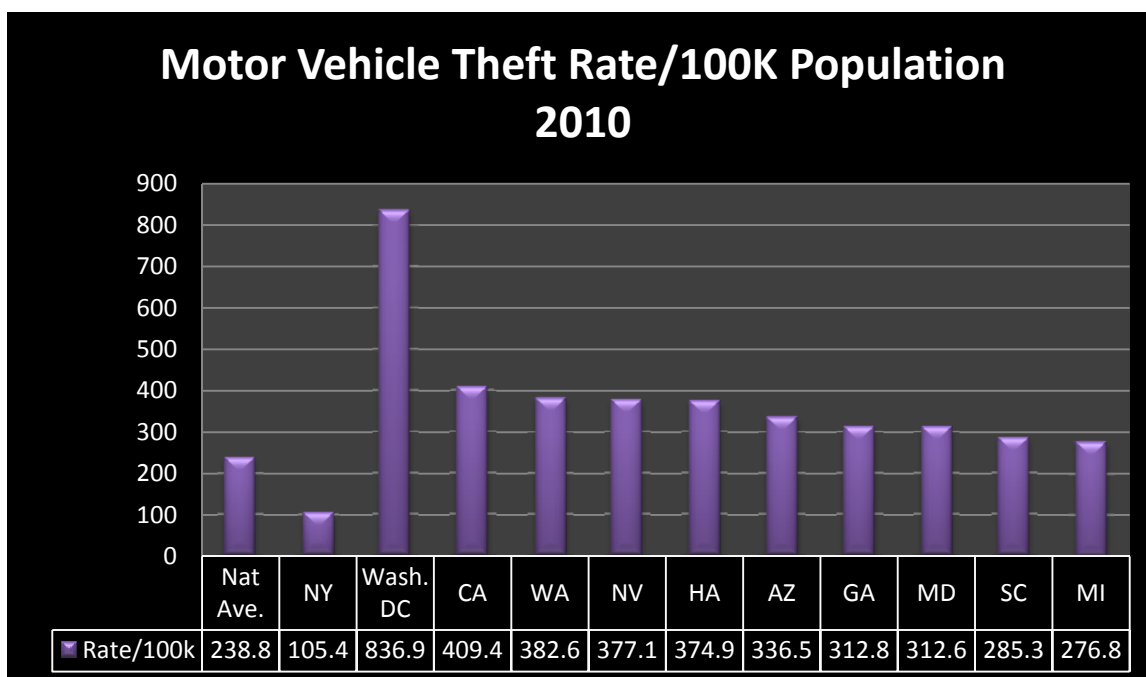
### National Overview – 2010<sup>2</sup>

According to national statistics, the **737,142** motor vehicle thefts reported in 2010 represented a **decrease of 7.2 percent** over the prior year's total of **794,616**. Only robbery declined by a greater percentage (-10.0 percent) among FBI Index Crimes.

Southern states showed a decrease in motor vehicle theft of 9.6 percent, Western states a decrease of 7.8 percent, and Midwestern states a decrease of 3.1 percent. The **Northeast region** experienced a **4.9 percent decrease** in motor vehicle thefts in 2010. 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.

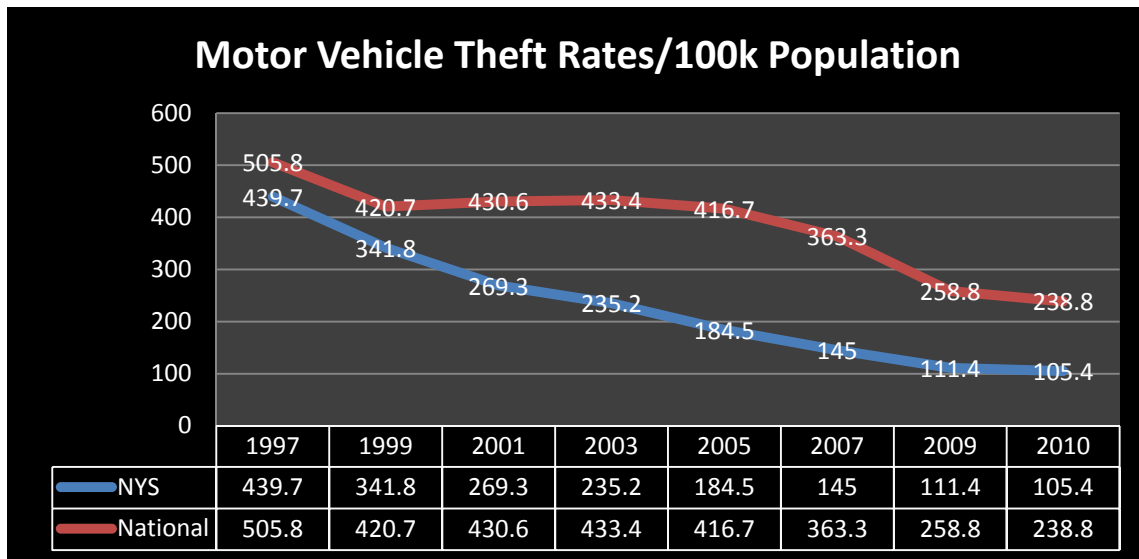
FBI statistics from 2010 showed that California had the greatest number of thefts – 152,524 or 21 percent of the national total – followed by Texas (68,023), Florida (41,462), Georgia (30,305) and Illinois (28,796). The number of motor vehicle thefts for New York State as estimated by the FBI was 20,433 or 2.8 percent of the national total (New York's official total for 2010 was 20,321 thefts), the 10th highest volume in the nation.

Washington, D.C. had the highest rate of 836.9 stolen vehicles per 100,000 in 2010, followed by California (409.4), Washington (382.6), Nevada (377.1), Hawaii (374.9), Arizona (336.5), Georgia (312.8), Maryland (312.6), South Carolina (285.3) and Michigan (276.8). Only six states had lower rates than New York.



<sup>2</sup> Final FBI statistics for 2011 were not available at the time this report was published.

In 2010, the New York State rate of motor vehicle thefts, at 105.4 per 100,000 population, was 55.9 percent below the national average of 238.8 per 100,000, and New York's rate of decline has outpaced the nation's since 1997. In 2011, New York's rate dropped further, to 95.9 per 100,000.

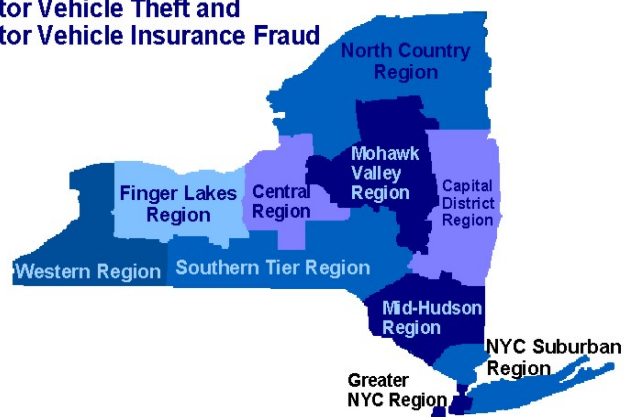


## Statewide Overview of Motor Vehicle Theft

New York State has experienced a sustained reduction in the number of reported stolen vehicles — from 79,740 in 1997 to 18,655 in 2011 (a 76.6 percent decrease). The number of vehicles reported stolen in New York is now at its **lowest level in more than two decades**. The decrease in New York far exceeds the national reduction of approximately 47 percent over the same time period (based on preliminary statistics showing a nationwide decline of 3.3 percent in 2011).

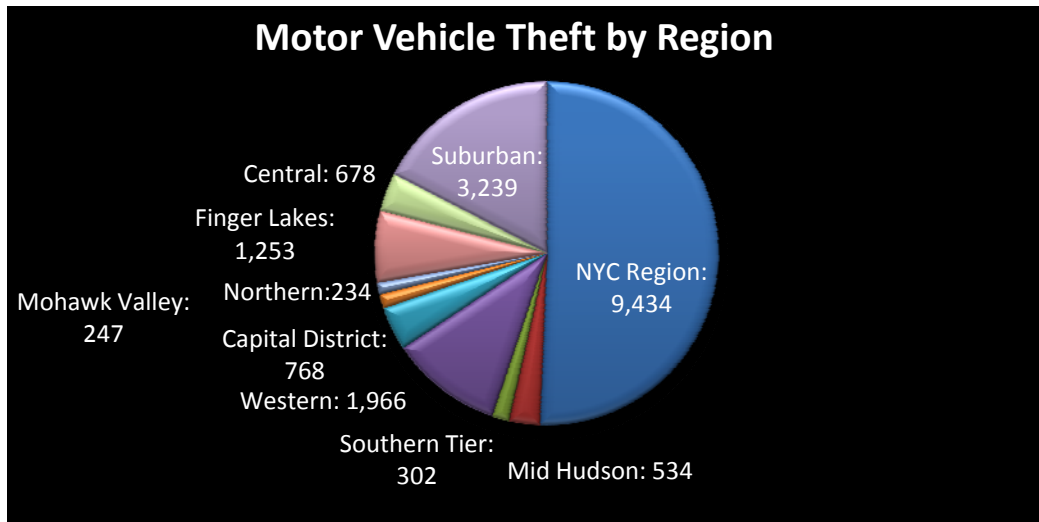
The following overview on the incidence of motor vehicle theft in New York State will be done regionally<sup>3</sup>. In 2011, the greatest number of motor vehicle thefts occurred in the Greater New York City region, with 9,434 reported thefts accounting for 50.6 % of state total. Rounding out the top five regions in the state are NYC Suburban region, with 3,239 (17.4 %), Western region, with 1,966 (10.5%), Finger Lakes

**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, Seneca, Wayne, Wyoming, and Yates; Southern Tier - Broome, Chemung, Chenango, Delaware, Otsego, Schuyler, Steuben, Tioga, and Tompkins; Western - Allegany, Cattaraugus, Chautauqua, Erie, and Niagara.

Region, with 1,253 (6.7%), and the Capital District region, with 768 (4.1 percent). A detailed breakdown of the data by county is provided in the appendices of this report.



The Division of Criminal Justice Services has identified the 13 localities in New York with the highest volume of Part 1 crimes, which include motor vehicle theft<sup>4</sup>. In 2011, these jurisdictions, which accounted for 78.2 percent of the motor vehicle thefts reported statewide, experienced an overall 9.9 percent drop in the incidence of this offense. Five departments reported declines exceeding 15 percent, and only three of the 13 reported a rise in auto thefts.

When the rate of motor vehicle theft per 100,000 population is calculated by county, Erie County has the highest rate of 166.5 per 100,000, followed by Bronx County at 151.7, Schenectady County at 142.8, Queens County at 140.5, Monroe County at 140.2, and Niagara County at 133.4 (see Appendix, pages A-8 and A-9).

Motor Vehicle Thefts Reported: 2010 - 2011			
Police Agency	2010	2011	Change
Albany City PD	226	170	-24.8%
Binghamton City PD	18	60	233.3%
Buffalo City PD	1,420	1,121	-21.1%
Nassau County PD	837	813	-2.9%
New York City PD	10,319	9,434	-8.6%
Niagara Falls City PD	134	157	+17.2%
Rochester City PD	752	701	-6.8%
Schenectady City PD	184	173	-4.9%
Suffolk County PD	1,446	1,169	-19.2%
Syracuse City PD	367	309	-15.8%
Troy City PD	145	101	-30.3%
Utica City PD	82	74	-9.8%
Yonkers City PD	244	298	+22.1%

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

### **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.

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 2011, there were 17,121 incidents of suspected motor vehicle insurance fraud reported to the Insurance Frauds Bureau of the state's Department of Financial Services, including motor vehicle theft, motor vehicle fire, larceny from a motor vehicle, motor vehicle vandalism, motor vehicle collision damage, motor vehicle fraud billing, motor vehicle insurance cards, motor vehicle miscellaneous and no-fault.

These crimes add an estimated 10 percent to the cost of insurance premiums paid by policy holders 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 cost 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.” 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 2011, the New York City region experienced 74.2 percent of the suspected incidents of motor vehicle insurance fraud reported to the State Insurance Frauds Bureau, and 15.2 percent of the 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.

New York City still has the highest rates of motor vehicle insurance fraud (153.0 per 100,000 in 2011), with all five counties surpassing the next highest ranking county in the state. Of the five New York City counties, Kings County had both the highest volume and highest rate of motor vehicle insurance fraud in 2011, accounting for 31.4 percent of the reported incidents.

While the overall incidence of reported motor vehicle insurance fraud dropped 5.5 percent statewide in 2011, the decrease in New York City (3.6 percent) was significantly less than the 13.5 percent decline in the rest of the state.

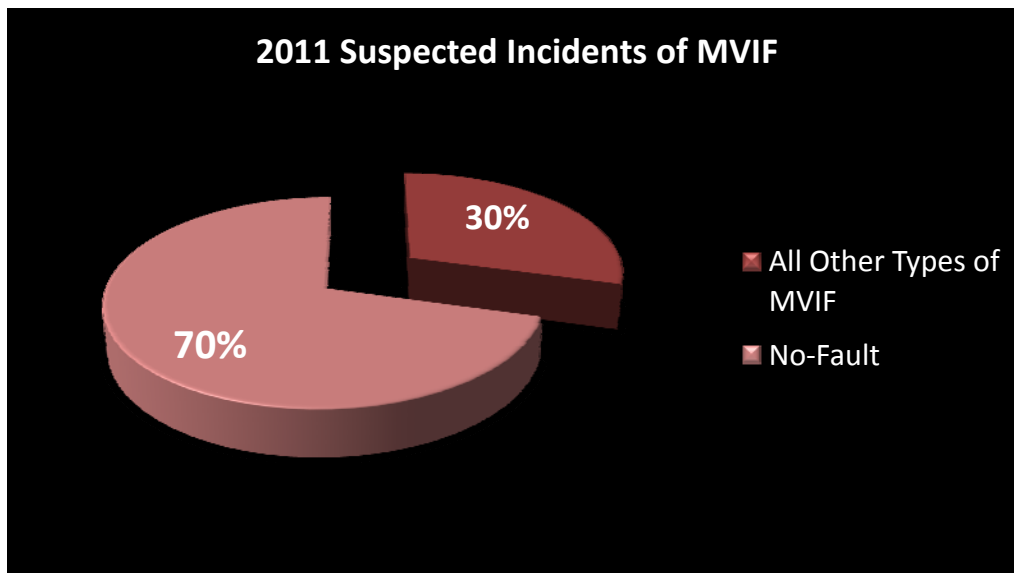
<b>Motor Vehicle Insurance Fraud - 2010 – 2011</b>				
<b>Top Twelve Counties</b>				
<b>County</b>	<b>2010</b>	<b>2011</b>	<b>Change</b>	<b>2011 Rate per 100,000</b>
Kings	5,371	4,981	-7.3%	198.0
Queens	3,099	3,038	-2.0%	135.6
Bronx	2,379	2,151	-9.6%	154.6
New York	1,789	1,964	+9.8%	123.3
Nassau	1,436	1,224	-14.8%	91.0
Suffolk	1,196	917	-23.3%	61.1
Richmond	405	433	+6.9%	92.0
Erie	421	383	-9.0%	41.5
Westchester	346	351	+1.4%	36.8
Monroe	230	192	-16.5%	25.7
Orange	117	188	+60.7%	50.2
Onondaga	98	152	+55.1%	32.4

No-fault insurance fraud accounted for 69.9 percent of all reported suspected incidents of motor vehicle insurance fraud in New York in 2011. 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 2010 stood at \$8,664, **the third highest in the country** behind Michigan and New Jersey.
  - From 2004 to 2010, **claims costs rose an astounding 48 percent.**
  - **No-fault fraud and abuse cost consumers and insurers about \$204 million in 2010**, a cost that was imposed on all drivers in the form of higher premiums.

Further information from the Insurance Research Council (IRC) 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 a November 2011 report on closed auto injury claims in New York, the IRC indicated that average loss among claimants in the New York City metropolitan area (\$15,806) was more than double the payout for claimants in the rest of the state (\$6,870). Kings and Queens were identified as hotspots for abuse, accounting for 52 percent of apparent abuse claims but only 28 percent of all claims studied.



## **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 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 DCJS commissioner 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 New York State Police, police departments throughout the state, State Department of Financial Services, State Department of Motor Vehicles, State Office of Court Administration, or any State agency or from any insurer;
6. Assist municipalities 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 Feb. 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:

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

**May 17, 2011:**

### **Board Members Present:**

Sean Byrne  
Thomas Higgins (for Barbara Fiala)  
Steve Vandervelden (for Janet DiFiore)

Kevin Gallagher (for Thomas Lohmann)  
Robert Johnson  
Eileen Sullivan (for Richard Brown)

### **DCJS Staff Present:**

Paul Chesley  
Mary Ann Deet  
Eileen Langer-Smith  
Paula Raiti

Tom Cowin  
Valerie Friedlander  
Michael Passaro  
Anne Marie Strano

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. The Nov. 16, 2010, Board meeting minutes were adopted.

Staff provided an update on the following topics:

- Current statistics for motor vehicle theft and insurance fraud
- SFY 2010 MVTIFP Awards
- SFY2011-2012 Budget
- MVTIFP Statewide Advisory Group Meeting Update

Representatives from the Suffolk County District Attorney's Office (SCDA) and the Suffolk County Police Department (SCPD) presented a summary of grant activities that reflected their agency programs to reduce the incidence of motor vehicle theft and motor vehicle insurance fraud.

The Board Meeting was adjourned at 1:25 p.m.

**September 26, 2011:**

**Board Members Present:**

Sean Byrne  
Thomas Lohmann  
Steve Vandervelden (for Janet DiFiore)

Tim Hotaling (for Barbara Fiala)  
Eileen Sullivan (for Richard Brown)  
Bill Zelenka (for Robert Johnson)

**DCJS Staff**

Tom Cowin  
Ron Dickens  
Rich Hunter  
Michele Mulloy  
Paula Raiti

Mary Ann Deet  
Valerie Friedlander  
Ben Lazarus  
Michael Passaro

Acting Commissioner Sean Byrne called the meeting to order at 12:40 p.m. He welcomed everyone in attendance. The May 11, 2012, Board meeting minutes were adopted.

Staff provided an update on the following topics:

- MVTIFP Request for Proposal (RFP)
- Current statistics for motor vehicle theft and insurance fraud
- SFY 2010 MVTIFP Awards
- SFY2011-2012 Budget

The MVTIFP RFP for 2011-2012 awards was discussed and Ben Lazarus, an Office of Program Development and Funding Administration Unit representative, provided a review of the DCJS Grants Management System (GMS) for Board members and representatives to utilize during the grant review process.

The Board Meeting was adjourned at 2 p.m.

**November 15, 2011:**

**Board Members Present:**

Sean Byrne  
Thomas Higgins (for Barbara Fiala)  
Thomas Lohmann  
Jim Potts (for Daniel Robinson)

Richard Brown  
Robert Johnson  
Michele Mulloy (for Kristina Baldwin)  
Steve Vandervelden (for Janet DiFiore)

**DCJS Staff**

Tom Cowin  
Mary Ann Deet  
Valerie Friedlander  
Michael Passaro  
Kathleen Stack

Paul Chesley  
Ron Dickens  
Rich Hunter  
Paula Raiti  
Anne Marie Strano

Acting Commissioner Sean Byrne called the meeting to order at 10:40 a.m. He welcomed everyone in attendance. The Sept. 26, 2011, board Meeting minutes were adopted.

Staff provided an update on the following topics:

- SFY 2011 MVTIFP Funding Proposals

Individuals representing absentee Board members presented their proxy letters to Acting Commissioner Sean Byrne.

Michele Mulloy 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 2011 funding proposals.

## SFY 2011 Funding Proposals

### ***New York City Agencies***

Applicant	Amount Requested	Amount Recommended	Vote by members to accept amount recommended
Bronx County District Attorney	<b>\$270,417</b>	<b>\$250,500</b>	Robert Johnson recused himself from the vote. All members were in favor of the recommendation.
Kings County District Attorney	<b>\$249,033</b>	<b>\$202,000</b>	All members were in favor of the recommendation.
New York County District Attorney	<b>\$300,000</b>	<b>\$250,000</b>	All members were in favor of the recommendation.
Queens County District Attorney	<b>\$523,895</b>	<b>\$486,000</b>	Richard Brown recused himself from the vote. All members were in favor of the recommendation.
Richmond County District Attorney	<b>\$85,000</b>	<b>\$83,534</b>	All members were in favor of the recommendation.
New York City PD – Auto Crime Unit	<b>\$165,000</b>	<b>\$146,000</b>	All members were in favor of the recommendation.
New York City PD – Fraudulent Accident Investigation Squad	<b>\$116,600</b>	<b>\$79,500</b>	All members were in favor of the recommendation.
New York City PD – Auto Larceny Units	<b>\$109,996</b>	<b>\$95,990</b>	All members were in favor of the recommendation.
Fire Dept. of NYC	<b>\$276,824</b>	<b>\$95,000</b>	All members were in favor of the recommendation.

Sean Byrne requested a motion to accept the recommendations for the awards as presented. Thomas Lohmann motioned to accept the recommendations for awards as presented. Steve Vandervelden 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	<b>\$27,500</b>	<b>\$27,500</b>	All members were in favor of the recommendation.
Nassau County District Attorney	<b>\$168,324</b>	<b>\$151,600</b>	All members were in favor of the recommendation.
Nassau County Police Department	<b>\$137,500</b>	<b>\$130,000</b>	All members were in favor of the recommendation.
Suffolk County District Attorney	<b>\$329,750</b>	<b>\$306,000</b>	All members were in favor of the recommendation.
Suffolk County Police Department	<b>\$129,168</b>	<b>\$120,000</b>	All members were in favor of the recommendation.
Westchester County District Attorney	<b>\$302,500</b>	<b>\$275,000</b>	Steve Vandervelden recused himself from the vote. All members were in favor of the recommendation.

Yonkers City Police Department	\$152,535	\$132,000	All members were in favor of the recommendation.
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Acting Commissioner Byrne requested a motion to accept the recommendations for the awards as presented. Robert Johnson motioned to accept the recommendations for awards as presented. Thomas 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	\$43,450	\$40,000	All members were in favor of the recommendation.
Albany County District Attorney	\$102,300	\$87,300	All members were in favor of the recommendation.
Schenectady County District Attorney	\$49,500	\$0	All members were in favor of the recommendation.

Sean Byrne requested a motion to accept the recommendations for the awards as presented. Richard Brown motioned to accept the recommendations for awards as presented. Robert Johnson seconded the motion and all voted in favor.

### **Central New York**

Applicant	Amount Requested	Amount Recommended	Vote by members to accept amount recommended
Syracuse City Police Department	\$37,400	\$33,000	All members were in favor of the recommendation.

Sean Byrne requested a motion to accept the recommendations for the awards as presented. Thomas Lohmann 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	\$114,856	\$112,500	All members were in favor of the recommendation.
Cheektowaga Town Police Department	\$52,099	\$48,000	All members were in favor of the recommendation.
Erie County District Attorney	\$120,000	\$117,700	All members were in favor of the recommendation.
Monroe County District Attorney	\$157,300	\$143,000	All members were in favor of the recommendation.
Monroe County Sheriff's Office	\$37,735	\$34,000	All members were in favor of the recommendation.
Rochester City Police Department	\$42,176	\$42,176	All members were in favor of the recommendation.

Niagara County District Attorney	\$157,851	\$154,500	All members were in favor of the recommendation.
Niagara County Sheriff 's Office	\$22,000	\$21,450	All members were in favor of the recommendation.
Niagara Falls City Police Department	\$38,475	\$36,000	All members were in favor of the recommendation.

Acting Commissioner Byrne requested a motion to accept the recommendations for the awards as presented. Thomas Higgins motioned to accept the recommendations for awards as presented. Robert Johnson 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	\$61,000	\$52,250	Thomas Lohmann recused himself from the vote. All members were in favor of the recommendation.
New York Prosecutors' Training Institute	\$47,500	\$47,500	Sean Byrne, Richard Brown, and Steve Vandervelden recused themselves from the vote. All members were in favor of the recommendation.

Sean Byrne requested a motion to accept the recommendations for the awards as presented. Steve Vandervelden motioned to accept the recommendations for awards as presented. Thomas Lohmann seconded the motion and all voted in favor.

Auto insurance rate evasion and insurance fraud measurement were discussed and the 2011 MVTIFP standardized work plans (performance measures) for Prosecution and Law Enforcement were provided to Board members and representatives for review and comment.

The Board Meeting was adjourned at 12:15 p.m.

**The complete minutes of the Board's meetings are available upon written request to:**

**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. 2011 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 NYPD precincts, has investigated both auto crime and insurance fraud matters since receiving initial grant funding in 1995. The Anti-Auto Theft program, which has been supported with resources provided by state grants, was designed to increase the number of successful prosecutions of defendants charged with grand larceny of a motor vehicle, criminal possession of stolen property, illegal possession of a vehicle identification number, auto stripping and/or unauthorized use of a vehicle.

The Bronx District Attorney's Office owns five bait cars, two of which were purchased with funds provided from a one-time legislative grant awarded in 2010. Working jointly with precincts that experience an increase in car theft, the bait cars are positioned in high-crime areas, with plainclothes police officers stationed nearby. The office continues to work to conduct joint investigations with police precincts around Bronx County.

In late 2011, representatives from the Bronx District Attorney's Office met with investigators from the new State Department of Financial Services (previously the State Insurance Department). The agency referred four investigations to the Bronx District Attorney's Office. The first of these, concerning runners at a local Bronx hospital, should begin in January 2012.

During 2011, the Office worked with Bronx precincts to conduct bait car operations and to use two License Plate Readers (LPRs) in its possession. Use of the LPRs led to 11 arrests. Also, in 2011, joint operations between the NYPD and the office's auto crime unit led to the recovery of 266 vehicles valued at approximately \$3,536,330.

On June 27, 2010, a bait car operation conducted with the Bronx Task Force (BxTF) in the 45<sup>th</sup> precinct in a parking lot at Orchard Beach led to an arrest. The defendant had parked his car next to the bait car while going to the beach with his

family. After walking toward the beach, the defendant came back to the parking lot and broke into the bait car, stealing items that were inside the car. As the team approached the defendant near the beach and identified themselves, the defendant swung a two-gallon cooler of juice at the BxTF officer, hitting him in the head. The defendant was arrested, and the officer refused medical treatment at the scene. The defendant was later arraigned, and his case was presented to a Grand Jury which returned an indictment. Because the defendant did not have a prior auto stripping conviction within the last five years, that charge could not be elevated to a felony. On May 6, 2011, the defendant pleaded guilty to attempted assault in the second degree, a felony, and auto stripping in the third degree, a misdemeanor. He was sentenced to one year in jail, waiving early release.

Following a year-long investigation with the National Insurance Crime Bureau, Bronx District Attorney's detective investigators arrested 21 people who were involved in an insurance fraud and money laundering ring. The apparent ring leader was charged with grand larceny in the second degree for pocketing more than \$100,000 in a scheme that cost insurers Allstate, GEICO, GMAC, Liberty Mutual, and Progressive more than \$300,000 in fraudulent payouts. The scheme was carried out by stealing the identities of legitimately insured policy holders, reporting non-existent accidents involving the perpetrators' cars, and claiming the cost of repairs to already damaged cars. The defendants reported more than 100 claims, involving 19 damaged vehicles. Four defendants have been convicted, five others (including the alleged ringleader) have been indicted, and the remaining defendants have future court dates. The investigation is ongoing.

Also in the area of insurance fraud, the office is prosecuting nine individuals who fraudulently received no-fault covered medical benefits worth more than \$75,000. The individuals were occupants of three different automobiles reportedly involved in a multiple rear-end accident. Fortuitously positioned surveillance cameras recorded the incident, including multiple efforts to stage the accident as the perpetrators signaled each other, exited, re-entered and repositioned the cars. The surveillance footage shows the defendants repeatedly bumping the cars into each other, driving around the block, returning to the intersection, and bumping the cars into each other again. They then called the police. Five of the perpetrators pleaded guilty to A-level misdemeanor crimes affecting insurers Allstate and GEICO. Three of these offenders were sentenced to three years probation, one paid restitution of \$1,000, and one was sentenced to community service. The remaining defendants have future court dates.

The office is also prosecuting a single defendant for grand larceny and insurance fraud after the NYPD Fraudulent Accident Investigation Squad learned he had received more than \$60,000 in medical treatment for injuries he falsely claimed to have sustained in an auto accident. Video surveillance located on the Bronx approach to the Triborough Bridge showed that the defendant was driving behind a tractor trailer that was exiting the southbound Major Deegan Expressway when the tractor trailer tipped over and slid into a passenger car. The video further showed the defendant drove around the overturned truck, without making contact, and then got out of his vehicle. The defendant claimed his vehicle had been hit by the truck, but subsequently admitted it had not. A



civil law suit initiated on the defendant's behalf against the other drivers has been withdrawn. His criminal case is pending.

Finally, in the area of auto crime, in November 2011, the office indicted an individual who had been arrested by members of the NYPD's 49th precinct for damaging vehicles belonging to four members of the New York City Fire Department (FDNY). The defendant was observed via video surveillance damaging the vehicles, which were parked outside their Bronx firehouse while the firefighters were on duty. A subsequent investigation revealed that the defendant had committed the same crime, in the same location in April 2011, damaging vehicles belonging to an additional five firefighters. The defendant was then rearrested by the fire marshals while incarcerated on the November case. All nine members of the FDNY testified in the grand jury. The defendant remains incarcerated.

<b>Bronx County District Attorney 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations initiated	16	Indictments	61
Misdemeanor arrests prosecuted	125	Misdemeanor convictions	235
Felony arrests prosecuted	559	Felony convictions	70
Confidential Informants developed	8	Warrants issued	11

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>		<b>Total</b>
Investigations initiated	8	Indictments	7
Misdemeanor arrests prosecuted	2	Misdemeanor convictions	11
Felony arrests prosecuted	35	Felony convictions	6
Confidential Informants developed	5	Warrants issued	1

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

The Kings County District Attorney's Office (KCDA) has a prominent history of conducting groundbreaking and multifaceted investigations, especially in the area of "white collar" crime. The Rackets Division is responsible for this endeavor and 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, such as enhanced damage claims and fraudulent vandalism claims.

The division also investigates fraudulent medical clinics and durable medical equipment providers, as well as arsons for profit, identity theft, dealers of fraudulent insurance cards and money laundering. The success of these investigations and prosecutions are a collaborative effort of work by KCDA and other agencies such as New York State Department of Motor Vehicles, NYPD Auto Crimes Unit, NYPD Fraudulent Accident Investigation Squad and U. S. Postal Inspectors. The office has a team of Assistant District Attorneys (ADAs) who are dedicated to the investigation and prosecution of automobile theft and insurance fraud. This team of ADAs also has a staff of paralegals assigned to allot as much time as necessary to complete grant-related work. Additionally, detective investigators employed by KCDA's Special Investigations Unit and Financial Investigators provide support as requested. Senior members of the Rackets Division are always available to these attorneys in order to provide training and supervision. The office also 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. Further, there are personnel specifically assigned from these zones to do grant work, namely the prosecution of auto crimes and insurance fraud. Finally, there are several ADAs who are not subsidized by grant funds, yet they spend a significant portion of their time to handling MVTIFP related cases.

### **Description of MVT&IF Related Activity During 2011**

Below is a sampling of the cases that highlight the successes of the KCDA with respect to the investigation and prosecution of automobile theft and insurance fraud, utilizing MVTIF grant funds:

- The defendants in one case engaged in a series of schemes to defraud insurance companies by replacing the interior of vehicles with stolen parts that were either damaged already, or which the defendants damaged. The defendants then filed false claims with insurance companies misrepresenting that the vehicles were vandalized. Ultimately, the defendants reinstalled the original, undamaged parts to the vehicle. The defendants are alleged to have defrauded insurance companies in excess of \$175,000 in this manner.
- In another scheme, yet to be tried, a staged accident resulted in a fraudulent insurance claim amounting to approximately \$100,000. The investigation included electronic surveillance (wiretaps); cultivating cooperating defendants/witnesses and search warrants.
- The defendants defrauded insurance companies by adding damage to vehicles taken to a collision shop for repair and billing the insurance company for enhanced damages, and by billing for towing and rental replacement vehicles in situations where the vehicles were not towed and where the owners did not rent replacement vehicles. This investigation utilized the introduction of a bait car.

Ultimately, search warrants at the collision shop and the home of its owner were conducted and, among other things, approximately \$700,000 in cash was recovered.

- The members of a ring who were defrauding insurance companies by seeking unnecessary medical treatment for purported injuries sustained in staged accidents were prosecuted. The investigation included proffering witnesses, and presenting evidence to a grand jury which returned an indictment.
- In an investigation involving an NYPD sergeant, fraudulent insurance claims were filed with the NYPD. The defendant reported to both the police department and the insurance company that his vehicle had been stolen; however, the investigation disclosed that the vehicle had actually been set on fire hours before the time when the defendant reported that he had last seen it.

The arrest in this case was the culmination of an investigation that involved the collection and review of records, interviewing witnesses, and obtaining a court order to monitor the defendant's movement at pertinent times by tracking the location of his cellular telephone. Ultimately, the office presented evidence to a grand jury which returned an indictment. The case is pending.

- A search warrant for a merchant dealing in second-hand parts was obtained and executed in connection with an investigation involving the sale of second-hand auto rims. On several occasions, an undercover officer sold second-hand rims to the target, who failed to record information concerning the transaction, as required by law. The warrant produced further evidence that the location had been neglecting to keep the records required.

<b>Kings County District Attorney 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	0	Indictments	249
Misdemeanor Arrests Prosecuted	418	Misdemeanor Convictions	394
Felony Arrests Prosecuted	353	Felony Convictions	67
Confidential Informants Developed	0	Warrants Issued	0

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	7	Indictments	48
Misdemeanor Arrests Prosecuted	3	Misdemeanor Convictions	26
Felony Arrests Prosecuted	58	Felony Convictions	8
Confidential Informants Developed	0	Warrants Issued	3

## New York County Office of the District Attorney

During 2011, the New York County District Attorney's Office Special Prosecutions Bureau, Rackets Bureau, and Major Economic Crimes Bureau continued to actively pursue a number of open cases and investigations into motor vehicle insurance fraud, false documents, and related crimes. ADAs in the Trial Division again handled numerous fraudulent document cases during this quarter and continued their efforts to combat motor vehicle theft.

The office handled many new arrests in the area of fraudulent documents and related crimes. Defendants were charged with possessing a wide variety of fraudulent documents including driver's licenses, insurance certificates, vehicle registrations, inspection stickers, VIN plates, license plates and parking plaques. Some were arrested during traffic stops or while driving stolen cars and many while committing credit card fraud, identity theft, and other offenses.

While the number of vehicles reported stolen continued its yearly decline, consistent with the remarkable pattern that began more than 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. Although there were slightly fewer felony arrests for vehicle theft in 2011 compared to 2010, there was a notable increase in the number of cases indicted: 164 indictments filed for vehicle theft in 2011 compared to 100 in 2010. This past year's efforts netted several improvements over 2010. For instance, there were 83 fewer vehicles reported stolen this year than in 2010. In 2011, there were eight more misdemeanor convictions, 72 more misdemeanor arrests prosecuted and 16 fewer felony arrests prosecuted. There were also seven more sentences achieved this year. There also have been advances in the investigations of motor vehicle insurance fraud cases. In 2011, there was one more investigations conducted, six more arrest warrants, and one more new informant developed than in 2010. The number of felony arrests made remained somewhat constant, with 208 compared to 212 in 2010, but the number of felony arrests prosecuted increased significantly, with 28 more prosecutions taking place in 2011 than in 2010. The number of misdemeanor arrests also increased by four in 2011.

Defendants arrested for auto theft or possession of stolen vehicles were frequently also in possession of fraudulent driver's 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. Several routine NYPD car stops led to the discovery of "rolling" identity theft operations – vehicles loaded with multiple forged licenses, credit cards, ATM cards, forged checks, and sheets of blank checks. For example, one defendant stopped for a traffic infraction was found to be in possession of a forged license and more than 30 forged credit cards. Another defendant stopped for driving without his headlights on was in possession of a forged license, two stolen license plates, blank prescription pads and variety of drugs. In yet another case, patrol officers stopped the defendant's car after observing him driving while talking on a cell phone. A search of the vehicle revealed eight forged

driver's licenses, multiple forged checks and forged credit cards, numerous passport photos, and other evidence of an identity theft scheme. Many defendants prosecuted for using fraudulent licenses and other documents to commit other crimes were sentenced to state prison in 2011.

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. In 2011, the District Attorney's Office finally concluded the long-term investigation and prosecution of a corrupt clinic that bilked insurance companies of more than \$6.8 million. Following a two-year investigation conducted by the Major Economic Crime Bureau with the NYPD's Fraudulent Accident Investigation Squad, National Insurance Crime Bureau (NICB), and insurance carriers, the first indictment was filed in 2008 charging 13 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 late 2010 after a jury trial that lasted 2½ months. Three corporations were also convicted. 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 middle of 2011, any remaining defendants had pleaded guilty and all of those convicted had been sentenced.

One of the physicians convicted at trial was sentenced to 2½ to 7½ years in prison and the other was sentenced to one to three years. The clinic owner was sentenced to 3½ to 10½ years. Several other defendants received lesser jail terms, more than \$1.6 million in fines was paid, and additional fines and forfeiture totaling more than \$7 million were ordered. The central theory of the prosecution 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 assistant district attorney who led this successful prosecution subsequently lectured at New York Prosecutors' Training Institute (NYPTI) events and other forums about the legal and factual challenges of the case.

Several insurance fraud arrests and indictments involving owner give-ups, false reports of theft, and vehicle arsons took place in 2011. The number of defendants charged with participating in staged and fraudulent accidents in Manhattan continued to decline somewhat from past years.

A defendant pleaded guilty to insurance fraud, admitting that she falsely inflated a damage claim on her vehicle. She falsely claimed that thousands of dollars of repair work had been done on the car before it was suspiciously set aflame. In fact no such repairs had taken place and the car was worth far less than she claimed.

Another defendant pleaded guilty to insurance fraud, admitting that she crashed her car and caused property damage while drunk, then fled the scene. She returned to the bar where she had been drinking and falsely reported that her car had been stolen.

A defendant was arrested and charged in a remarkably similar case after he fled the scene of an accident, then falsely reported his car stolen and filed a fraudulent insurance claim on the “stolen” vehicle.

Members of the unit continued to meet or confer with detectives in the NYPD's Fraudulent Accident Investigation Squad regularly during this past year, and also continued to work closely with members of the State Insurance Frauds Bureau (IFB), investigators from numerous insurance carriers, National Insurance Crime Bureau (NICB), the New York State Police, and others. Members of the bureau met with the director and deputy director of the State's NYS Insurance Frauds Bureau (IFB) to review pending cases and investigations. Bureau staff attended a Health Care Fraud Summit hosted by the U.S. Department of Justice. The summit was attended by representatives from both federal and local law enforcement as well as NICB, the NYS IFB, and insurance investigators. The bureau also participated in the annual meeting of downstate grantee agencies hosted by the Suffolk County District Attorney's Office and the Suffolk PD.

<b>New York County District Attorney 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
Investigations Initiated	0	Indictments	164
Misdemeanor Arrests Prosecuted	433	Misdemeanor Convictions	194
Felony Arrests Prosecuted	204	Felony Convictions	96
Confidential Informants Developed	0	Warrants Issued	0

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
Investigations Initiated	20	Indictments	80
Misdemeanor Arrests Prosecuted	188	Misdemeanor Convictions	68
Felony Arrests Prosecuted	202	Felony Convictions	82
Confidential Informants Developed	4	Warrants Issued	11

**Queens County Office of the District Attorney**

The Queens District Attorney's Office (QDA) Specialized Auto Crime and Insurance Fraud Unit is responsible for handling auto crime and insurance fraud-related investigations and prosecutions in Queens County. 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 2011, 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 were also 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 investigations and prosecutions of organized auto crime and insurance fraud matters continues to be on building enterprise corruption cases, where possible, to ensure, to the extent possible, that the organized foundations of the crime activity are uprooted and to obtain maximum sentencing when possible. In addition, assigned prosecutors aggressively address individual prosecutions in the county 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.

### **Notable Cases**

In 2011, QDA's Specialized Auto Crime/Insurance Fraud Unit handled 179 new cases (149 motor vehicle theft-related and 30 insurance fraud-related), with 113 dispositions (82 theft-related and 31 fraud-related), including 52 felony pleas (36 theft-related and 16 fraud-related), 24 state prison sentences, 23 jail sentences and two probationary sentences.

Over the past several years, there have also been a large number of insurance fraud prosecutions and successful dispositions in this area by the specialized unit. In 2011, three cases were disposed of by the unit in which the defendant specifically pleaded guilty to the crime of insurance fraud, with one case disposed of with a felony plea. 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.

The following outlines successful investigative and prosecutorial efforts in both the auto crime and insurance fraud areas in 2011:

- **Auto Loan Fraud:** As a result of an investigation that concluded in December 2011, eighteen individuals and three corporations were indicted for their alleged roles in two massive automobile loan fraud schemes that resulted in nearly \$2 million in losses to 18 financial institutions on 47 loans. Twelve of the defendants were charged with conspiring with one another to purchase on credit various high-end vehicles between July 1, 2008, and March 30, 2010. In carrying out their scheme, the defendants are alleged to have used "straw borrowers" with good credit scores to take out \$1.9 million in loans in exchange for kickbacks and

other incentives. Once the vehicles were turned over to various members of the criminal enterprise, the vehicles were then allegedly either sold or rented out on the black market to individuals engaged in criminal activity or the vehicles' titles were "washed" out of state and sold to dealers or at auction. Charges remain pending at this time.

- **Insurance Fraud:** As a result of the investigation that concluded in September 2011, 12 individuals were indicted by a Queens County grand jury on insurance fraud and other charges for allegedly staging motor vehicle accidents to generate fraudulent billing for unnecessary medical treatments and for coaching legitimate accident victims to exaggerate injuries. The insurance companies were allegedly bilked out of more than \$45,000. Charges remain pending at this time.
- **Operation Direct Hit:** In September 2011, Queens District Attorney Richard A. Brown presented restitution checks totaling \$505,000 to 16 insurance companies that were defrauded of the funds in a widespread no-fault automobile insurance fraud scheme. The scheme's operators and participants allegedly staged accidents, submitted false medical and bodily injury claims and arranged for unneeded treatment and costly and unwarranted medical tests. This investigation concluded in October 2008, with subsequent prosecutions continuing to date.
- **Sales Tax Evasion:** As a result of the investigation that concluded in June 2011, a former Forest Hills resident was arraigned on charges of carrying out a sales tax evasion scheme in which he allegedly stole approximately \$2.3 million from the state by under reporting the actual amount of sales taxes owed on the sale of thousands of used vehicles sold at his Long Island car dealership. The defendant was brought back to the United States from Toronto, Canada, after a four-year legal battle to have him extradited for prosecution in Queens County. The defendant has since received a jail sentence on this case.
- **Auto Theft - Scrap Metal:** As a result of the investigation that concluded in March 2011, five individuals – including four tow truck operators – were charged with allegedly stealing 21 vehicles off the streets of Queens County and elsewhere and taking them to a Jamaica, Queens scrap yard where they were sold as scrap metal and crushed. The vehicles ranged from a 1983 Oldsmobile Delta 88 to a 2008 Ford Econoline, and the defendants were allegedly paid \$200 to \$400 per vehicle. Four tow trucks were seized as part of the four-month investigation. One jail sentence and four conditional discharge sentences were imposed in connection with the case.
- **Operation Tag Team:** As a result of the investigation that concluded in February 2011, an auto theft ring allegedly responsible for stealing 17 automobiles over the last year and reselling them to friends, family members, on the Internet and out of state was shut down. The defendants were accused of stealing approximately 17 automobiles – including expensive models such as an Audi Q7, a BMW and a Subaru – from Queens County and elsewhere and selling them on Craigslist, as well as to friends and family – and sometimes keeping the



cars for their own use. The crew is accused of stealing and then “tagging” the cars – essentially changing the vehicle identification number and registering them with “washed” titles. The alleged leader of the auto theft ring received a sentence of 3 to 9 years in jail, with five other jail sentences and two conditional discharge sentences imposed on the case.

<b>Queens County District Attorney 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
*Investigations Initiated	7	Indictments	63
Misdemeanor Arrests Prosecuted	523	Misdemeanor Convictions	730
Felony Arrests Prosecuted	564	Felony Convictions	118
*Confidential Informants Developed	12	*Warrants Issued	9

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
*Investigations Initiated	7	Indictments	15
Misdemeanor Arrests Prosecuted	0	Misdemeanor Convictions	17
Felony Arrests Prosecuted	32	Felony Convictions	14
*Confidential Informants Developed	0	*Warrants Issued	5

- These statistics only reflect the activity of the Specialized Auto Crime/Insurance Fraud Unit; the remaining statistics reflect office-wide activity on motor vehicle theft and insurance fraud cases that have been reviewed and handled by designated senior staff, including the 179 Specialized Auto Crime/Insurance Fraud Unit cases previously discussed.

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

The Office of the Richmond County District Attorney has a proven record of successfully operating its specialized Motor Vehicle Theft and Insurance Fraud Prevention Program (MVTIFP). In previous years, Investigations Bureau ADAs prosecuted all MVTIFP felonies. Recent changes in the MVTIFP program include assigning felony cases to both the Investigations and Supreme Court Bureaus for prosecution. The Investigations Bureau handles those cases that involve criminal activities of organized groups for auto theft and insurance fraud-related crimes and the Supreme Court Bureau prosecutes all other program felony cases, including insurance fraud related crimes. The roles of program staff in the Criminal Court Bureau as well as the DA Detective Investigators Squad remains the same.

The strategic principles that guide this MVTIFP initiative are:

1. Integrate specific outreach and information measures,
2. Utilize the available operational analysis,
3. Merge the knowledge and expertise of law enforcement, and
4. Involve prosecutors early in investigations to interview witnesses/victims and

examine all the evidence for effective prosecution.

The Office of the Richmond County District Attorney is a unifying law enforcement agency bringing NYPD, state, federal law enforcement and private insurance investigators together. The office also maintains close working relationships with the three Staten Island police precincts, other city, state, federal agencies and out-of-state agencies such as the New Jersey Department of Motor Vehicles. Two program prosecutors attended the statewide MVTIFP meeting held in April 2011. At the meeting, the two prosecutors presented the program tactics utilized in 2011. They also highlighted some of the strategic principles that will guide the MVTIFP initiative in 2012.

### **Current Activities:**

There continues to be an increase of fraudulent vehicle registrations where residents of Richmond County are registering their vehicles in other states in an attempt save money on lower insurance rates. Non-compliance with New York State vehicle registration laws prevents the state from collecting revenue which results in significant insurance industry losses each year and corresponding premium increases for legitimate policyholders. Details about ownership are often not available on web-based law enforcement computers; this increases the opportunity for fraudulent paperwork, including counterfeit insurance papers, to go undetected. When accidents occur involving these vehicles, usually claims are settled under New York State No-Fault Insurance Laws. The burden is placed on the law-abiding vehicle owners to settle the accident claims in civil court, a time consuming and expensive undertaking. Insurance and document fraud is an elusive crime that requires multiagency cooperation and continued access to program funding for agencies involved in prosecuting these crimes. To maximize effective prosecution, cooperation of other law enforcement agencies with evidence gathering is essential.

RCDA is currently involved with an internal collaborative effort related to insurance fraud investigations initiated in 2011. One case in particular combines the efforts of the MVTIFP unit and the Crimes Against Revenue (CARP) prosecutor within the office. These separate units have joined together as they examine evidence for possible insurance fraud crimes and New York State tax fraud associated with this case. There are other similar types of cases under review for possible prosecution. In each case, RCDA continues to work closely with the NYPD and the New York State Department of Financial Services.

Another example of multi-agency cooperation involved a Grand Larceny Auto case. Because the defendant had known organized crime connections, the FBI became involved and worked closely with RCDA and the NYPD. After apprehension, the defendant at his hearing pled guilty to grand larceny in the third degree and was sentenced to one to three years in prison.

<b>Richmond County District Attorney</b>			
<b>2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	3	Indictments	18
Misdemeanor Arrests Prosecuted	101	Misdemeanor Convictions	22
Felony Arrests Prosecuted	41	Felony Convictions	26
Confidential Informants Developed	2	Warrants Issued	5

<b>2011 Grant-Funded Motor Vehicle Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	10	Indictments	0
Misdemeanor Arrests Prosecuted	10	Misdemeanor Convictions	3
Felony Arrests Prosecuted	1	Felony Convictions	0
Confidential Informants Developed	2	Warrants Issued	1

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

The Auto Crime Division was established in 1980 and is part of the Organized Crime Control Bureau of the New York City Police Department. The Auto Crime Division is a citywide investigative unit and its 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 2011, there were 9,161 reported auto thefts in New York City. That is a 10.3 percent decrease compared to 2010. The two-year decrease is 12.5 percent, the ten-year decrease is 68.5 percent, and the 18-year decrease is 91.7 percent.

The Auto Crime Division utilizes several different strategies to combat auto crime within New York City: Sting operations, mobile surveillance, "Get Legit or Quit" operations (GLQ), Multiagency Response Community Hot Spots operations (MARCH), the deployment of License Plate Readers, analysis of complaint reports for the purpose of investigating insurance fraud, development of confidential informants, search warrants, debriefing of suspects arrested for grand larceny of an auto, and training utilizing new techniques such as the processing of DNA from recovered stolen vehicles to identify suspects.

From Jan. 1, 2011, through Dec. 31, 2011, several cases were investigated and brought to completion by the Auto Crime Division. The following are highlights of some of these operations.

- On May 24, 2011, the takedown of a 12-month investigation was commenced by investigators assigned to the Auto Crime Division. Dubbed "Made to Order," the investigation involved suspects identifying vehicles to steal then using contacts in the automotive industry to produce duplicate keys in order to facilitate the theft. This investigation utilized 17 court-authorized wire taps, eight search warrants and five remotely monitored pole cameras. Three confidential informants were

also utilized to further the investigation. One confidential informant purchased two stolen vehicles. One undercover officer was also utilized to purchase a stolen vehicle. Investigators often performed surveillance on subjects and locations utilizing grant funded rental vehicles. The subjects were responsible for the theft of 290 vehicles, most of which were made by Toyota and Lexus. Many of the vehicles were being exported to counties with known terrorist ties. Investigators have recovered 30 vehicles to date, with six of these recovered from the port. Twenty individuals have been arrested and charged in this investigation.

- On Nov. 28, 2011, the takedown of a three-year long Auto Crime Division investigation commenced. This case started with a group believed to be tagging and exporting stolen vehicles. During the investigation, a massive loan scheme was uncovered. Individuals would "loan" their identity and credit score to the subjects, who would use the identities to purchase luxury vehicles, usually for a monitory kickback. The subjects were assisted by corrupt employees of car dealerships, many of whom knew they were facilitating vehicle loans under false pretenses. Title III wire intercepts, were issued on nine subjects. Due to these wire intercepts, several other notable criminal activities were terminated, including a subject who was involved in the transportation and sale of illegal firearms from Georgia, as well as an admission by one of the subjects to a homicide that occurred in Nassau County. During the duration of the investigation, seven search warrants were executed and 30 arrests were effected. Ten firearms and 17½ pounds of marijuana recovered.
- During 2011, the Auto Crime Division conducted several MARCH operations, targeting specific areas that included several different agencies including New York City Department of Buildings, Department of Environmental Conservation, ASPCA, Fire Department of New York, Traffic Control Division, as well as other units of the NYPD, such as the Auto Larceny Units and Borough Task Forces. On March 23, 2011, the Auto Crime Division led a MARCH operation in the area around Willets Point, which led to 12 arrests and 32 summons issued by various agencies. Five buildings were cited for building code violations and one facility was closed under nuisance abatement laws. The operation was once again conducted at Willets Point on Sept. 9, 2011, and led to 10 arrests and 84 vehicles impounded. In addition, 154 summons were issued by various agencies that day and five buildings were given vacate orders by the Department of Buildings.
- Also in 2011, Auto Crime Division detectives initiated an investigation into the recovery of a 2006 Maserati worth \$50,000. The vehicle had been burned and reported stolen the following day. Through in-depth analysis of subpoenaed cell phone records, interviewing of several witnesses, and the reviewing of video surveillance recordings, it was determined that the owner of the vehicle had falsely reported it stolen and burned the vehicle himself. He was arrested and charged with insurance fraud, arson, and falsifying business records.

<b>New York City Police Department Auto Crime Division 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
MVT Investigations initiated	58	Reported motor vehicle thefts	9,161
Investigations filed with SAFETNet	1,878	Stolen parts recovered	0
Hits resulting from SAFETNet	103	Stolen vehicles recovered	206
MVT-related Misdemeanor Arrests	55	Value of parts recovered	0
MVT-related Felony Arrests	492	Value of vehicles recovered	\$8,035,352
Confidential informants developed	34		

<b>2011 Grant-Funded Motor Vehicle Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
MVIF Investigations initiated	76	Warrants Issued	44
Investigations filed with SAFETNet	1,878		
Hits resulting from SAFETNet	103		

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

The mission of the Auto Larceny Units is to function as key support units to the Auto Crime Division as part of the overall NYPD strategy to reduce auto theft and insurance fraud in New York City. 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 working with the Auto Crime Division and the Fraudulent Accident Investigation Squad, they liaison with precinct auto larceny teams, other surrounding counties in New York State, and insurance industry representatives, and keep their respective District Attorneys' Offices abreast of arrest activity.

In 2011, Honda, Toyota and Nissan models continued to be most common vehicles stolen in New York City. These vehicles are often chopped up and used for their parts, or higher-end vehicles are retagged and shipped overseas. Another trend in auto theft continues to be Ford Econoline vans, which are being used as passenger or "dollar" vans with the largest usage in Queens. These vans have many interchangeable parts for several model years. Also, they vans are being stolen and sold for scrap due to the amount of metal used in the vans.

The Auto Larceny Units continue to develop new strategies to combat auto theft. They continue to use mobile License Plate Readers (LPRs), prisoner debriefings, and recidivist visits, and review complaint reports for stolen vehicles. One new technique is to utilize online databases such as National Insurance Crime Bureau (NICB) or Carfax. Officers can easily identify fraudulent VIN plates and stickers and either locate the confidential VIN or utilize a handheld OBD computer reader to read the true VIN. Nine high-end vehicles have been recovered this way totaling approximately \$360,000. Members of the Auto Larceny Units visit and conduct inspections of scrap yards, motor vehicle repair shops, and used glass and parts businesses on a regular basis to discourage the buying and sale of stolen vehicle parts. The unit further conducts

frequent tow truck inspections to discourage the theft of motor vehicles through the use of a tow truck.

In addition to the Ford Econoline van, other vans that are widely stolen are the Dodge Caravan, the Chrysler Town & Country and the Plymouth Voyager, which are essentially the same vehicle. The skill level to steal these vehicles is relatively low and they seem to be stolen often to commit other crimes. On several occasions, the Queens South Auto Larceny Unit has recovered this type of stolen minivan 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 minivans have also been associated with street robberies and residential burglaries.

Another common trend the owners leaving the key in the ignition and their vehicles running. These vehicles are attractive to 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 own keys occur when an individual breaks into the vehicle with the intention of stealing the vehicle's contents and discovers a spare key or "valet" key in the vehicle. Once the key is discovered by the perpetrator, the vehicle is taken and utilized.

#### **Auto Larceny Unit Highlights for 2011:**

For the year 2011, the Manhattan North Auto Larceny Unit developed a strategy to keep track of grand larceny auto (GLA) and auto-break recidivists. The officers routinely reviewed recidivists residing or having been arrested in the current zone of deployment. The members have also increased their communication with agents from NICB, sharing information and making arrests based on their intelligence. Manhattan North Auto Larceny Unit has conducted surveillance to investigate and work multiple patterns over the course of 2011. For example, during the fall, a Toyota Camry pattern developed along Riverside Drive in the confines of the 24<sup>th</sup>, 30<sup>th</sup> and 33<sup>rd</sup> Precincts. The members began performing patrols up and down Riverside Drive during hours when the thief was taking cars. After the unit began these patrols, no other Camry was stolen for the rest of the year. Even though no arrests were made involving the pattern, police presence was an obvious deterrent.

Bronx Auto Larceny apprehended a perpetrator with an auto-related criminal record who was responsible for stealing more than 20 high-end vehicles from the Enterprise and Hertz rental companies. The individual was part of a crew that was changing the VINs and reselling vehicles here and overseas. The perpetrator was debriefed by unit personnel and admitted his role and gave valuable information that was shared with other law enforcement personnel. They also debriefed a prisoner who gave information about individuals that were stealing Honda vehicles and chopping them up in a yard in the north Bronx. Auto Larceny personnel responded and observed the location for several days. Officers eventually observed a reported stolen 2007 Honda Accord being driven into the location and after a brief chase, placed a GLA recidivist under arrest for possession of the stolen vehicle. Parts from other stolen vehicles were recovered at the location.

Two officers on auto larceny patrol conducted a vehicle stop of a 2005 BMW being operated by a male. Upon being stopped, the driver produced the proper paperwork for the vehicle, which he told officers was loaned to him by the female owner. When the suspect was questioned and provided improper answers, the officers conducted a further investigation and determined that the operator had stolen the owner's keys and then stole the vehicle.

Queens North Auto Larceny Unit (ALU) also conducted a coordinated investigation with the Massachusetts and Pennsylvania State Police and the Auto Crime Division in regard to retagged new Toyotas and high-end Lexus SUVs. An initial observation and surveillance of a retagged Toyota Sequoia on May 4, 2011, resulted in a shop inspection on May 6, 2011. The shop inspection resulted in the recovery of the Sequoia which was, in fact, stolen and retagged and the arrests of three individuals for grand larceny auto. They possessed VIN-making equipment and forged federal stickers at the time of their arrest. Positive debriefings and further investigation resulted in additional arrests and recovered stolen autos. In total, there were nine arrests for grand larceny auto, and five recovered stolen vehicles. Throughout the year, an additional six arrests were made regarding retagged autos that were registered out-of-state.

<b>New York City Police Department Auto Larceny Units 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
MVT Investigations initiated	720	Reported motor vehicle thefts	9,510
MVT-related Misdemeanor Arrests	279	Stolen parts recovered	14
MVT-related Felony Arrests	504	Stolen vehicles recovered	569

**New York City Police Department – Fraudulent Accident Investigation Squad**

The New York City Police Department's Fraudulent Accident Investigation Squad and the Joint Organized Crime Task Force are part of the Organized Crime Investigation Division, which falls under the Organized Crime Control Bureau. FAIS/JOCTF are designed to specifically address all aspects of no-fault insurance fraud within the five boroughs of New York City. FAIS/JOCTF duties include investigation of no-fault insurance fraud/medical mills by utilizing undercover officers as well as confidential informants. FAIS/JOCTF conducts surveillance on runners, participants, staged accidents and effects arrest in and outside New York City. The units confer with New York State Insurance Fraud Bureau, NICB and various insurance carriers' special investigative units. FAIS maintains contact with Precinct Highway Safety Units. They also conduct mandatory roll call training and attend DCJS workshops/training. FAIS/JOCTF strategies include arrests, obtaining confidential informants, infiltrating criminal enterprises through undercover operations, obtaining search, arrest and eavesdropping warrants and gathering and sharing intelligence with other law enforcement agencies and the insurance industry.

## Case Highlights:

During the period of Jan. 1, 2011, through Dec. 31, 2011, numerous cases were investigated and brought to completion by the FAIS and JOCTF. The following are highlights of some of these operations.

- On March 22, 2011, FAIS arrested nine people Operation “Eye in the Sky,” An investigation into a group of individuals that staged an accident in the vicinity of the 44<sup>th</sup> precinct in the Bronx. This accident was captured on a closed circuit camera of a local business. The video shows three vehicles each occupied by three perpetrators who pull up to the front of the business establishment. The vehicles circled the block together, then intentionally crashed into the rear of one another. The perpetrators subsequently called 911 and filled out an accident police report. These perpetrators sought medical treatment afterward for their alleged injuries at several local medical clinics, which billed insurance companies up to \$39,000 within a short period of time.
- During 2011, FAIS commenced an investigation into a criminal enterprise whose members are allegedly engaged in organized schemes to commit large-scale insurance fraud through staged accidents schemes and healthcare fraud. This investigation is focused on several staged accident rings and a medical clinic that pays runners to bring members of these rings to the clinic. This clinic pays runners who then orchestrate caused and staged motor vehicle accidents for profit. The accidents have mostly involved the striking of pedestrians or bicyclists. These staged accident rings are also altering New York City Police accident reports to further the crime of insurance fraud. The ring will stage an accident and then alter the accident report by adding and deleting passengers in the vehicles. These added passengers/participants are then paid by the runner to seek medical treatment in various clinics throughout NYC. FAIS has conducted 25 undercover operations into a subject location.
- On September 13, 2011, FAIS conducted a Phase I takedown arresting 15 people (three runners, 12 participants) based on evidence that medical clinics paid runners to bring accident victims to various clinics throughout NYC. The runners paid willing participants to complain of injuries and seek treatment at various clinics. This scheme was orchestrated by different individuals or groups, known to each other. A grand jury has indicted these individuals on Insurance Fraud and Grand Larceny charges. A second long-term grand jury is convening to hear evidence on the Enterprise Corruption part of the operation for the Phase II takedown. The Phase II takedown will focus on the true owners of the medical clinic, their managers, medical professionals, hospital employees, money launderers, runners, and participants.
- On October 20, 2011, HCFTF/JOCTF arrested 21 people. Through the use of confidential sources, a case was initiated regarding a large scale “no-fault” insurance fraud scheme to bill insurance companies for medical services and equipment that were not provided, unnecessary, or not related to a legitimate



accident. This scheme is being facilitated through corrupt doctors, runners and clinic personnel. A comprehensive analysis of all materials acquired was conducted and a conferral with the US Attorney's Office of the Southern District transpired. Various individuals will be arrested and charged with healthcare fraud, mail fraud, and money laundering.

<b>New York City Police Department Fraudulent Accident Investigation Squad (FAIS) 2011 Grant-Funded Motor Vehicle Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	90	Motor Vehicle Accidents Responded To	22
Misdemeanor Arrests	N/A		
Felony Arrests	139		
Confidential Informants Developed	5		



### ***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**

The Hempstead Police Department's Traffic and Safety Division is responsible for the investigation of stolen vehicles, accident investigations, impounded vehicles, stolen motor vehicle parts, itinerant vehicles and their disposal. The division also conducts joint investigations with the Nassau and Suffolk County Police Department's Auto Crime Units. Division members belong to the Northeast Chapter of the International Association of Auto Theft Investigators (IAATI) and are Level 2 certified auto theft investigators.

Auto Crime in the village is on the rise; there was a 12 percent increase in stolen motor vehicles for the year 2011, as compared to 2010. For the year 2011, 145 motor vehicles were stolen that were valued at \$429,802. In an effort to reduce the incidence of theft, traffic officers (both uniformed and plainclothes) were deployed at various times of the day. They utilize License Plate Readers (LPRs) and conducted 178 investigations that led to 157 vehicle recoveries and 834 motor vehicle impounds. In

addition, four misdemeanor arrests and eight felony arrests were made as a result of the auto crime reduction efforts.

An analysis of recovered stolen motor vehicles revealed that many motor vehicles from Suffolk County were being recovered in Hempstead. Information sharing between the Hempstead Police Department and the Suffolk County Police Auto Crimes Squad led to the discovery of two different apartment garages in Hempstead that were being used to dismantle motor vehicle parts, rims and tires. The Suffolk County Police Auto Crimes Squad is now in the process of furthering the investigation with an informant. A warrant for global positioning system (GPS) surveillance has been obtained and arrests of the individuals are forthcoming.

The Hempstead Police Department worked on an investigation involving theft of motors and transmissions of Honda motor vehicles. A stolen transmission was recovered on the rented property of the subject under investigation. A companion of the targeted subject has also attempted forgery of motor vehicle registration papers of another impounded motor vehicle. The Nassau County Police Department's Auto Crime Unit assisted with the investigation in an effort to locate the subjects.

Through a confidential informant, a body shop on the southern part of the village was investigated for altering or intentionally causing further damage of motor vehicles that they are repairing, prior to the insurance adjuster's inspection. The informant has also identified a chiropractor, working with the body shop, who may be submitting fraudulent medical claims.

Dealerships continue to be the target of theft. A large quantity of new bumper covers and assorted parts were discovered in the rear yard of a dwelling located in the vicinity of a Honda dealership in Hempstead. The value of the recovered stolen parts was approximately \$7,500. The investigation is continuing.

Theft of construction equipment has also been reported. A \$10,000 attachment for a backhoe was reported stolen in December from a construction site in Hempstead. The Hempstead Police Department's Traffic and Safety Division members have been working with New York State Department of Transportation on construction vehicle stops. Investigating officers examine equipment and identify Vehicle Identification Numbers that may have been altered. Large volumes of commercial traffic pass unchecked through Hempstead daily using intercounty roadways.

Many of the individuals involved in auto crimes are teens. Educating the public about not leaving keys in a motor vehicle while the motor vehicle is running has been initiated, as many of the local thefts have been directly attributed to that habit.

Crime analysis, coordination of local, state and federal agencies, Hempstead LPRs, auto crime training and increased patrol has resulted in the apprehension of auto theft-related offenders, as well as ongoing investigations. It has proven vital to the success of auto crime reduction.

<b>Hempstead Village Police Department 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
Investigations Initiated	145	Reported MV Thefts	144
Misdemeanor Arrests	4	Recovered Stolen MVs	157
Felony Arrests	8	Value of Recovered Stolen MVs	\$429,802
Confidential Informants Developed	5		

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<i>Performance Measure</i>	<i>Total</i>	<i>Performance Measure</i>	<i>Total</i>
Investigations Initiated	1	Motor Vehicle Accidents Responded To	2,167
Misdemeanor Arrests	0		
Felony Arrests	0		
Confidential Informants Developed	1		

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

The Nassau County District Attorney's Office's Auto Theft and Fraud Unit was created in 2008 to enhance the District Attorney's Office's approach to the investigation and prosecution of motor vehicle theft and motor vehicle-related insurance fraud cases.

In 2011, 79 motor vehicle-related felony arrests and 62 misdemeanor arrests were made. There were 10 indictments, 58 felony convictions and 63 misdemeanor convictions. As a result, restitution was ordered totaling \$90,767 and a total of \$17,030 in fines were levied during 2011.

One auto larceny investigation that resulted in a felony arrest involved the theft of at least three classic 1930's cars. The defendant was hired to restore the classic cars, but instead he sold them without the knowledge of the owner. The defendant concealed the thefts by substituting shells of similar model cars which he kept partially hidden under tarps. The shells were kept in a hard-to-access area of the defendant's garage, thus preventing the owner from examining them and delaying the discovery of the thefts.

One long-term investigation involved the unauthorized access and sale of confidential patient information from a local hospital for the ultimate purpose of committing no-fault insurance fraud. The lengthy investigation, which included multiple search warrants, paper patients, undercover operatives and cloning of computers, has finally concluded. Two individuals have been arrested. The investigation was conducted with the assistance of the state's Insurance Frauds Bureau and NICB.

In another insurance fraud investigation, an auto body repair shop and its owner were indicted for submitting false documents in support of a fraudulent insurance claim. The shop was also charged with possessing a forged DMV document allegedly signed by a person who died about five months before the date of the signature.

A new no-fault investigation initiated during 2011 involved a chiropractor who treated a patient approximately three times, but submitted no-fault billing to the insurance company for more than 50 treatment visits, including some that were supposedly conducted while the patient was on vacation in Puerto Rico. Other patients are being sought who can provide additional information.

In addition, the office is investigating a medical clinic located in Nassau County. In July 2010, an informant known to the office was involved in a car accident in which he sustained minor injuries. From the beginning of July 2010 until Aug. 3, 2010, the witness obtained treatment for his injuries at the target medical clinic. He was treated by one doctor and an acupuncturist no more than three times each. On August 3, the witness was incarcerated and was held in custody until Oct. 4, 2010. After his release, the witness received a statement of benefits from his insurance company. His insurance had been billed for approximately three dozen different treatments by various doctors at the subject facility during the time he was incarcerated. While it appears at this time that the clinic has shut down and moved, this investigation is ongoing.

The State Department of Motor Vehicles has assisted the DA's Office with the registration of undercover vehicles, as well as with intelligence and manpower in the investigation of several auto body repair shops. The Nassau County Police Department provided pretext accident reports and the insurance industry provided pretext policies for an undercover vehicle introduced into a body shop. This led to the execution of a search warrant at that same body shop, which has uncovered reason to believe the shop is billing customers for services not rendered and for automobile parts which were not replaced.

Further, the office has been working with the Suffolk County District Attorney's Office regarding an investigation into auto theft that has affected both counties. The subject was selling automobiles to people without proper title and selling the titles to others. An arrest has been made and the subject was convicted of grand larceny in the second degree in January 2012.

Also, members of the unit met with members of the NYPD regarding a group of individuals who had been arrested in both Nassau and Queens counties for stealing older motor vehicles and selling them for scrap.

<b>Nassau County District Attorney</b>			
<b>2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	1	Indictments	8
Misdemeanor Arrests Prosecuted	62	Misdemeanor Convictions	62
Felony Arrests Prosecuted	77	Felony Convictions	56
Confidential Informants Developed	0	Warrants Issued	0

<b>Nassau County District Attorney</b>			
<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	5	Indictments	2
Misdemeanor Arrests Prosecuted	0	Misdemeanor Convictions	1
Felony Arrests Prosecuted	2	Felony Convictions	2
Confidential Informants Developed	1	Warrants Issued	1

**Nassau County Police Department**

In 2011, the Nassau County Police Department utilized Motor Vehicle Theft and Insurance Fraud program funds to continue to run the Search Apprehension Vehicle Enforcement (SAVE) program in six of the county’s eight police precincts. The SAVE Program is coordinated by the Nassau County Police Department Chief of Patrol’s Office, in conjunction with the department’s Crimes Against Property (CAP) Squad’s Vehicle Theft Section. The Nassau County Police Department continues to utilize the MVTIF program grant funds to supplement normal investigative means in an attempt to better address the problems of motor vehicle insurance fraud and motor vehicle theft.

An integral component of the SAVE program is centered around the SAVE officers’ (Police Officers, CAP Squad Detectives and their supervisors) review of incoming crime reports. They monitor for suspicious activity, actively target hot spots and monitor current crime data in order to identify patterns and trends in motor vehicle theft and related crimes. The department has created extensive directives as to the proper protocol to be followed when investigating/ arresting those who commit these crimes, and continues to educate all personnel on these policies and procedures. SAVE - related topics are frequently discussed at regularly scheduled monthly precinct briefings, in which local crime patterns are evaluated. Furthermore, each precinct continues to develop the skill sets of their dedicated SAVE officers. These efforts and activities have resulted in an increased vigilance of these crimes countywide, and have laid a solid foundation for the successful implementation of the program.

Throughout the year, SAVE officers conduct 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. SAVE officers regularly utilize LPRs as investigative tools. A typical SAVE operation would be run in accordance with the following procedures:

Police officers work in teams of two while operating the First Precinct License Plate Reader RMP (Radio Motor Patrol – police car) when it was available. In the event the LPR RMP was not available, substitute RMPs would be used. All enforcement efforts would be conducted by uniformed personnel. All teams report to the First Precinct Station and receive the operational paperwork associated with the SAVE enforcement effort. Such paperwork would include a map representative of the First Precinct, with markers indicating the areas of the recent larceny of autos or recovered stolen autos. The map was constructed by

the First Precinct crime analyst and reflected the up-to-date information regarding auto theft available to the command. Additionally, the officers would be supplied with pictures of persons arrested for auto theft offenses who were known to frequent the neighborhoods within the precinct boundaries. In addition to the above actions, officers check with either the detective supervisor or detective on duty in the First Squad to ascertain whether there were any actions they could take to assist in any auto theft or auto fraud-related investigations. Such actions were to include the location or interview of witnesses or victims, or preparation of forms necessary to the furtherance of the investigation. Officers performing SAVE enforcement efforts were directed to answer as many auto-related radio assignments as possible, especially auto accidents and stolen car reports. They were also directed to "scan" the railroad stations as frequently as possible with the LPR RMP as these locations have been known as sites of larceny from auto, as well as to scan the areas where stolen autos were recovered. At the end of a SAVE enforcement patrol, the officers would provide an accounting of any actions taken, including arrests, VTL enforcement efforts, and any other enforcement activities.

During 2011, SAVE officers handled several motor vehicle theft-related incidents. For instance, a SAVE officer from the Fourth Precinct observed the operator of a tan 1999 Ford Taurus bearing temporary Pennsylvania license plates commit a traffic infraction and conducted a traffic stop. The operator was asked to produce his license, registration and insurance for the vehicle, but only was able to produce an insurance card. A check of the vehicle's VIN number revealed that it was not currently registered. Further investigation revealed that the emission sticker, the safety inspection sticker and the insurance card were all fraudulent. The insurance card the operator presented showed an effective date of May 28, 2011, and expiration date of May 28, 2012. The SAVE officer was immediately alerted, by the NYPD Document Fraud Squad's, Intelligence Alert that automobile insurance cards in Pennsylvania are issued for terms of six months or fewer, never for a full year. Upon verification with the insurance company listed on the card, offices learned that the policy number was not assigned to Pennsylvania, and the operator's name was not found in their database.

Additionally, the vehicle's annual emission and windshield stickers did not show security features such as rainbow effect arcs and the PennDOT hologram. The operator also possessed three 'pink receipts' (MV-120) with the same number, issued on three separate dates for Temporary In-Transit plates, which are only issued to out-of-state residents, but, the operator's pink receipt showed a Pennsylvania address. The operator was arrested and the vehicle was taken to the Fourth Precinct for further investigation, it was subsequently impounded.

Additionally, CAP Squad Detectives review department crime data and arrest processing databases every day and make regular inquiries of the National Insurance Crime Bureau and insurance companies in an effort to develop cases where fraud may be involved. There were several notable motor vehicle insurance fraud cases as well. For example, while looking at the cases in the different department databases, the CAP Squad detectives identified a trend of older model vehicles that had been reported stolen. The age of the vehicles caused them to question whether insurance fraud was

occurring. The detectives completed some follow-up and found that the vehicles were being stolen and sold for their scrap value by using an MV35, which essentially allows person to scrap a vehicle over eight years old valued at less than \$1,250 by signing the form that says they are the owner and showing a driver's license, without having to provide a title. Through this effort, the detectives identified eight vehicles that were stolen and then scrapped, and as a result, there are three arrests pending at the time of this report

The detectives also got involved in an investigation that stemmed from a uniform officer's stop of a 2006 Maserati. The officer was suspicious of the driver of the vehicle and the paperwork that he produced for the car. Suspecting some type of fraud, they impounded the Maserati and contacted the CAP Squad detectives for follow-up. One of the detectives worked with DMV investigators, NCIB, BMW Financial, Mercedes Financial and various other lending institutions, and discovered a financial fraud involving the purchase of the Maserati, a 2008 Range Rover, a 2007 Mercedes Benz and two 2010 Yamaha motorcycles. The detective was able to recover the three automobiles, and is still looking for the motorcycles. The exposure for loss in this case was in excess of \$209,000.

During 2011, the SAVE participating police precincts and the CAP Squad Vehicle Theft Section conducted 410 motor vehicle theft and related crime investigations, and another 30 investigations geared directly toward motor vehicle insurance fraud. As a result, a total of 91 motor vehicle theft and insurance fraud-related arrests (22 misdemeanors, 69 felonies) were made during 2011. As a result of the enhanced vigilance of department members, 240 stolen vehicles were recovered, along with an additional 20 stolen parts, valued at more than \$1.9 million.

<b>Nassau County Police Department 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	410	Reported MV Thefts	644
Misdemeanor Arrests	22	Recovered Stolen MVs	240
Felony Arrests	62	Value of Recovered Stolen MVs	\$1,905,349
Confidential Informants Developed	1		

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	30	Motor Vehicle Accidents Responded To	29,264
Misdemeanor Arrests	0		
Felony Arrests	7		
Confidential Informants Developed	0		

## Suffolk County Office of the District Attorney

In 2002, the Insurance Crimes Bureau (ICB) was created in order to prioritize the need to combat insurance fraud and related crimes such as motor vehicle theft. Due to the recent increase in no-fault insurance fraud, the ICB was restructured and consolidated with the Tax Crimes and Labor Investigations Units. One of the goals of the bureau, titled now known as the Labor, Insurance and Revenue Crimes Bureau (LIRCB), is to utilize different strategies to effectively investigate motor vehicle insurance fraud and other fraud-related offenses against governmental entities and private sector stakeholders in the insurance industry. LIRCB is supervised by a bureau chief, deputy bureau chief, and seven prosecutors who deal strictly with tax, labor and motor vehicle insurance fraud crimes. The LIRCB also has a team of investigators, including a senior detective investigator, two detective investigators, two Suffolk County Police Department (SCPD) detectives assigned to the DA's Office, an investigative consultant, a representative from the State Department of Financial Services, a supervising agent from the National Insurance Crimes Bureau (NICB), a clerk typist and a paralegal.

The LIRCB has allowed investigators and prosecutors to strengthen resources and knowledge while continuing to maintain an increased level of experience and expertise in these areas. Currently, the Insurance Crimes section of LIRCB prosecutes all cases generated in-house and by referral from industry investigators relating to insurance fraud and motor vehicle theft, as well as those types of cases generated by both the Suffolk County Police Department (SCPD) Vehicle Theft Section and the New York State Police (NYSP) Auto Crimes Section. LIRCB also oversees an undercover operation involving a sting location where insurance "give-ups," stolen motor vehicles, and stolen motorcycles are purchased from "sellers" who believe the property will be disposed of by illegal means, but the "buyers" are undercover detectives.

### **Notable Cases**

The Suffolk County District Attorney's Office (SCDAO) successfully concluded numerous long-term and short-term investigations, and criminal prosecutions in 2011. In the area of motor vehicle theft prosecutions, there was a very successful prosecution after trial of a wholesale car dealer who was stealing motor vehicles from other wholesale automobile dealers. The scheme in this case was perpetrated when the defendant would purchase a vehicle from a wholesale dealer and then place a "stop payment" order on the tendered check, or in some cases, the check would be returned by the defendant's bank for insufficient funds. On six occasions, the defendant took motor vehicles directly from the wholesale dealers' storage lot without permission or without tendering any payment. After the defendant gained possession of the stolen vehicles, he would sell them to other dealerships. In total, the defendant stole 18 motor vehicles worth approximately \$300,000. He was convicted of two counts of grand larceny in the second degree and one count of scheme to defraud in the first degree. In November 2011, the defendant was sentenced to an indeterminate sentence of 5-10 years in state prison. This defendant's conviction in Suffolk County will aid other



pending prosecutions as the defendant sold stolen vehicles to dealerships in Nassau and Queens County, as well as at two dealerships located in New Jersey.

In other successful motor vehicle theft prosecutions, two defendants were arrested by the New York State Police and subsequently indicted for rolling back odometers in motor vehicles and then selling the cars to unsuspecting purchasers on Craigslist. The defendants would initially purchase the car from Craigslist and within several days repost the motor vehicle for sale after altering the mileage reading on the odometer. The defendants would identify themselves to purchasers as the previous owner whose name was still on the title, and they would forge State Department of Taxation and Finance forms and title to reflect a lower odometer reading. One defendant was arrested when an undercover investigator from the State Department of Motor Vehicles “purchased” a motor vehicle the defendant had posted for sale. The defendant was subsequently indicted for altering the mileage registration devices on 13 motor vehicles, and forging the titles and taxation forms utilized in this scheme. This defendant pleaded guilty, and agreed to pay full restitution and is awaiting sentencing.

The District Attorney’s Office also had a successful year combating motor vehicle insurance fraud. In a joint investigation with the SCPD Vehicle Theft Section, a defendant pleaded guilty in connection with an insurance fraud case. Working with another individual, the defendant conspired to dismantle and sell a boat trailer and component parts of a as part of an agreement to obtain insurance proceeds for the “theft” of the boat, trailer, and personal belongings. The boat, originally moored in California, was transported to New York where it was stripped of its valuable component parts and sometime later the hull and trailer were crushed to dispose of the evidence of the crimes. The defendant entered a plea and agreed to pay full restitution to the insurance company, as well as full restitution on two other motor vehicle theft-related indictments pending against the defendant. In all, the defendant agreed to pay \$850,000 in restitution and forfeiture.

In another insurance fraud case concluded in 2011, the DA’s Office completed a long-term, no-fault insurance fraud investigation that involved the illegal access of patient information from a local hospital. This investigation culminated in the indictment of three individuals for charges including computer trespass, commercial bribe receiving, commercial bribery, criminal solicitation, and conspiracy. The investigation also uncovered the referral of patients from the subject medical clinic to questionable medical service providers. The final phase of the investigation utilized a tax interdiction program that resulted in prosecution of the perpetrators of the no-fault insurance fraud: the clinic “owner”/president of the management company that oversees the entire medical clinic, and the treatment providers who worked outside of the clinic. During this investigation, the DA’s Office engaged in information sharing between other law enforcement agencies and, when legally permissible, with other agencies such as the insurance industry members and NICB. Through cooperative efforts among agencies, the DA’s office was able to identify other co-conspirators and medical providers exploiting State’s no-fault laws and insurance companies bound by those laws. Consequently, additional no-fault investigations have been initiated into the activities of these other providers.

In another successful long-term investigation concluded in 2011, an individual was arrested for 25 insurance fraud docketed and five other individuals were arrested for their part in an insurance scheme to collect insurance proceeds on “stolen” motor vehicles. This was a joint investigation between the District Attorney’s Office and the Suffolk County Police Vehicle Theft Section. The investigation began in 2007 through the utilization of a confidential informant and an undercover sting location staffed and operated by the DA’s Office. Several insurance companies, including Geico, Allstate, Progressive and MetLife, had numerous claims submitted and accepted by the companies and payments were made to the vehicle owners for their contrived losses. LIRCB presented seven of the cases to the grand jury as well as evidence related to the vehicle owners and culpability of other uncharged participants. As a result of the grand jury investigation, LIRCB secured an indictment against 13 individuals facing 37 charges including insurance fraud, making an apparently sworn false statement, offering a false instrument for filing, falsifying business records, and conspiracy. Additionally, the DA’s Office shared information regarding this investigation and indictment with the Queens County District Attorney’s Office and the New York City Police Department’s Auto Crime Section in order to aid potential charges in Queens County. In some of these cases, the conspiracy to commit the insurance fraud occurred in Suffolk County, but the insurance fraud occurred in Queens County, due to the fact that the false filings relating to the “thefts” were reported to the police, and paperwork received by insurance companies had originated in Queens County. As a result, some insurance fraud charges against the vehicle owners were better prosecuted in Queens County. Furthermore, by information and case sharing, LIRCB maintained its working relationships with this other jurisdiction, and strengthened its prosecutions in Suffolk County by working together toward a common goal.

Another investigation by the Suffolk County Police Vehicle Theft Section and the Suffolk DA’s Office involving fake Arkansas license plates resulted in four defendants being arrested for possessing forged paper copies of the plates. The main target was indicted for 25 counts of criminal possession of a forged instrument and the other defendants were arrested for numerous counts of criminal possession of a forged instrument. A search warrant was executed on the cell phones of individuals who were producing and selling the plates. The DA’s Office contacted the Queens County District Attorney’s Office to relay the known information regarding the target, the results of the search warrant, and possible charges in each county. This interagency cooperation and sharing of information resulted in an indictment and subsequent guilty plea in Queens County. The main target was sentenced to 2-4 years in the state prison for his production of the forged license plates in Suffolk County.

In June 2011, LIRCB, on information provided by an informant, initiated an investigation into an auto body shop owner suspected of enhancing damages to motor vehicles involved in legitimate accidents. As a result of this information, the DA’s Office procured a pretext policy from the State Department of Financial Service and sent a sting vehicle to the suspect auto body repair facility. Detectives took a damaged pretext vehicle to a legitimate auto body shop that estimated the damage to be under \$3,500. Investigators then brought the vehicle to the suspect shop. The suspect facility ultimately billed the insurance company in excess of \$7,000 for needed repairs and replacement parts. After the “repairs” were completed, the vehicle was then returned to

an investigating detective who had it reinspected. The examination revealed the suspect auto body repair shop billed the insurance company for work that was never performed. A search warrant was executed within the week, and the owner of the repair facility was arrested for insurance fraud.

In 2011, as a result of successful investigations and prosecutions, the Suffolk County District Attorney's Office recovered \$84,600.65 for victims of motor vehicle theft and \$150,313.55 for victims of motor vehicle insurance fraud.

<b>Suffolk County District Attorney 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	21	Indictments	65
Misdemeanor Arrests Prosecuted	26	Misdemeanor Convictions	44
Felony Arrests Prosecuted	155	Felony Convictions	105
Confidential Informants Developed	11	Warrants Issued	5

<b>2011 Grant-Funded Motor Vehicle Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	37	Indictments	51
Misdemeanor Arrests Prosecuted	8	Misdemeanor Convictions	11
Felony Arrests Prosecuted	116	Felony Convictions	31
Confidential Informants Developed	5	Warrants Issued	3

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

The SCPD Vehicle Theft Section (VTS) consists of a detective lieutenant, a detective sergeant and eight detectives. The Vehicle Theft Section is part of the Major Crimes Bureau of the police department and reports to the chief of detectives. The Vehicle Theft Section has primary investigative responsibility for auto and marine theft rings, 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 2011 with 1,346 vehicles reported stolen. This total was 167 vehicles less than was reported in 2010. The vehicle recovery rate rose by 1.6 percent, to 79.1percent.

## **Enforcement Strategies:**

### **Honda Civic Theft**

The Honda Civic remains the most frequently stolen vehicle in the Suffolk County Police District. The VTS uses several proven strategies to combat this theft trend, including speed shop and car meet inspections, confidential informant cultivation and use of a bait vehicle. During 2011, VTS detectives, using street sources, identified the location of an area chop shop and recovered a retagged stolen Honda Civic. The owner was arrested for criminal possession of stolen property and illegal possession of a VIN. In other investigations, detectives arrested a local man for the theft and subsequent auto stripping of a Honda Civic stocked with a race engine and transmission. Detectives also impounded several Honda Civics containing stolen engines and transmissions as well as vehicles containing defaced major component parts. Detectives seized an Acura Integra containing a stolen Acura GSR engine and located a stolen Acura GSR motor in an area speed shop. Detectives additionally impounded an Acura Integra containing a stolen transmission and recovered a second stolen Acura transmission at a residence.

### **College Campus Honda Civic Theft**

During 2011, several Honda Civics were stolen from two Suffolk Community College campuses and from SUNY campuses at Stony Brook and Farmingdale. VTS detectives investigated these thefts with the assistance of several SUNY University Police Departments and the Hempstead Police Department, where several vehicles had been recovered stripped in that village. A bait vehicle, provided by MetLife insurance company, was utilized during the investigation. This group effort subsequently resulted in the arrest of a man for criminal possession of stolen property and auto stripping. More arrests are anticipated and the college civic thefts have diminished.

### **Internet Sales Listings**

Detectives regularly scrutinized Craigslist and other website postings, which led to the recovery of several stolen vehicles, vehicle parts and fraudulent motor vehicle documents. One investigation resulted in the arrest of a local man and the recovery of a Suzuki motorcycle that had been stolen in New Jersey and posted for sale on Craigslist. Other investigations uncovered a Yamaha motorcycle stolen in Suffolk County and a Honda CBR 600 stolen in Nassau County.

Another Craigslist-related investigation targeted the sale of forged Arkansas temporary registration plates, registration documents and temporary insurance cards. It was determined that a major supplier of the forged documents in this investigation was a predicate felon from Nassau County who advertised on Craigslist. A gang member from Suffolk County purchased and subsequently distributed the forged documents. Five individuals have been arrested already in this case. The main target of this investigation was arrested for possessing more than 20 forged license plates in Suffolk County and had been arrested in Queens for possessing more than 100 forged documents. This investigation was conducted with the assistance of the Suffolk County Park Police, New York State Parole, Queens District Attorney's Office, and the Suffolk

County District Attorney's Office. The investigation is continuing as a result the discovery of another series of forged Arkansas documents.

### **Scrap Processor/Vehicle Dismantler Review**

During 2011, detectives continued oversight of the scrap processor and vehicle dismantler industry. More than 65 percent of vehicles stolen in the Suffolk County Police District are greater than eight model years old and may be disposed of at junkyards. Scrap and junk vehicle investigations have frequently revealed the disposition of stolen vehicles and resulted in arrests for grand larceny, criminal possession of stolen property, offering a false instrument for filing and unregistered vehicle collector. Recent training by State Department of Motor Vehicles (DMV) investigators facilitated access to RISS Net, the Regional Information Sharing network, and allowed access to the National Motor Vehicle Title Information System which has resulted in the recent identification of several stolen vehicles. During 2011, these investigations resulted in the recovery of stolen vehicles and the apprehension of predicate offenders.

### **Joint DMV Investigations**

During 2011, VTS detectives conducted a joint investigation with State DMV investigators into a local used car business titling vehicles with fictitious identities. This enterprise purchased more than 100 vehicles at local auctions and titled the vehicles to straw buyers. The scheme was perpetrated to avoid showing income, paying taxes or being responsible for mechanical defects. Three individuals were arrested on multiple charges.

Other DMV joint investigations were commenced with facial recognition hits. These cases were conducted with assistance from several agencies including Immigration and Customs Enforcement, Homeland Security, Social Security and the U.S. Postal Police. One investigation resulted in insurance fraud charges against a local man after he obtained commercial vehicle insurance policies utilizing fraudulent documents and identity. This investigation commenced with a facial recognition hit from State DMV on the subject who had assumed several identities.

An additional joint DMV investigation resulted in the arrest of a local man and his wife for selling forged New York State Inspection stickers on the Internet. Several forged inspection stickers were subsequently identified and recovered.

### **Insurance Fraud Investigation**

During 2011, VTS detectives arrested a major participant in an insurance fraud ring that was one of the targets of a long-term investigation being conducted jointly by the Vehicle Theft Section and the Suffolk County District Attorney's Office. This individual had sold 25 vehicles to an undercover detective. These vehicles were later reported to law enforcement and insurance companies as stolen. Several vehicle owners who falsely reported their vehicles stolen and made false statements were also arrested. This investigation is continuing, with assistance from the NYPD Auto Crime Unit, into related crimes occurring in that jurisdiction.

In separate accident-related insurance fraud investigations, detectives arrested a local woman for insurance fraud after she submitted a fraudulent claim regarding the crash of her Mercedes Benz and subsequently obtained more than \$7,000 from Allstate Insurance Company. In another insurance fraud investigation, VTS detectives working with Seventh Precinct Crime Section investigators, charged a Colorado woman with insurance fraud and attempted grand larceny after she left the scene of an accident while driving her Mercedes Benz and subsequently filed a false insurance claim for \$6,700 in damage with Progressive Insurance Company.

Working with New York City Fire Marshals, VTS Detectives arrested a local woman for insurance fraud after she reported her vehicle stolen several days after it was found burning in New York City. Detectives arrested a local man for attempted insurance fraud after he falsely reported that his motorcycle had been stolen during a burglary at his residence. He had sold the motorcycle days before he reported it stolen.

During 2011, detectives completed an insurance fraud investigation with the arrest of the operator of a Suffolk County-based automobile glass repair company who had been submitting inflated bills to insurance companies for windshield repair claims. Replacement windshields were billed as high-priced OEM products when in fact lower priced aftermarket glass was used. This investigation was conducted jointly with State Farm insurance special investigative unit and New York State Insurance Frauds Bureau investigators.

<b>Suffolk County Police Department</b>			
<b>2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	310	Reported MV Thefts	1,346
Misdemeanor Arrests	47	Recovered Stolen MVs	1,056
Felony Arrests	187	Value of Recovered Stolen MVs	\$718,500
Confidential Informants Developed	4		

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	184	Motor Vehicle Accidents Responded To	47,835
Misdemeanor Arrests	0		
Felony Arrests	39		
Confidential Informants Developed	2		

## 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 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.

Since the unit's creation in 1998, auto theft has been reduced in Westchester County by nearly 85 percent between 1997 (4,130 thefts) and 2010 (657 thefts). The latest official statistics ranks Westchester County ninth in the state with 657 vehicles reported stolen in 2010, a 26.7 percent reduction from 898 vehicles reported stolen in 2009. In fact, with the exception of 2009, the number of thefts has dropped significantly every year since the inception of the Unit.

During 2011, 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 2011 was working with state and local police departments and confidential informants to combat theft and insurance fraud. The ACU has also continued to be involved in assisting DMV investigators with the arrest of individuals for obtaining and possessing fraudulent driver's licenses. The ACU continues to attempt to develop additional informants with a 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.

In 2011, the ACU commenced and continued several joint long-term investigations into vehicle insurance fraud and theft. The ACU, the Yonkers Police Department and the New York City Police Department conducted an investigation into a Bronx ring responsible for stealing motorcycles in Yonkers and the Bronx. That investigation led to the arrest in the Bronx of an individual for possession of several stolen motorcycles. The ACU continues to conduct long-term auto theft investigations based upon source information and theft trends in Westchester County. One of the noted auto crime cases, which involved a carjacking, resulted in 2011 in the conviction of the defendant for first degree robbery.

During 2011, the ACU concluded its investigation into insurance fraud committed by a police officer concerning his personal vehicle. The off-duty police officer made an insurance claim that the extensive damage to his vehicle was the result of a minor two-car accident, which was found to have resulted in very minor damage to the second vehicle. That investigation resulted in the pending indictment against that police

officer charging him with third degree insurance. The ACU continues its long-term insurance fraud investigations, some of which are expected to conclude in 2012.

<b>Westchester County District Attorney</b>			
<b>2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	13	Indictments	3
Misdemeanor Arrests Prosecuted	18	Misdemeanor Convictions	34
Felony Arrests Prosecuted	73	Felony Convictions	16
Confidential Informants Developed	2	Warrants Issued	7

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	2	Indictments	1
Misdemeanor Arrests Prosecuted	0	Misdemeanor Convictions	0
Felony Arrests Prosecuted	1	Felony Convictions	0
Confidential Informants Developed	0	Warrants Issued	0

### **Yonkers Police Department**

The Yonkers Police Department's Auto Crime Unit works out of the agency's Intelligence Unit. Due, in part, to the efforts of the Yonkers Police Department Auto Crime Unit, the number of auto thefts in Yonkers hit a historic low in 2010 with 244 thefts reported. This is a continuation of a downward trend since 1991, when there were 2,502 autos reported stolen in the city (a decrease of more than 90 percent over a 19 year period). In 2011, the number of autos stolen increased for the first time since 1997, with 289 stolen vehicles. This is still the second lowest year in more than two decades.

Yonkers' close proximity to New York City and easy access to highways had always made it a prime target of car thieves. However, that perception has changed and thieves are now, as reported on blogs and through confidential informants, afraid to come to Yonkers, particularly with cars that have been pieced together with stolen parts or with an eye to steal and strip down a car. The auto theft unit's primary detective has taught many of the department's officers (as well as officers from surrounding jurisdictions) the signs that a car may have stolen parts, altered VINs, or bogus registration and inspection stickers. His work with other agencies has helped to permanently shut down numerous chop shops during the past decade.

During 2011, the Yonkers Police Department Auto Crime Unit began 66 auto theft and auto-related fraud investigations and continued several others from the previous year.

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. These trends have



continued for many years and the Yonkers Auto Crime Unit worked with several jurisdictions, particularly New York City, on these kinds of cases in 2011. In early 2011, a fly-by-night car dealer would set up a “dealership” of used cars in various empty lots, collect money for cars, then flee with the cars. The auto theft unit investigated and arrested him; he is currently serving prison time. Investigations of high-end stolen cars have been on the increase and real car dealerships have been the target of cars. Eight cars and trucks were stolen in November 2011 from dealerships. There were also cases of tow trucks being utilized in stealing cars off the street and from lots.

The current trends in auto-related fraud involve falsely reporting a car stolen; staging accidents and medical mills; and enhanced damage to vehicles (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 not changed much over the last several years. In 2010, a major staged accident case investigation was launched with the FBI and U.S. Postal Service. This case continued into 2011 and a Yonkers detective spent about a third of his time on this case. More than 74 cases of staged accidents were documented with an estimated loss of more than \$1,000,000. Nine arrests have been in this case so far and several more are expected.

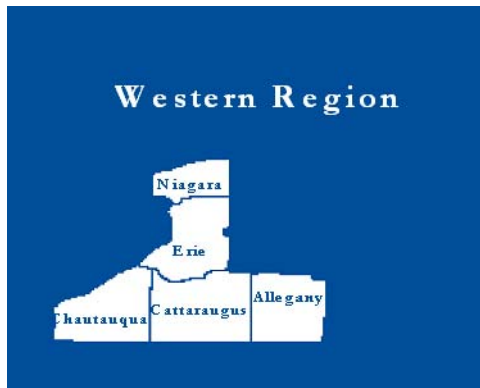
Another group investigated by the Yonkers Auto Crime Unit would file accident claims on the same cars over and over, collecting small sums each time. Numerous cases of fraudulent documents were investigated in 2010 as well as 2011. Cases of fake identification cards, bad checks, bad plates, bogus licenses and registrations, and other counterfeit documents were investigated. In another case, 10 cars were impounded with bogus dealer plates. This type of fraud, coming out of North Carolina and Delaware especially, is on the rise. Five arrests were made in 2011 in these cases of bad dealer plates.

The Unit worked closely on cases with these agencies during 2011:

Putnam County Sheriff	New York State Police
FBI	Bronx DA
DEA	Suffolk County Police
U.S. Postal Service	Delaware State Police
U.S. Customs	Nassau County Police
NICB	White Plains Police
NYS Inspector General	NYPD Auto Theft Unit
NY Insurance Fraud Bureau	Westchester DA
NYS Department of Motor Vehicles	Ohio State Police

<b>Yonkers Police Department</b>			
<b>2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	50	Reported MV Thefts	289
Misdemeanor Arrests	6	Recovered Stolen MVs	213
Felony Arrests	21	Value of Recovered Stolen MVs	\$847,200
Confidential Informants Developed	3		

<b>Yonkers Police Department</b>			
<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	16	Motor Vehicle Accidents Responded To	2,696
Misdemeanor Arrests	0		
Felony Arrests	11		
Confidential Informants Developed	2		



### **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) auto theft detective assigned to working this grant has recovered a total of \$783,991 in stolen vehicles and parts for the year. The General Investigation Unit, to which this individual is assigned, has seen an increase in fraudulent documents (fraudulent lien releases, forged titles and forged DMV documents) spanning the last couple months of the 2011. Based on the investigative activity this year, Buffalo’s auto theft detective has concluded that auto arsons and fraudulent lien releases are the current trend in Western New York. Reported motor vehicle thefts are down 22 percent when comparing 2010 with 2011, based on the department’s most current monthly report.

During 2011, there were 21 felony arrests and 13 misdemeanor arrests for motor vehicle theft or insurance fraud, with 25 Safety Net entries. The number of arrests for motor vehicle theft increased by 24 percent compared to 2010. Buffalo Police have continued its efforts in combating insurance frauds as all complainants are interviewed concerning any vehicle fires. Buffalo Police and Fire have encountered great success through intensive interviews of complainants, as many of the complainants either pulled their claim or admitted to the falsely reporting the theft of their vehicles.

Some of this year’s highlights include: On New Year’s Day, an individual reported that his 2005 Toyota Scion was carjacked while he was parked at a location on South Park Avenue in the “A” District. An officer became concerned that the complainant was very calm after being the victim of a carjacking. The patrol officer secured some video tape as evidence and followed up on the victim’s claims. After the preliminary investigation, the investigating officer passed this information to detectives, one of

whom did a preliminary interview. The complainant was called for a second interview after inconsistencies in his first statement and subsequent statements to his insurance carrier. It was during this interview that he admitted staging the incident to collect insurance money on his vehicle.

Buffalo brought in an investigator from the State Insurance Fraud Bureau to help with this case. During this second interview, it was also determined that the suspect's girlfriend reported the theft of her vehicle in November 2010. Buffalo Police detectives and investigators from the Insurance Frauds Bureau immediately contacted and spoke with the affected insurance company, discovering that the girlfriend's claim was reported as a stolen vehicle to the Cheektowaga Police. Buffalo Police detectives notified the auto theft detective from Cheektowaga Police and a separate investigation was initiated. Buffalo's auto theft detective worked with investigators from the Insurance Fraud Bureau, Cheektowaga Police, the New York State Police, the State Department of Motor Vehicles, and the National Insurance Crime Bureau on the case.

As part of this continuing investigation, a confidential source was developed and equipped with a recording device to see if investigators could follow up with an additional vehicle. Numerous meetings were initiated and recorded. The original victim, now a suspect, was arrested for two counts of falsely reporting an incident along with one count of insurance fraud. In the course of this investigation, investigators were able to recover both of these vehicles, in Buffalo, with no apparent damage. The investigation of this suspect's girlfriend continues and she is expected to be charged with insurance fraud. Also involved is another co-conspirator, who is currently being investigated with charges pending. This was a six-month investigation and was a collaborative effort among all of the agencies involved.

Under the 2011 grant, the Buffalo Fire Department investigated a total of 173 auto fires. The Buffalo Fire Marshals' Office has identified 98 as incendiary, 64 as accidental and 11 undetermined. An analysis of these fires by Buffalo Police and the Erie Crime Analysis Center found that 65 percent of the auto fires, occurred between midnight and 4 a.m.; 20 percent occurred between 4 a.m. and 6 p.m.; and 15% occurred between 6 p.m. and midnight. Buffalo's GIU detective and investigators assigned to Buffalo's Fire Marshals' Office reviewed the data looking for patterns and broke down the information, which resulted in five arrests ranging from arson, offering a false instrument for filing and falsely reporting an incident. There were 18 (claims that were either pulled or denied by the insurance companies after interviews were conducted by Buffalo's detective and the Fire Marshals' investigators. Currently, there are 12 pending auto fire investigations from 2011.

A very significant accomplishment related to Buffalo's Motor Vehicle Theft and Insurance Fraud grant is the strong collaboration among the various law enforcement and criminal justice partners who investigate both auto theft and insurance fraud crimes. Buffalo Police's detective, because of his expertise in this field, has assisted many contiguous police departments, and likewise, other police agencies have come to

Buffalo's aid. These partnerships are key since the investigation of auto thefts and insurance frauds is very labor intensive and time consuming.

Buffalo's auto theft detective is currently assisting the Conrail Police Department with an ongoing burglary investigation at one of their rail yards where a vehicle with a welder was taken from the property with the keys following the burglary.

One of the State investigations that Buffalo helped with involved investigators from the Department of Motor Vehicles on a larceny in which New York State inspection stickers were taken from a repair shop in the town of Cheektowaga. An undercover operation was initiated and the DMV Investigator purchased the stickers after a posting appeared on the Internet advertising the sale of this particular merchandise. The subject of the investigation, a New York State parolee, was arrested and this case is currently pending in Buffalo City Court. The theft of state inspection stickers has increased citywide in Buffalo. This investigation is ongoing, and Buffalo Police are working with the District Attorney's Office, interviewing purchasers who have been found in possession of the stolen inspection stickers. Those subjects involved are removing the stickers by use of a portable propane torch. The windshield is heated and the sticker is removed from the windshield entry is gained to the vehicle by breaking the passenger side window. Salvage yards have also been targeted by thieves who enter these establishments after they close and remove valid stickers. Buffalo's detective worked with state Insurance Frauds Bureau investigators on four cases; three have been completed and one is pending.

During this reporting period, both the Buffalo and Cheektowaga auto theft detectives teamed up to look at some construction equipment thefts from surrounding Buffalo suburbs (Cheektowaga and Orchard Park). While looking for this type of equipment in Cheektowaga, both detectives were part of a stop involving a Honda Civic that was cited for various vehicle and traffic infractions. The young Buffalo adult, who was the driver and the titled owner of this vehicle, admitted to detectives that he switched the VIN with a VIN plate he took from a 1991 Acura from Buffalo's West Side. This suspect was then placed under arrest for two class E felonies.

Related to this case was the assistance provided to the Buffalo Office of the FBI by Buffalo's auto theft detective who conducted a search at a particular address on Fillmore Avenue, where the identification of a 1996 Chevrolet Flatbed was made. This location was being operated as a repair shop by an individual who is also a suspect in heavy equipment thefts in the towns of Cheektowaga and Orchard Park, and also is suspected of a trailer theft in Buffalo. As various law enforcement investigators reviewed information on heavy equipment, Buffalo's auto theft detective helped the State Police during a search performed at a trucking firm in South Buffalo. Police examined 53 trailers and six tractors. A switched VIN Plate was discovered and steps are being taken to process an arrest.

In May 2011, a New York State trooper from the Lockport barracks contacted the Buffalo Police auto theft detective regarding an individual who purchased a 1988

Kawasaki Motorcycle from another individual in Cheektowaga. The sale took place on May 30, 2011, this motorcycle had been reported stolen to Buffalo Police in June 2007. This investigation is still pending because of several twists; the motorcycle is currently located at a third location and an arrest is imminent.

The auto theft detective assigned to the Cheektowaga Police Department assisted the Buffalo Police Gang Liaison Office at the Juneteenth Festival, held on June 18 and 19. Juneteenth is a worldwide African-American cultural celebration, and Buffalo's celebration, the third largest in the country, was held outdoors in Buffalo's Martin Luther King Jr. Park. This celebration attracted hundreds of attendees over the two-day period. Buffalo's gang liaison officer worked this festival to concentrate police efforts on disseminating information to patrol about the suspected gang members attendance. There was talk about the possible retaliation from a shooting that happened in Cheektowaga where an innocent young adult was shot playing basketball, more than 70 field interviews took place. In addition to gathering intelligence information, the Cheektowaga auto theft detective worked with Buffalo Police's Gang Liaison at the festival and photographed 33 motorcycles. Three motorcycles were identified as having discrepancies in the VIN numbers attached to them and steps are being taken to bring them in for further investigation.

While working with the State Insurance Frauds Bureau on various cases, one of the trends discovered during a particular investigation involved an unlicensed repair shop. The shop would provide the opportunity to a customer to have their vehicle scrapped if repairs were too costly. The customer would then report their vehicle stolen and file a claim with their insurance carrier. As a result of this investigation, the shop operator was charged with criminal possession of stolen property, fraudulent documents and unauthorized use of a vehicle. Law enforcement continues to identify those customers engaged in insurance fraud with the defendant's cooperation.

<b>Buffalo City Police Department</b>			
<b>2011 Grant-Funded Motor Vehicle Theft Activity: SNAPSHOT</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	22	Reported MV Thefts	1,109*
Misdemeanor Arrests	10	Recovered Stolen MVs	917
Felony Arrests	12	Value of Recovered Stolen MVs	\$426,118
Confidential Informants Developed	1	* Based on Preliminary Information – December 2011 data not compiled	

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: SNAPSHOT</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	17	Motor Vehicle Accidents Responded To	8,429*
Misdemeanor Arrests	3	*The Buffalo PD has a Traffic Division with an Accident Investigation Unit. Thus, the duties of the detective who handles motor vehicle theft and insurance fraud do not generally include responding to accidents.	
Felony Arrests	9		
Confidential Informants Developed	2		

## Cheektowaga Town Police Department

The efforts for this time period focused primarily on the investigations of auto theft, insurance fraud, heavy equipment theft, and motorcycles, particularly those with switched Vehicle Identification Numbers. Field efforts consisted of a three-pronged approach, as follows:

- Surveillance of known/suspected chop shops in the Greater Buffalo area; surveillance of “hot spots” for motor vehicle thefts and larcenies, such as Walden Galleria and area strip plazas during the shopping season and of areas where a pattern of motor vehicle thefts/larcenies was occurring.
- Collection of Evidence – Two of the detectives have received extensive training in fingerprint identification, photography, evidence processing, and DNA recovery. The majority of their efforts while assigned to the grant are focused on the processing of motor vehicle theft-related evidence
- Information Sharing – The primary detective makes every effort to share information developed with other police agencies in the area as well as within the department. He accomplishes this through interacting and collaborating including the Buffalo Police Department’s Auto Theft Squad, Erie County Sheriff’s Office, New York State Police, Lancaster Police, Amherst Police, West Seneca Police, Erie County District Attorney’s Office, state Insurance Fraud Bureau, New York State Department of Motor Vehicles, State Department of Homeland Security and Emergency Services, United States Border Patrol, National Insurance Crime Bureau, and with insurance representatives from Geico, Allstate and State Farm. The detective attends crime meetings on a regular basis to include representatives from the agencies listed above. The department also utilizes reports and analysis provided by a police officer assigned to the Erie Crime Analysis Center, which provides a bi-monthly briefing to the patrol force including crime maps that plot areas in the town where patterns seem to be present for reoccurrences of motor vehicle-related theft.

The detectives assigned to the grant also devoted time to attending area festivals that are known to be a haven for stolen auto parts, vehicles, and switched Vehicle Identification Numbers. These venues included Dunn Tire Park Speedway, Juneteenth Festival, Italian Festival and the Puerto Rican Festival. The intelligence gathered at these events provided tangible information that could be passed on to area police agencies to take action.

A unique arrest made in 2011 assisted in keeping a homicide suspect incarcerated while evidence was sought to support a murder charge. The homicide suspect was stopped in a rental vehicle and was arrested for unauthorized use of a motor vehicle and possession of stolen property and remained in custody as more

evidence in the homicide was gathered. The individual was ultimately charged with second-degree murder.

Participation in the UUV Task Force is an integral part of Cheektowaga's overall game plan. The information sharing with this group coupled with continued networking with the Buffalo Police Department is invaluable in keeping detectives informed regarding suspects and trends.

### **Motor Vehicle Theft & Insurance Fraud Activity for 2011**

- **January**
  - Instructed recruits at the Erie County Central Police Services Academy on Penal Law related to motor vehicle theft and switched Vehicle Identification Numbers
  - Assisted in a pawn shop investigation in Chautauqua County examining several ATVs and motorcycles
- **February**
  - Assisted the Buffalo Fire Marshals with stolen vehicles from Cheektowaga located in a burned out condition in the City of Buffalo
  - Assisted the Drug Enforcement Agency and the Buffalo Police Auto Theft Squad in the identification of four motorcycles
  - Assisted the Chautauqua County Sheriff's Office, located a stolen vehicle, and made one arrest
- **March**
  - Attended the Motor Vehicle Theft Group Meeting in Rochester. Arrested a male for insurance fraud after a joint investigation with state Insurance Fraud Bureau
  - Arrested a male for falsely reporting a vehicle stolen
  - Participated in a joint investigation with Chautauqua County Sheriff's Office, and arrested a male for Unauthorized Use of a Vehicle (UUV) and criminal possession of stolen property
  - Recovered a stolen vehicle in Buffalo, in a joint investigation with the Buffalo Auto Theft Squad and the National Insurance Crime Bureau
  - After conducting a UUV investigation, recovered a vehicle at Twin Village Recycling
- **April**
  - Attended the Statewide Work Group Meeting in Albany
  - Participated in a joint investigation with Erie, Penn. Police Department leading to an arrest in its jurisdiction
- **May**
  - Assisted the Buffalo Police Auto Theft Squad leading to an arrest for a switched VIN plate
  - Instructed officers from the Niagara County Sheriff's Office on switched VINs on motorcycles
  - A joint investigation with state Department of Motor Vehicles led to an arrest for possessing a forged registration sticker

- Recovery of a stolen Bobcat Skid Steer
- Recovered vehicle in Buffalo reported stolen in Cheektowaga
- Three separate investigations led to arrests for UUV
- **June**
  - Assisted the FBI with a search warrant examining 23 vehicles, two trailers, two race cars and one boat
  - Attended the Juneteenth Festival in Buffalo; 83 motorcycles were examined, three of which were determined to have a switched VIN plate; intelligence was forwarded to the Buffalo Auto Theft Squad for pertinent follow-up
  - Participated in a joint investigation with the Buffalo Auto Theft Squad culminating in a recovered stolen motorcycle
  - Attended Dunn Tire Speedway in Lancaster; examined 102 motorcycles, 83 vehicles; two motorcycles and five vehicles determined to have switched VINs; intelligence forwarded to Buffalo Auto Theft Squad for pertinent follow-up
- **August**
  - Joint investigation with Buffalo Auto Theft Squad involving surveillance of a chop shop in Buffalo; intelligence shared with Buffalo Police
  - Attended the International Association of Auto Theft Investigators seminar in Atlantic City, N.J.
  - Joint investigation with state Department of Transportation examining four pieces of heavy equipment
- **September**
  - Three separate investigations led to arrests in each for UUV, criminal mischief and grand larceny
  - Attended Puerto Rican Festival in Buffalo; assisted Buffalo Auto Theft Squad gaining intelligence on stolen vehicles and switched VINs
  - Instructed recruits at the Erie County Central Police Services Academy on UUV's and switched VIN indicators
  - Joint auto stripping investigation with Buffalo Police Auto Theft Squad
- **October**
  - Met with Buffalo and Tonawanda Police and shared intelligence regarding stolen motorcycles from Ohio
  - Assisted Niagara County Sheriff's Office in recovering 5 stolen vehicles on Tuscarora Indian Reservation
- **November**
  - Joint investigation with the state Insurance Fraud Bureau and New York Central Insurance Company led to an arrest for insurance fraud
  - Two separate investigations led to arrests for UUV and falsely reporting an incident
  - Recovered stolen motor vehicle reported in Cheektowaga
- **December**
  - Heavy concentration/surveillance in area shopping centers during holiday shopping season
  - Recovered stolen vehicle from Cheektowaga



- Investigation led to arrest for UUV and possession of stolen property

<b>Cheektowaga Police Department 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	96	Reported MV Thefts	105
Misdemeanor Arrests	15	Recovered Stolen MVs	11
Felony Arrests	16	Value of Recovered Stolen MVs	\$210,000.00
Confidential Informants Developed	0		

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	9	Motor Vehicle Accidents Responded To	0
Misdemeanor Arrests	2		
Felony Arrests	2		
Confidential Informants Developed	0		

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

The Motor Vehicle Theft and Insurance Fraud Unit is a unit of the Special Investigations Bureau of the Erie County District Attorney's Office. The unit is comprised of one assistant district attorney. The ADA works very closely with detectives from the Buffalo and Cheektowaga police departments. 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.

During 2011, several large scale investigations were completed:

- In December, an investigation by the Erie County District Attorney's Office resulted in the owner of a trucking company to pleading guilty to two charges of the Class D felony of second-degree criminal possession of a forged instrument, one each in Erie and Niagara counties. He and an employee forged several hundred state Department of Transportation overweight load permits in Erie county that were then used to haul overweight loads of hazardous waste to a dumping facility in Niagara County. The plea was the culmination of an investigation which involved the New York State Police, State Department of Environmental Conservation, Department of Transportation and Buffalo Police. The development of informants as well as controlled phone calls by the informants led to the target, who turned over numerous forged permits to an undercover officer in an attempt to convince the facility that he did in fact have genuine permits. This information was used to obtain a search warrant for the premises of the trucking office as well as the trucks and approximately 350

falsified permits were obtained. The defendant has not yet been sentenced and the case is continuing against the employee who acted with him.

- Pleas to fourth-degree attempted grand larceny were obtained against two car salesmen at a dealership who, with the knowledge and assistance of their sales manager, manipulated registrations in order to appear to qualify for a General Motors rebate provided to dealerships and falsely induce payment. As part of the plea, the salesmen both executed confessions of judgment (for \$9,500 and \$14,500) and will cooperate against their supervisor, whose case is still pending.
- A Buffalo Police officer and a business partner of a defendant who was prosecuted in 2010 falsified the sale prices in his MV-50 books and also failed to pay approximately \$13,000 to New York State. He entered pleas to attempted fourth-degree grand larceny and failure to keep records under the Tax Law. He paid \$12,948.88 in restitution to New York State and retired as a police officer.
- The superintendent of fleet operations for Buffalo, who was responsible for conducting vehicle auctions, falsified the sale prices of the cars and pocketed the difference. He pled to attempted fourth-degree grand larceny and second-degree falsifying business records. As part of his plea, the defendant made restitution in the amount of \$8,575 to Buffalo and retired.

During the past year, the DA's Office also prosecuted a number of owner give-up cases. These cases fall into two categories. The first are those in which the owner disposes of the car themselves, usually through arson. In these cases the defendants are prosecuted for insurance fraud and arson. The second category of owner give-ups is those in which the owners leave the car for disposal by others. This generally results in prosecutions for falsely reporting an incident since there is usually no way to connect them to the destruction of the car and in most cases they are caught before the affidavit of theft is filed with the insurance company.

Currently pending is a case against an individual who hid his snow-plowing truck at the home a friend, falsely reported it stolen to the police and received payment of \$6,771.81 from the Encompass Insurance Company. He is charged with third-degree insurance fraud in the third-degree grand larceny, and third-degree falsely reporting an incident. This case is expected to be resolved by plea or indictment in early 2012.

Other examples of cases prosecuted during the year include:

- An individual entered a plea to third-degree forgery for falsifying a DMV DTF-802. He had possession of an ATV owned by an estranged girlfriend and forged her signature on the form in order to sell it on Craigslist. As part of the plea, the defendant made \$5,000 restitution to the buyer.

- Another defendant pleaded guilty to two counts of second-degree offering a false instrument for filing as a result of making false statements on MV-35 forms for the purpose of scrapping cars.
- A person pleaded guilty to third-degree criminal possession of a forged instrument for driving around with a homemade license plate.
- Two individuals were caught with cars with false VINs after a DMV inspection, and each pled guilty to attempted forgery of a VIN.
- A woman was discovered to have two separate New York State drivers licenses under two names. She entered a plea to first-degree attempted offering a false instrument for filing.
- An individual took a rental car and drove it to Iowa where he was arrested. He entered a plea to fourth degree attempted grand larceny.
- A man sold a car that his landlord left in a garage after claiming it was damaged when the garage collapsed. He pleaded guilty to petit larceny.
- A DNA match was used to identify a person who damaged the interior of a car in an apparent theft attempt. He pleaded guilty to third-degree criminal mischief.

<b>Erie County District Attorney 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b><i>Performance Measure</i></b>	<b><i>Total</i></b>	<b><i>Performance Measure</i></b>	<b><i>Total</i></b>
Investigations Initiated	12	Indictments	6
Misdemeanor Arrests Prosecuted	90	Misdemeanor Convictions	18
Felony Arrests Prosecuted	95	Felony Convictions	27
Confidential Informants Developed	3	Warrants Issued	9

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b><i>Performance Measure</i></b>	<b><i>Total</i></b>	<b><i>Performance Measure</i></b>	<b><i>Total</i></b>
Investigations Initiated	23	Indictments	0
Misdemeanor Arrests Prosecuted	4	Misdemeanor Convictions	6
Felony Arrests Prosecuted	14	Felony Convictions	13
Confidential Informants Developed	1	Warrants Issued	0

## Niagara County Office of the District Attorney

The Niagara County District Attorney's Office has a specific unit dedicated to the investigation and prosecution of 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.

### 2011 Activity

During 2011, some of the largest cases the Niagara County District Attorney's Office was involved in are outlined below:

- The salesman and manager of an auto dealership in Lockport engaged in an ongoing scheme whereby they sold non-existent extended warranties to customers. There were 10 victims located throughout Niagara and Erie counties and total collected for non-existent policies was approximately \$11,000. The defendants were arrested in 2011 and a press release was issued in the hopes of finding additional victims. As preparations were made to present this case to the Grand Jury, several of the victims were unwilling to testify. One victim refused to testify unless the District Attorney's Office would guarantee that he would be reimbursed for the purchase of the warranty. The case was presented to the Grand Jury with six of the 10 victims testifying. The two defendants were scheduled to testify as well but agreed to a plea before the Grand Jury vote. The plea included restitution to all cooperating victims and totaled \$8,000. Both are pending sentencing.
- A suspect worked for a florist making deliveries throughout Niagara Falls and Niagara County. When he would discover no one was home to accept a delivery, he would then proceed to the back of the house and break in. After attempting to break into an occupied home, the suspect fled and a search ensued that involved the lockdown of all local schools. The suspect was apprehended and arrested and was placed in Niagara County Jail. Prior to his arrest, his mother had given her car to him for his personal use. While he was in jail, she reported the car stolen from his address. The MVTIF investigator has access to recordings of inmates at the facility and during the investigation a recorded call was located where upon the suspect was reminding his girlfriend to start the car on fire to collect the insurance. He advised her to push the car away from her house before she did start it on fire. The car was located at the girlfriend's house and it was discovered that the mother did have knowledge it was there. The MVTIF investigator encouraged charges for attempted insurance

fraud also as the case went to Grand Jury. The suspect was scheduled to be indicted on 25 felony charges and nine misdemeanor charges. He pleaded guilty to class C and D violent felonies and received consecutive sentences totaling 11 years in prison and eight years of post release supervision.

- A woman had a one-car accident on the New York State Thruway. She produced a currently dated insurance card to the New York State Police as they investigated. Her car was towed and she was provided a ride home. Within 50 minutes after arriving home she contacted her insurance company and reinstated her insurance coverage. She had been cancelled at the beginning of the month for non-payment. When she reinsured the car she put on additional coverage than she had when she was cancelled, causing the red flag. Her phone call to the insurance company was recorded and she had been asked several times if she or anyone had any type of incident with the car that would cause her to make a claim for the period she was without insurance coverage. She repeatedly stated “no” each time she was asked a variation of the question. The next day she made a claim for the accident claiming it was a week earlier. Once confronted she claimed she may have had her weeks mixed up. Transcripts of that conversation were obtained along with the Thruway report of the accident and damage amount to State property. Her case was offered back to the state police who filed the court information and made an arrest. She has made \$14,945.33 restitution through her attorney for repayment to the insurance company and pleaded guilty to attempted insurance fraud, which is a class B misdemeanor.
- An investigation was started when a cab driver who works in Niagara Falls was at a copy service and left an insurance document in a copy machine. The next person using the copy machine found the Workers Compensation document, could easily tell it was altered, and notified the Workers Compensation Board. Investigation determined the suspect was altering his Workers Compensation Insurance certificate from the previous year and resubmitting it to the city of Niagara Falls as a requirement for obtaining a taxi permit in the city. Investigators reviewed Workers Compensation Certificates of Insurance for the previous six years that this individual had filed. It was discovered that he had altered/forged others and submitted them as proof of Workers Compensation Insurance. He was arrested for insurance fraud, possession of a forged instrument, grand larceny and offering a false instrument for filing, all felonies. This case is still pending.
- An automotive shop in Niagara Falls suffered legitimate fire damage. Two vehicles in the shop were damaged and the shop owner made a claim to the insurance, company stating that both vehicles belonged to him. He received payment for the damage that he claimed to both vehicles. In fact, the first car was purchased after the fire damage from the owner. He told the owners that he would buy it from them for what they had just paid for it because they could make out better than what the insurance company would pay them. He turned the

odometer back in the car which increased the value and submitted the damage claim for the inflated value. The second car actually belonged to a young man. The shop owner paid the youth \$350 cash for the damage and advised that was all that he had received for the damage to the vehicle. He advised him that the insurance company had sent all the money in one check, so he had to pay the youth in cash. In fact, the shop owner had received a \$3,500 payment for the damage to the young man's car. The investigation started when the youth went to register the car on the road and was informed by DMV that it had a salvage title on it and the youth inquired why when there was only \$350 in damages. The defendant pleaded guilty to third-degree insurance fraud, a felony and is currently pending sentencing.

- An individual had a car accident where he claimed physical injury. He was receiving lost wages benefits upon his submission of prescriptions each month stating "no work order" obtained from his doctor. He would fax the prescription to the insurance company. After six months, he stopped going to the doctor and altered the prescriptions for the next five months. He went back to the doctor and received three more months of excuses and again altered the prescriptions and submitted them to receive lost wage benefits. The case is expected to be ready for the Grand Jury soon. Illegal benefits received amount to \$13,700.
- A defendant's mother reported her vehicle stolen after she was advised by police that it had been in an accident and hit a tree. Her son, who is the only other authorized driver, stated that he did not know where the car was and he had not used it lately. Investigation revealed that the mother had no knowledge of who was driving the car when it hit the tree. Her son continued to deny that he was operating the car, but he was persuaded to change his mind when the three passengers in the car with him were interviewed and gave statements stating he was driving. One of the occupants received medical treatment and all stated that the defendant ran from the scene, leaving all three of them sitting in the car. The defendant claimed that all three friends were lying just to get him into trouble. He was arrested for offering a false instrument for filing, attempted grand larceny and insurance fraud. Prosecution is pending.

<b>Niagara County District Attorney</b>			
<b>2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	113	Indictments	16
Misdemeanor Arrests Prosecuted	151	Misdemeanor Convictions	108
Felony Arrests Prosecuted	108	Felony Convictions	17
Confidential Informants Developed	1	Warrants Issued	7

<b>Niagara County District Attorney</b>			
<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	19	Indictments	3
Misdemeanor Arrests Prosecuted	9	Misdemeanor Convictions	7
Felony Arrests Prosecuted	7	Felony Convictions	7
Confidential Informants Developed	1	Warrants Issued	5

**Niagara County Office of the Sheriff**

The Niagara County Sheriff’s Office is the primary law enforcement agency in Niagara County. The Office of the Sheriff is responsible for 12 towns and five villages in the county. The Sheriff also supplements law enforcement agencies in the county’s three cities.

A Task Force to deal with automobile theft and insurance fraud was restarted in 2006. The Task Force consists of supervisors, investigators and deputies who are trained in advanced methods of auto theft investigation, detection and intelligence gathering. The Task Force is an important part of the Sheriff’s Office as it works to reduce automobile theft and insurance fraud countywide with inter-agency efforts, and by sharing resources and information with local and state agencies.

As has been the trend in Niagara County for several years, the area of the county where most stolen vehicles are recovered is the Tuscarora Indian Reservation which is fully contained in the Town of Lewiston. The vehicles recovered on the reservation are not only from Niagara County, but a vast number are thefts that have occurred in Buffalo, Amherst, Tonawanda, and other Erie County locations. In 2011, the informant network on the reservation was expanded by developing new leads that led to an even faster recovery rate of vehicles. Suspects were identified in some of the thefts and in October after a police pursuit, three suspects were apprehended in a stolen vehicle. A new major suspect has been identified and several ongoing cases are linked to him. A positive development regarding how and where vehicles are being stolen and dumped for further “processing” of valuable parts occurred during an interview of a renowned car thief who was awaiting sentencing in February. The defendant, who admittedly had a role in the theft of dozens of vehicles in 2010, provided information on 28 cases. This debriefing provided information on other suspects and on which cars were targeted. These arrests led to a marked decline in the number of stolen vehicles in Niagara County in 2011, when the Sheriff’s Office took less than half as many reports as in 2010.

During the warmer months, larcenies from vehicles continued to be a common occurrence. This is a trend that has continued to be more frequent in the past three years. In 2011, the Sheriff’s Office took most reports down the “center part” of the

county, starting in the northern village of Wilson, and moving south into the town of Cambria, west to town of Wheatfield, and east to Lockport. Several arrests were made in 2011 in relation to larcenies from vehicles and auto stripping. Seventeen individuals were arrested, including the apprehension of individuals who committed large sprees in the towns of Wilson and Cambria. Other significant larceny and auto stripping arrests were made in the towns of Wheatfield, Lockport and the hamlet of Gasport.

In the east end of the county during the winter months, there were a significant number of commercial businesses burglarized with reported stolen vehicles turning up near crime locations. In April, a suspect was located leaving a tavern while driving a stolen vehicle. After a vehicle pursuit, foot chase, and coordinated area search with the New York State Police, the suspect was captured. He was linked to stealing at least 10 vehicles in the city of Lockport, and towns of Lockport and Newfane.

Finally, the biggest operation the Task Force conducted this past year was a coordinated search of the Tuscarora Reservation for previously unrecovered stolen vehicles. Using informant information, previously scouted locations from the air, and previous knowledge of “dumping” spots, a search was launched on Oct. r 5 utilizing all-terrain vehicles, four- wheel drive vehicles and officers on foot. Officers from the Sheriff’s Office Stolen Vehicle Task Force, Special Operations Division, Lewiston Police town of Niagara Police, Cheektowaga Police, and Bureau of Indian Affairs took part in the operation. A total of five vehicles were recovered during the day-long operation. All were in hard to access locations and well hidden. Three were significantly stripped of valuable parts and burned. This was a collaborative effort that shared knowledge and established important future contacts in the fight against auto theft.

<b>Niagara County Sheriff</b>			
<b>2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations initiated	133	Reported motor vehicle thefts	98
Misdemeanor arrests	29	Stolen vehicles recovered	63
Felony arrests	14	Value of vehicles recovered	\$234,304

<b>2011 Grant-Funded Motor Vehicle Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations initiated	4	Motor vehicle accidents responded to	2,335
Misdemeanor arrests	2		
Felony arrests	0		

**Niagara Falls City Police Department**

The project is managed as a special operation under the direction of the captain of the Criminal Investigation Division (CID) with emphasis placed on investigations, 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 police superintendent and captain of CID for analysis to be used in the weekly supervisors' meeting attended by all division supervisors. The investigations are analyzed to predict crime pattern indicators and focus on auto-theft, insurance fraud, and false insurance claims. As the situation warrants, this agency operates surveillance in locations identified as high auto theft crime areas through crime analysis data collected. Stings and undercover operations are then planned and scheduled as a result of the data analysis. The MVTIF grant funds make it possible to assign criminal investigators to follow-up on nearly all motor vehicle theft and motor vehicle fraud cases that normally would only be pursued if there was a possible suspected reported. Investigators are able to canvas the neighborhoods, locate and interview witnesses and work after hours with other agencies and insurance companies that would not be possible without the grant.

Within the city of Niagara Falls, motor vehicle theft increased 7percent in 2011 compared to 2010. The time of day that the most motor vehicle thefts are being reported is between 8 a.m. and 12p.m. The days of the week that vehicles are reported stolen are as follows: Sunday (29); Monday (19); Tuesday (20);Wednesday (19); Thursday (14); Friday (26) and Saturday (16). Of the 143 vehicles reported stolen in 2011, 118 vehicles were recovered (83percent) with a recovery value of \$408,500. The MVTIF Unit made 29 misdemeanor arrests for motor vehicle theft and 27 felony arrests. The unit continued to see an increase in the number of vehicles stolen that have ended up on the Tuscarora Indian Reservation. Upon recovery it has been determined that many of these vehicles have been stolen for parts. Several of these vehicles have also been set on fire prior to recovery.

Department investigators continue to pursue motor vehicle insurance fraud cases on a regular basis, working closely with State Insurance Fraud investigators and insurance company representatives to investigate suspected insurance fraud and false personal injury claims. Eight suspected insurance fraud cases were successfully investigated during the year resulting in 12 felony and one misdemeanor arrests.

### **Noteworthy Investigations**

On May 27, 2011, a Niagara Falls taxi driver attempted to commit motor vehicle insurance fraud by trying to forge a State insurance document by replacing the name on the document with his own. The suspect then presented the forged document to the Niagara Falls Police Traffic Division as proof he had the mandatory insurance for his taxi registration. The suspect did this to avoid paying the State Insurance Fund fee of \$1,964.83. A further check by the NFPD Traffic Division revealed that the same suspect presented forged insurance documents in 2008, 2009 and 2010. The total amount of loss to the State Insurance Fund was \$7,373.52. The suspect was arrested

by MVTIF unit detectives and State Insurance Fraud investigators and charged with three felonies: possession of a forged instrument, grand larceny and insurance fraud.

On December 24, 2011, the NFPD utilized an undercover sting operation to locate a stolen vehicle. The victim called police after she was contacted by a 20-year-old suspect who offered to return her vehicle if she paid him \$1,200. An undercover NFPD officer assumed the identity of the victim's cousin and went to the agreed location to try to locate the suspect and the stolen vehicle. When the undercover officer made contact with persons inside the residence, he was recognized by someone inside the house as a police officer and a suspect pointed a shotgun at the officer. The Emergency Response Team was activated and arrived on location a short time later. After a brief standoff, three suspects emerged from the house and surrendered. The 20-year old was arrested and charged with grand larceny as well as third-degree rape from a separate incident. The other two suspects were arrested and charged with second degree menacing and grand larceny, respectively.

<b>Niagara Falls City Police Department 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	161	Reported MV Thefts	143
Misdemeanor Arrests	29	Recovered Stolen MVs	118
Felony Arrests	27	Value of Recovered MVs	\$408,500
Confidential Informants Developed	7		

<b>2011 Grant-Funded Motor Vehicle Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	8	Motor Vehicle Accidents Responded To	0
Misdemeanor Arrests	1		
Felony Arrests	12		
Confidential Informants Developed	7		



***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 County Court bureau chief. The majority of stolen vehicle and insurance fraud cases involving motor vehicles have been assigned to this unit since inception. Misdemeanor auto theft cases continue to be prosecuted by various ADA's 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 County Court bureau chief advises state and supervises both of the personnel assigned to the program, chairs meetings with DMV and local representatives of the Insurance Frauds Bureau of the New York State Department of Financial Services, and provides input in developing strategies and setting priorities for the program. Following an initial screen by the County Court bureau chief, the ADA assigned to the MVTIFP unit fully evaluates all cases referred to the program. In addition, the ADA 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 prior criminal histories to identify repeat offenders, and works closely with police agency personnel assigned by their respective departments to investigate the target crimes.

### **Current Trends and Statistics**

Due to the efforts of the MVTIFP unit and taskforce, there has been a marked decrease in the incidence of Motor Vehicle Theft in Monroe County. In 2006, the number of motor vehicle thefts reported in Monroe County was 3,030. In 2011, the number of thefts reported was 976, representing a 68 percent decrease.

The District Attorney's Office, in conjunction with the Auto Theft Task Force, has worked to educate Monroe County law enforcement agencies about the New York State Penal Law statute regarding auto stripping. Law enforcement agencies have been directed to charge defendants with auto stripping in cases of auto theft, as well as larcenies from vehicles, when appropriate damage to the vehicle is incurred. Since a misdemeanor auto stripping conviction provides a predicate element for a felony auto stripping prosecution, it would be sought by the ADA through indictment or a plea offer.

The District Attorney's Office has requested when law enforcement agencies in Monroe County are dealing with stolen auto cases, the driver be charged with third degree UUV in addition to the appropriate felony charge, (second, third, or fourth degree criminal possession of stolen property). Since the UUV third degree conviction provides a predicate element for a felony second degree UUV prosecution, it would be sought by the ADA through indictment or a plea offer.

In January 2011, Monroe County experienced a rash of stolen vehicles from suburban car dealerships. The majority of these thefts occurred at one particular dealership where the inventory at any given time would consist of anywhere from 1,200 to 1,500 vehicles. In these cases, thieves were breaking into lock boxes that were attached to the driver's window in order to access keys. Once they gained access to the vehicles, they would often put one or two illegal plates on the vehicle and then leave the dealership. Due to large inventories, dealerships were often unaware that vehicles were missing, so they weren't reported stolen in a timely manner. There were a number of arrests made in these cases which were aggressively prosecuted by the District Attorney's Office. The majority of those arrested were inner-city youth, both male and female, most of whom were affiliated with gangs.

In late-April through mid-May, dealerships were once again victimized by thieves breaking into lockboxes. The District Attorney's Office, working with task force members, made several arrests, and recovered numerous vehicles. Subsequent to the second round of thefts, some of the dealerships ceased using lockboxes, and a substantial reduction in the number of thefts from their dealerships has resulted. For the most part, these were crimes of opportunity, with joyriding believed to be the main reason for the thefts.

The District Attorney's Office and the Rochester Police Department handled a case of theft of a motorized wheelchair from a patient at a local hospital. An individual was arrested for the theft of the wheelchair, and was indicted on a charge of second-degree UUV as he had a previous third-degree UUV conviction within the last 10 years. The victim of this crime was an elderly war veteran who was a patient at the hospital where the crime occurred. Unfortunately, the victim passed away prior to the trial, thus making the prosecution of the case more difficult. The ADA assigned presented the case at trial and received a guilty verdict for the crimes of second degree UUV, and fourth degree CPSP. As a result of that verdict the defendant was given a prison sentence of 2 to 4 years.

Monroe County has recently experienced a dramatic increase in the number of stolen vehicles being sold for scrap. This problem has surpassed the longstanding joyriding problem in Monroe County. There has been a major spike in the number of thefts that have occurred via use of the New York State MV-35 and MV-37 forms. Investigations have revealed that individuals are claiming to be the owners of targeted vehicles, and that they have lost or misplaced the titles to said vehicles. They then prepare the appropriate document in order to facilitate the transaction, be it the MV-35 or MV-37. Once this is done, the salvage yard retains the form and pays the person who sold them the vehicle.

There have also been a number of tow truck drivers who have been directly involved in the thefts of these vehicles. These individuals have towed vehicles from city streets and private property, and have done so without the permission or knowledge of the titled owner. Some individuals who have been arrested in the past for these types

of crimes are now acting as facilitators for these crimes. As facilitators, these individuals are identifying the targeted vehicles and are also recruiting people to enable the deals between the tow truck drivers and the salvage yards. These cases have increased dramatically during the last quarter of 2011. There are presently a number of these cases being prosecuted by the District Attorney's Office.

### **Monroe County MVTIFPP 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 New York State 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.

The strategy used to combat auto insurance fraud utilizes the New York State Department of Financial Services Criminal Investigation Unit as the primary source for insurance fraud cases. At each regular monthly Task Force meeting, new referrals received by the Criminal Investigation Unit (CIU) are reviewed by those in attendance, and assigned to investigators working under the grant. This close working relationship with CIU Investigators has proven to be essential when conducting these investigations. CIU investigators have experience and knowledge about fraud investigations and are able to obtain necessary documents from insurance Special Investigation Units (SIUs) regarding the cases. Because the referrals come from insurance SIUs, 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. Interagency collaboration will continue to be a cornerstone upon which the continued success of the program rests.

<b>Monroe County District Attorney 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Sealed Investigations Initiated	5	Indictments	57
Misdemeanor Arrests Prosecuted	157	Misdemeanor Convictions	123
Felony Arrests Prosecuted	170	Felony Convictions	29
Confidential Informants Developed	0	Warrants Issued	0

<b>Monroe County District Attorney</b>			
<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	5	Indictments	3
Misdemeanor Arrests Prosecuted	3	Misdemeanor Convictions	2
Felony Arrests Prosecuted	2	Felony Convictions	0
Confidential Informants Developed	0	Warrants Issued	0

### **Monroe County Office of the Sheriff**

MVTIF grant funding enabled the Monroe County Sheriff's Office (MCSO) to continue their involvement in the Monroe County Auto Theft and Insurance Fraud Task Force in 2011. The Task Force is made up of the DA's Office, Monroe County Sheriff's Office, Rochester Police, New York State Police, The State Insurance Fraud Bureau, and State DMV.

During 2011, 153 motor vehicle thefts were reported to MCSO, a decrease of 9 percent from the 2010 total of 168. Thirty-three fewer investigations were initiated by MCSO for motor vehicle theft for a decrease of 23 percent from 2010. For the county as a whole (all jurisdictions except the City of Rochester), the number of stolen motor vehicles went up 8 percent from 441 stolen motor vehicles in 2010 to 476 in 2011.

#### **Church Burglary Spree with a stolen Jeep**

Between December 2010 and February 2011, MCSO experienced a spike of Jeep-make vehicle thefts from the south side of Monroe County. At the same time, an increase in the burglary of churches was occurring. Through the cooperative efforts of the Task Force members, information was developed and passed to uniform patrols. On one particular night, two burglar alarms came in for local churches. A stolen Jeep was located in the vicinity of the churches and based upon the previously shared information a traffic stop was attempted, however, the vehicle failed to stop. The suspects eventually fled from the vehicle into a field/swamp before being taken into custody. Suspects were interviewed by MC MVTIF Task Force members and ultimately convicted for stealing vehicles and over 20 burglaries.

#### **Car Larcenies involving Stolen Handgun**

A multijurisdictional investigation revealed that on Sept. 9, 2011, two suspects broke into an off-duty law enforcement officer's vehicle while it was parked at Marketplace Mall and stole two loaded handguns, a Taser, a Nikon camera and a GPS device. It was also discovered that suspects had broken into a vehicle parked at Pittsford Plaza and stole two credit cards, a cell phone, a purse and a laptop computer.

After an exhaustive multiagency investigation, the pair was apprehended. The male suspect had five previous felony convictions, and was arraigned sent to jail without bail. The female suspect was arraigned on the mall job, and sent to jail with bail. One of the weapons has been recovered and the investigation into finding the other items is continuing.

### **Auto stripping investigation that led to a murder case in Puerto Rico**

Pursuant to a Task Force investigation into an increase of vehicle auto stripping/larcenies, MCSO deputies were able to apprehend three suspects. Interviews of the suspects led to the involvement of those individuals in additional criminal activity. Upon further interrogation, it was learned that one of the suspects had fled Puerto Rico to elude a murder investigation. At the conclusion of the interview, the suspect made admissions to the murder, confessing to shooting a man six to eight times. The suspect was charged for his local crimes, and detained for the Puerto Rican authorities for extradition on the murder charges.

### **Auto theft from county parks**

During the summer of 2011, there was an increase in thefts from motor vehicles at various county parks, suspects would break windows of parked vehicles and steal credit cards and other contents. With the assistance of a case analyst and the tracking of a member of the MVTIF Task Force, a discernible pattern was developed. After another reported vehicle incident and armed with good intelligence, deputies responded to the retail store where the suspects used stolen credit cards in the past. Two suspects and a 13-year-old companion were taken into custody after having used one of the credit cards stolen. A stolen purse and credit cards from one of the victims was recovered. One of the suspects gave a statement, admitting that she, her ex-husband, and her 13-year-old daughter had been breaking into cars at county parks. This incident resulted in multiple arrests and clearances of up to eight known cases of auto stripping.

### **Auto stripping of auto batteries**

During the summer of 2011, the Monroe Crime Analysis Center (MCAC) developed information that a parolee may have been involved in the stealing of batteries from personal, recreational, and commercial vehicles throughout Monroe County. At the time of this detail, there were in excess of 20 open cases.

Members of the MVTIF Task Force, Wayne County Sheriff's Office, MCAC, and Gates and Greece police departments met to strategize on a detail that would result in the apprehension of the suspect. A GPS tracking device was utilized and placed on the suspect's vehicle, and its data was analyzed; and information revealed that after committing an offense, the suspect would proceed to local recycling centers and sell the batteries.

In August 2011, physical surveillance was conducted on the suspect and his vehicle. The suspect went to various locations throughout Monroe County to auto strip batteries from vehicles. After each stop, a member of the detail would check the location and confirm that a crime had occurred. Members of the detail were then able to stop and apprehend the suspect. Sixteen car and truck batteries, a large gas tank, burglar's tools, and a Rochester Gas and Electric meter were recovered. Search warrants were executed for the suspect's vehicle and home, as well as his parents' home, where additional stolen property was recovered. The suspect was ultimately convicted of a felony but would not cooperate on the other cases. This arrest allowed investigators to clear more than 20 similar cases, and since then there have been no further stolen auto battery patterns developed.

**Auto break-ins at town parks on the east side of the county - Auto Stripping/GL**

In the fall of 2011, a pattern was developed where someone would break the window to vehicles parked at a town/county park during lunchtime and steal from them. Often, a credit card was stolen and later used at a local store.

Members of the MVTIF task force were able to identify the pattern and set up a detail using a "bait car" that was equipped with MVTIF Scout Alarms. A purse containing a credit card was placed into the vehicle. The alarms were placed in such a way that if the vehicle's doors were opened, or motion was detected in the vehicle, a silent alarm would activate and broadcast the activity to the portable radios of members of the detail who were providing support and visual surveillance. At approximately the same time, this suspect was taken into custody at another location on similar charges. These pattern cases were cleared with his confession.

<b>Monroe County Sheriff</b>			
<b>2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	111	Reported MV Thefts	153
Misdemeanor Arrests	28	Recovered Stolen MVs	89
Felony Arrests	7	Value of Recovered Stolen MVs	\$626,309
Confidential Informants Developed	0		

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	0	Motor Vehicle Accidents Responded To	7,660
Misdemeanor Arrests	0		
Felony Arrests	0		
Confidential Informants Developed	0		



## **Rochester City Police Department**

The Rochester Police Department's Auto Theft Unit is under the command of the Special Operations Division and is responsible for grant work relating to the Motor Vehicle Theft and Insurance Fraud Prevention grant. The Auto Theft Unit investigator coordinates investigations and motor vehicle-related crime initiatives utilizing personnel from various other divisions within the department.

The Auto Theft Unit investigator is assigned full time to a multi-agency Auto Crimes Task Force. The Task Force operates from within the Auto Theft Unit of the New York State Police Special Investigations Unit in Rochester. The Task Force also has investigators from the Monroe County District Attorney's Office, the State Department of Motor Vehicles Field Investigations Division, and the State Department of Financial Services, Insurance Division- Criminal Investigations Unit.

Using grant funding, members were able to attend two MVTIP Statewide Advisory Group Meetings and the 59<sup>th</sup> Annual International Association of Auto Theft Investigators Training Seminar in 2011. Members attended 14 Auto Theft Task Force meetings throughout the year. The meetings are open to all local law enforcement agencies involved in motor vehicle-related investigations. The Auto Theft investigator was also able to provide training to 358 department members on vehicle theft for scrap investigations and legal issues relating to motor vehicle theft and possession charges. As a result of grant-funded investigations, members entered 42 motor vehicle theft and 10 insurance fraud targets into SAFETNet.

In 2011, Rochester experienced the same types of thefts as in past years. While theft for joyrides continues to slowly decline, there has been a sharp increase in the number of vehicles stolen for scrap. Suspects in these crimes scout neighborhoods searching for vehicles that may not be frequently driven, unregistered or possibly inoperable. They then contact scrap processors, which send out tow trucks to purchase the vehicle. The suspects wait nearby the location where the vehicle is located and meet the tow truck. They sign the necessary paperwork and after being paid, direct the tow driver to the vehicle. Most times, the vehicles are towed from the owner's residence while they are not home.

Members conducted 57 investigations into vehicles stolen for scrap resulting in 44 vehicle recoveries at local scrap processors and dismantlers. Many of the vehicles had already been crushed or severely damaged when located so they are not included in the recovery value performance measure. At the time of theft, these vehicles had an aggregate value of \$32,700. Another four of the investigations were attempted thefts for scrap by suspects who were interrupted or apprehended in the act. In five other cases members were unable to locate the stolen vehicles. They were investigated as having been stolen for scrap based on factors including tow truck involvement, the age, or condition of the vehicle. Additionally, members discovered three vehicles at scrap processors that were sold to the location by a suspect already under investigation. Due

to non-conforming vehicle identification numbers listed on business records, the true identity of the vehicles has not yet been determined. They are being investigated as stolen vehicles based on the suspect's history of such transactions.

Through investigations, members have found that suspects involved in theft for scrap commit multiple thefts and frequently go undetected for months or years. The suspects change their method of operation to further disguise their activity. In one such case starting in March, members investigated a stolen vehicle recovered at a dismantler after it had been sold on a New York State Department of Motor Vehicles, Statement of Vehicle Owner Who Does Not Have a Valid Title (MV35 form) signed by the suspect. During the investigation, members learned that the same suspect was frequently calling the dismantler and requesting to have vehicles towed that he was selling as scrap. In other cases, the suspect drove vehicles to the scrap processor and sold them. Members later learned that the suspect had test driven these vehicles off dealer's lots and then brought them to the scrap processor.

The investigation continued and the suspect was identified as having involvement in at least four thefts for scrap. In some of the cases, the suspect had assistance from friends in committing the crimes. At the end of March the suspect was arrested and charged with three of the thefts. During the following months of court proceedings the suspect was released from custody.

Throughout the spring and summer, members continued to recover stolen vehicles at scrap processors. The names found on the DMV forms used to dispose of the vehicles varied with a few names appearing on more than one form. As members investigated these thefts and recoveries, they discovered that the suspect arrested in March had been observed at the scrap processor each time one of the stolen vehicles was sold. The investigation revealed that the suspect was active again in thefts for scrap, but had changed his method of operation to avoid detection. The suspect was aware from his previous arrest that members had obtained subscriber information and phone records linking his cell phone to calls placed to scrap processors and tow trucks as he was disposing of stolen vehicles. The suspect was now using a prepaid phone with no subscriber information.

Previously, the suspect contacted one or two scrap processors and arranged for them to pick up his stolen vehicles. The suspect was now calling several private tow companies to dispose of the vehicles. The suspect also discontinued his practice of meeting the tow truck driver where the vehicle was located. Instead, he would provide the tow company with the address where the vehicle was to be towed from. He would request that the vehicle be towed to a scrap processor where he would meet the tow truck. For a small amount of money the suspect was able to solicit other people at the scrap processor to use their identification and complete the necessary DMV forms to sell the vehicles as scrap. By doing this, the suspect was avoiding forgery charges and decreasing his chance of being identified as he had previously.

The suspect failed to realize that employees at the scrap processors observed him soliciting people to complete his transactions. The suspect was confident that he had avoided detection during the theft and sale of the vehicle. He would then accompany the person he solicited to complete the paperwork to a location where the check for the sale of the vehicle could be cashed. Each time, the location cashing the check captured a picture of the suspect standing next to his accomplice as the check was cashed.

In August, the suspect was again arrested. The suspect was known to have been involved in 16 thefts for scrap although tow truck drivers and accomplices stated the suspect had been engaged in this type of crime for a couple years before he was caught. In all he was charged with seven thefts. Charges included Grand Larceny 4<sup>th</sup>, Grand Larceny 3<sup>rd</sup> and Forgery 2<sup>nd</sup>. Three of the accomplices that completed DMV forms to dispose of the vehicles on the suspect's behalf were charged with Forgery 2<sup>nd</sup>. Others were used as witnesses.

Another theft for scrap case in 2011 resulted in a suspect being arrested in September. He was charged in connection for stealing six vehicles and selling them for scrap. He was also identified as being involved in numerous other thefts that were unable to be charged. In December, members identified yet another suspect involved in nine thefts for scrap. The investigation is continuing.

Insurance fraud investigations varied in nature throughout the year. Members investigated 16 motor vehicle accidents as suspected insurance frauds. In one investigation, members determined that the suspect added collision coverage to a vehicle and filed a \$1,200 claim after having the motor vehicle accident. Members arrested the suspect for attempted fourth-degree grand larceny, as there was no written documents filed with the insurance company to support fraud charges. During another investigation members determined that the suspect who filed a claim for injuries sustained in a motor vehicle accident was a "jump-in" and was not in the vehicle at the time of the accident. An arrest is pending.

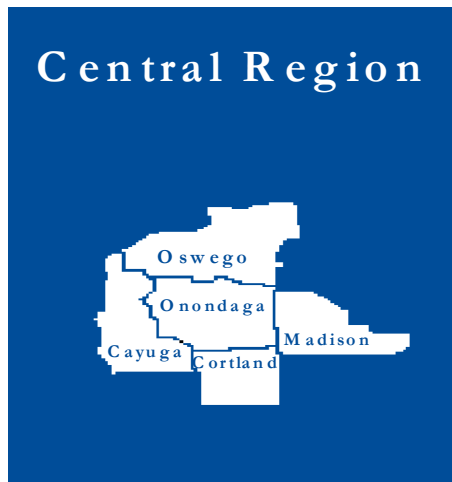
A fraud investigation was also conducted where a suspect filed multiple claims for the same pre-existing damage to his two vehicles. The suspect filed a total of five false claims for the damage with three different insurance companies, using two different names. Each claim is less than \$1,000. An arrest is pending.

Members also investigated suspected inflated claims, theft reports filed to cover the insured's involvement in a motor vehicle accident, and vehicle arsons. One investigation involved the insured's vehicle being stolen and found burned. The investigation revealed that the vehicle had serious mechanical problems prior to the theft. Members could not prove that the insured had falsely reported the theft or caused the fire. However, evidence showed that the insured provided her insurance company with false information about the vehicle claiming it was in excellent mechanical condition prior to the theft. Based on this information, the claim for damage caused by the fire was set at \$9,050. The actual value of the vehicle was determined to be at least \$3,000 less

based on the mechanical condition. The suspect was charged with third-degree insurance fraud.

<b>Rochester City Police Department 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	91	Reported MV Thefts	667
Misdemeanor Arrests	8	Recovered Stolen MVs	62
Felony Arrests	36	Value of Recovered Stolen MVs	\$194,645
Confidential Informants Developed	3		

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	23	Motor Vehicle Accidents Responded To	8,670
Misdemeanor Arrests	0		
Felony Arrests	1		
Confidential Informants Developed	1		



### **Central Region**

Syracuse City Police Department

### **Syracuse City Police Department**

The Syracuse Police Department maintains a Stolen Vehicle Unit within its Criminal Investigations Division. The unit consists of one detective who oversees all open stolen vehicle investigations and conducts follow-ups as needed. The detective also investigates any report that appears to be fraudulent, looking for possible insurance fraud. The detective sits with the Financial Crimes investigators of the Criminal Investigations Division, which affords him the opportunity to confer with and compare notes with that unit for a fresh perspective on any suspicious theft claims.

Midway through 2011, the Department requested that the Onondaga Crime Analysis Center (OCAC) analyze all stolen vehicle reports looking for trends or commonalities that might have slipped past the detective's review. The analyst had been doing mapping of the stolen vehicles up until this time. Through the OCAC's analysis of the stolen vehicle reports, information was gathered and stolen vehicle suspects were developed, resulting with arrests and recoveries that might have gone unnoticed until the various rings had grown much larger or bolder.

During 2011, the city of Syracuse experienced 294 incidents of motor vehicle theft, with a book value of \$2,298,920. The department recovered 178 vehicles, with a book value of \$1,185,870, leaving \$1,113,050 worth of stolen vehicles not recovered. The department made arrests in 67 cases (23%), which resulted in the arrest of 104 individuals, and the filing of 120 misdemeanor and 84 felony charges. The department also recovered 43 stolen vehicles from outside agencies. The value of the outside recovered vehicles was \$290,050. The department made arrests in 10 of the outside recoveries, resulting in 18 individuals being charged with 28 misdemeanor and 20 felony offenses. Additionally, outside agencies recovered 32 Syracuse stolen vehicles with a value of \$768,050. This included a Greyhound bus valued at \$500,000; the thief was arrested after Greyhound remotely killed the engine). The total number of individuals arrested by outside agencies and their charges was unavailable. There were three vehicles stolen during 2010 that were recovered in 2011. The three vehicles had a value of \$39,300 and no arrests were made.

The types of vehicles stolen within Syracuse were: 178 passenger vehicles, 66 sport utility vehicles, 39 vans (mini-and-full-size), 15 trucks, nine motorcycles and one bus.

While ignition bypass is still a problem, that method of theft wasn't the most common. The number one method was the use of keys, followed by domestic incidents, incidents where the victim knew the suspect are incidents where the vehicle was left running and unattended. Ignition damage, burglary, interdrug trade and towed tied for fifth. There were 80 incidents of theft where a method of theft could not be determined. In the vast majority of the unknown methods, the owner of the vehicle was still in possession of the keys.

Syracuse also experienced thefts of construction equipment from work sites or storage yards. During 2011, there was a Street Roller stolen from a fenced-in storage yard (not recovered), a full-size dump truck stolen from its storage yard (later found to have been scrapped for \$450 and an arrest made), three utility trailers (not recovered), and a \$180,000 Caterpillar front end loader, its trailer and a \$20,000 small excavator. The Caterpillar and its trailer were recovered after the thief lost control of the trailer on a curve in the town of Dewitt. The thief unhooked the tow vehicle and left the scene prior to the arrival of law enforcement. The excavator has not been recovered.

As has been the case in Syracuse, the majority of motor vehicle theft appears to be for transportation. Opportunist thieves are finding vehicles running and using them until they are stopped by police or they run out of gas. Near the end of 2010, the department

discovered that vehicles were being stolen through the use of tow trucks. The suspicion was that the vehicles were being towed to one of the area scrap yards and sold as scrap. The trend continued in 2011 and investigations caught an individual red-handed; he subsequently provided detectives with information on how he stole the vehicles. He would contact one of many tow companies involved in buying scrap vehicles and then "sell" the vehicle to the tower, claiming to be the owner. The tow truck operator would then take the phony bill of sale to a local scrap yard where he resold the vehicle. The tow operators were not charged with any crime as they appeared to have been duped.

The use of tow trucks continued with another group using a similar MO, resulting in the arrests of a mother, her son and his girlfriend. While the stolen vehicles weren't recovered, four cases were cleared by arrest. Another group used the name of a deceased family member and arranged to have the previously mentioned dump truck towed and scrapped. The deceased's name was used on the DMV forms that were given to the tow truck operator. When the group contacted the same tow company to sell additional vehicles, the tow company contacted Syracuse police and the group was arrested. As a result of these thefts, the department began sending detectives to all scrap yards within the city. The scrap yards were advised of the scam and their books were checked. These inspections occurred often and the incidents of stolen vehicles taken to scrap yards dropped off the charts. However, another scrap yard just outside the city limits wasn't affected by the city inspections and may be responsible for some of the active stolen vehicles. The department currently is working with the town of Geddes, Onondaga County Sheriff's Department (OCSD) and New York State Police (NYSP) to address this scrap yard.

During the final months of 2011, the city and county experienced a rash of Chrysler, Dodge and Jeep products that were stolen or attempted to be stolen. All of the vehicles were four-wheel-drive and of 14 stolen, only two were recovered. One was found on the Onondaga Indian Reservation (along with license plates from two others) and the other was recovered by the owner who chased down his stolen vehicle onto the reservation and recovered it after the suspects fled on foot. The OCSD and SPD are working with the tribal chiefs to find the missing vehicles and make arrests.

Lastly of interest, were two push start/key fob vehicles stolen while the key fobs were in the possession of the owners and not near the vehicles. The vehicles were a 2011 Lexus R350 and a 2011 Audi A8. Both vehicle owners claimed that they hadn't been warming up the vehicles and had no idea the vehicles were gone. Both vehicles have cut off features that kill the engine if the fob isn't within a predetermined distance of the vehicle. Both vehicles were recovered in the same neighborhoods as the theft. Opportunity appears to have been the reason for the theft.

Agencies, members of the department conducted 42 meetings with various law enforcement agencies, including the Onondaga County District Attorney's Office, OCSD, NYSP, Geddes police, Drug Enforcement Administration, U.S. Marshals, Dewitt police and various other town and village departments.

The department responded to 6,848 Motor Vehicle Accidents during 2011, however, there wasn't any insurance fraud discovered by the SPD during 2011.

<b>Syracuse City Police Department 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	294	Reported MV Thefts	312
Misdemeanor Arrests	120	Recovered Stolen MVs	178
Felony Arrests	84	Value of Recovered Stolen MVs	\$1,185,870
Confidential Informants Developed	0		

<b>2011 Grant-Funded Motor Vehicle Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	0	Motor Vehicle Accidents Responded To	6,848
Misdemeanor Arrests	0		
Felony Arrests	0		
Confidential Informants Developed	0		



**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 (APD) Auto Crimes Task Force (ACTF) was created in 2003, and now consists of 26 members including patrol officers, detectives, sergeants and lieutenants. The ACTF operates out of APD's Criminal Investigation Unit under the supervision of the detective lieutenant and detective sergeant.

The ACTF's primary objective is to investigate all auto thefts, unauthorized use of a motor vehicle and possible motor vehicle insurance fraud. The ACTF continues to work with State DMV, the Albany County District Attorney's Office and New York Anti

Car Theft and Fraud Association, Inc. in an effort to reduce motor vehicle theft and insurance fraud-related crimes.

During 2011, APD saw about a 13 percent decrease from 2010 in stolen motor vehicles: 232 in 2010 to 202 in 2011. APD's recovery rate was 91 percent in 2011 for stolen vehicles. Most of the vehicles stolen were a result of victims leaving their vehicles running unattended or leaving spare keys in an unlocked vehicle. Less than one percent of vehicles recovered showed any damage to the steering column or ignition. Most of the recovered vehicles showed no signs of forced entry into the vehicle. The top two locations for motor vehicle theft happen to be the areas where the most calls for service are received, including assaults, robberies, drug sales/possessions, and weapons possession. Additionally, a majority of the city's population live and work in these areas so vehicles are in abundance.

Just as APD experienced a decrease in motor vehicle theft, the number of unauthorized use of a motor vehicle incidents for 2011 was down by 32 percent (85 in 2010 to 58 in 2011). The recovery rate for unauthorized use cases was 91 percent (53 of the 58 vehicles 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 or to drug-addicted victims lending their vehicle out to obtain drugs from a third party or as a form of payment for drugs.

Two areas in the city of Albany have the highest incidence of theft: the West Hill area and the South End area. The areas of MV recoveries are almost identical to the reported theft locations. Vehicle theft in the city of Albany is more of a crime of convenience and most of the vehicles stolen in the city are not used in committing crimes. As in the prior three years, Albany is still experiencing a comparable number of thefts of non-working (abandoned/shell) vehicles parked in lots, yards and other properties which have not been maintained, that are sold for scrap, as metal prices have remained high.

During 2011, ACTF ran several details aimed at reducing thefts of motor vehicle and thefts from motor vehicles. The ACTF ran several bait car details with the assistance of the State Police, which who installed electronic surveillance equipment to monitor APD's bait car. The operations were run in areas that had higher instances of vehicle theft, during specific days and times that were consistent with incidents of thefts. The ACTF also ran a detail with state DMV investigators, checking unregistered repair shops for stolen vehicles and vehicle parts.

<b>Albany City Police Department</b>			
<b>2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	260	Reported MV Thefts	202
Misdemeanor Arrests	39	Recovered Stolen MVs	184
Felony Arrests	79	Value of Recovered Stolen MVs	\$1,950,003
Confidential Informants Developed	0		



Albany City Police Department 2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot			
Performance Measure	Total	Performance Measure	Total
Investigations Initiated	0	Motor Vehicle Accidents Responded To	4,706
Misdemeanor Arrests	0		
Felony Arrests	0		
Confidential Informants Developed	0		

### 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 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 include informing the public on how to avoid becoming a victim of insurance fraud and/or auto theft. Additional programs 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.

#### Notable Cases

- Charges: Third-degree insurance fraud

The defendant loaned his car to a friend who had an accident. The defendant then claimed the car was stolen and claimed an insurance payout of \$5,400. APD tracked, through cameras, the movement of the vehicle on the date it was “stolen” and discovered the identity of the man who crashed the car. Upon arrest, the individual admitted that he was a friend of the defendant and that it had all been a scam. The defendant pleaded guilty was sentenced to five years’ probation and ordered to pay restitution to his insurance company.

- Charges: reckless endangerment 1<sup>st</sup>, driving while intoxicated, criminal mischief 4<sup>th</sup>, unlawful fleeing a police officer 3<sup>rd</sup>

On Jan. 11, 2011, the defendant fled the scene of a crime in a Hyundai Elantra at speeds near 90 mph. The defendant was intoxicated and crashed into an F-150, destroying both vehicles. After trial, he was sentenced to three to six years in state prison.

- Charges: leaving the scene of an incident without reporting

On May 13, 2011, the loss prevention officer at the Delaware Avenue Price Chopper was told there had been a crash in the parking lot. The officer observed an orange Suzuki driven by the defendant going by very slowly, with front-end damage that matched the damage on the two cars struck. The defendant then parked in the middle of two spaces and got out. She was approached by the officer, who stated that she was unable to walk in a straight line and looked incoherent. Police responded and, after detecting a heavy alcoholic odor on the belligerent defendant, apprehended her. The defendant pleaded guilty to felony DWI and is currently in felony drug court.

- Charges: burglary 2<sup>nd</sup>, criminal possession of stolen property 3<sup>rd</sup>, possession of burglary tools, 2 counts of petit larceny, criminal possession of stolen property 5<sup>th</sup>

The defendant had burglarized a home. However, the police did not have him as a suspect until they found the proceeds on him during an arrest for possession of a stolen vehicle. He was found guilty of all of the above charges and sentenced to 17 to 20 years in state prison.

- Charges: criminal mischief 2<sup>nd</sup>, criminal mischief 4<sup>th</sup>, reckless driving

On July 23, 2011, the defendant was driving in a no passing lane. He sped in front of a public bus and slammed on his brakes, causing a crash. He then exited his vehicle and began kicking and punching the bus door, breaking it. The defendant then lied down in the road, causing serious danger to oncoming traffic. He subsequently got up and jumped onto the hood of an oncoming Cadillac. The defendant then proceeded to kick in the windshield and cave in the hood by continuously jumping up and down on it. The defendant caused a total of \$2,000 in damage to both vehicles. The individual was indicted and the case currently is pending.

### Other MVTIF Grant Activity

A prosecutor attended the “Practical Considerations in White Collar Cases” course at New York Prosecutors’ Training Institute, which included training on trying cases involving various kinds of insurance fraud.

<b>Albany County District Attorney 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	1	Indictments	12
Misdemeanor Arrests Prosecuted	8	Misdemeanor Convictions	8
Felony Arrests Prosecuted	22	Felony Convictions	22
Confidential Informants Developed	0	Warrants Issued	N/A

<b>Albany County District Attorney 2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	0	Indictments	0
Misdemeanor Arrests Prosecuted	0	Misdemeanor Convictions	0
Felony Arrests Prosecuted	1	Felony Convictions	1
Confidential Informants Developed	0	Warrants Issued	N/A

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

The Schenectady County District Attorney's Office Motor Vehicle Theft and Insurance Fraud Crimes Unit 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 Schenectady County District Attorney's Office saw an increased number of motor vehicle theft-related cases in 2011 as compared to 2010. The total number of misdemeanor and felony arrests nearly doubled from 2010 to 2011. Additionally, the number of misdemeanor convictions and indictments doubled from 2010 to 2011. The number of arrests in motor vehicle insurance fraud cases also doubled from 2010 to 2011. The District Attorney's Office has received assistance in developing these types of cases from an investigator with the New York State Insurance Department who works part-time in the office.

In 2011, a majority of the cases prosecuted by the District Attorney's Office were for unauthorized use, criminal mischief and car larceny. Specifically, one defendant was arrested four times during a three-month period for breaking into vehicles, stealing items from vehicles and in one circumstance, stealing the actual vehicle. The defendant was eventually taken into custody for committing these offenses. The defendant had a lengthy criminal history, which included six prior felony convictions. He pleaded guilty in August 2011 to 2 felonies and 1 misdemeanor and received a sentence of 3½ to 7 years on one felony, and 2 to 4 years to run consecutive on another case. The defendant claimed to commit these crimes while he was under the influence of crack. The court allowed him to also be screened for treatment within the correctional facility.

The District Attorney's Office also prosecuted multiple individuals for stealing and possessing stolen vehicles. Although a large portion of these cases were "crack-leases," cars given in exchange for drugs, there were also quite a few that were legitimate. Specifically, during the months of August through September 2011, a young defendant was arrested four times for stealing and/or possessing a stolen vehicle. The defendant, who was 16 years old, was initially found in possession of one stolen vehicle

during his first arrest. The defendant was eventually released to the supervision of probation and subsequently rearrested within 48 hours after his release for stealing and possessing another stolen vehicle. The defendant was released again by the court and rearrested approximately six weeks later for possessing another stolen vehicle. The defendant was released on his own recognizance for this charge and finally rearrested one week later for possessing another stolen vehicle. The defendant pleaded guilty to one felony and one misdemeanor and received a state prison sentence, but was mandated to the Shock program by the court. Many defendants arrested for motor vehicle theft-related crimes were under the age of 21 in 2011. Most of these cases result in the defendant pleading guilty and being sentenced to probation or a combination of jail and probation.

The District Attorney's Office developed a relationship with the New York State Department of Financial Services by having an investigator work part-time in the office to assist in the investigation and prosecution of insurance fraud-related crimes, which resulted in an increased number of insurance fraud prosecutions in 2011. The office has also worked with investigators from the state Department of Motor Vehicles to prosecute fraudulent based crimes. Specifically, the office prosecuted the owner of a used car dealership for intentionally submitting false paperwork to DMV to regain possession of vehicles the dealership was not otherwise entitled to. The defendant submitted paperwork to DMV stating that a security contract existed on certain vehicles, which in fact was never recorded. The defendant then repossessed the vehicles and resold them off the lot. The defendant was arrested in February 2011, and was indicted by the Grand Jury in July 2011. The case is currently pending in Schenectady County Court and is scheduled for trial.

The office is currently prosecuting a case that involves a defendant who reported damage to his vehicle to his insurance company. The defendant also reported a replacement of his transmission in the vehicle to the insurance company for reimbursement. The insurance company investigated the claim and found that the defendant never had the transmission in the vehicle replaced. No money was paid out to the defendant. The defendant was arrested and charged with insurance fraud fourth degree. The defendant requested to speak with this office about the dealership that wrote him the estimate and provide information about the owner who has done this for individuals prior to this date. The office is working with the state Department of Financial Services on this case to develop this lead.

The DA's Office has included restitution in all plea bargains where the victim or insurance company has sustained a loss, resulting in approximately 40 cases that included a defendant having to make restitution as part of their sentence. The District Attorney's Office continues to work with the state Department of Financial Services to develop additional insurance fraud cases. The office also continues its working relationship with local law enforcement to combat the occurrence of motor vehicle thefts and larcenies.

<b>Schenectady County District Attorney 2011 Grant-Funded Motor Vehicle Theft Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	0	Indictments	16
Misdemeanor Arrests Prosecuted	64	Misdemeanor Convictions	53
Felony Arrests Prosecuted	86	Felony Convictions	13
Confidential Informants Developed	0	Warrants Issued	0

<b>2011 Grant-Funded Motor Vehicle Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Performance Measure</b>	<b>Total</b>
Investigations Initiated	0	Indictments	1
Misdemeanor Arrests Prosecuted	1	Misdemeanor Convictions	2
Felony Arrests Prosecuted	6	Felony Convictions	0
Confidential Informants Developed	0	Warrants Issued	0

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

The New York Anti Car Theft and Fraud Association, Inc. (NYACT) is a not-for-profit organization, with a mission 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 special investigative unit and claims personnel, and also provides useful information to New York State consumers. In addition, NYACT sponsors and manages many events, meetings and campaigns in auto crime prevention and insurance fraud detection and investigation.

In 2011, the association's new state office in Albany fully implemented the NYACT Board's vision of operating under 21<sup>st</sup> century association management and not-for-profit best practices—while offering comprehensive training to New York State law enforcement agencies.

#### **Strategies Utilized in Combating MVT&IF**

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

- Training and 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. A total of 13 trainings were held in 2011.
- Technology for Greater Reach – Throughout 2011, NYACT created the infrastructure and filmed trainings that will soon become part of its secure Online

Training Series. These webinars will offer law enforcement greater and more flexible opportunities to garner extra training to become better in the fight against vehicle crime and insurance fraud.

- 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 its organizational capabilities. This collaborative community includes auto crime experts, experienced law enforcement leaders and other knowledgeable professionals from the State Department of Financial Services Frauds Bureau, State Department of Motor Vehicle (DMV), State Police, Attorney General’s Office, the FBI, National Insurance Crime Bureau (NICB), Office of Medical Misconduct, New York Police Department Auto Crime, and New York State Prosecutors Training Institute (NYPTI).
- Expanded and Improved Communication – NYACT continues to expand 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 NYACT training opportunities available to their staff.
- Building Greater Connectivity and Networking – As an umbrella organization, NYACT, members of which include law enforcement, insurance carriers, State Department of Financial Services Frauds Bureau, DMV, 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 Northeast Chapter International Association of Auto Theft Investigators (NEIAATI), New York State Special Investigation Unit (NYSSIU) and NYPTI, fostering strong networking relationships among the attendees.

### **Calendar Year 2011 MVT&IF Related Training/Education**

Throughout 2011, NYACT sought to provide a wide range of training opportunities—from primers to advanced training that reached across the state.

- **February 15, 2011**  
**Half-Day Training Seminar on Long Island**  
**Allstate Insurance, Lake Success, NY**

This seminar offered helpful tips in the investigation and prosecution of vehicle crime and insurance fraud cases as presented from both a lawyer and law enforcement perspectives.

- **February 22-25, 2011**

- **NYACT Auto Crimes School**

- **New York State Police Academy, Albany, NY**

- This four-day school, taught by a New York State Police Department detective, offered trainees a primer on the conduct of successful automobile crime investigations.

- **April 19, 2011**

- **Half-Day Training Seminar Upstate**

- **Travelers Insurance, Latham, NY**

- This seminar offered helpful tips in the investigation and prosecution of vehicle crime and insurance fraud cases as presented from both a lawyer and law enforcement perspectives.

- **April 28, 2011**

- **Vehicle Arson Awareness Program (VAAP) Upstate**

- **Niagara County Public Safety Facility, Lockport, NY**

- Conducted in conjunction with New York State Office of Fire Prevention and Control and National Insurance Crime Bureau, this award-winning training program drew attendees from across western New York.

- **June 9, 2011**

- **Heavy Equipment/Vehicle Theft Summit**

- **Westchester County Police Academy, Valhalla, NY**

- Conducted in conjunction with NICB, New York State DMV, Suffolk County and Westchester County police offered insights to this specialized area of vehicle crime.

- **June 14, 2011**

- **Half-Day Training Seminar Downstate**

- **Travelers Insurance, Melville, NY**

- Conducted in conjunction with NYSSIU; offered many fraud fighting tips and methods from the State Office of the Workers Compensation Fraud Inspector General and insurance investigators.

- **September 8, 2011**

- **Vehicle Arson Awareness Program (VAAP) Downstate**

- **Suffolk County Fire Academy, Yaphank, NY**

- Conducted in conjunction with State Office of Fire Prevention and Control and National Insurance Crime Bureau, this award-winning training program drew law enforcement and prosecutors from across the NYC/LI metro area

- September 20, 2011**  
**Half-Day Training Seminar Downstate**  
**National Insurance Crime Bureau, Melville, NY**  
 Conducted in conjunction with NYSSIU; special presentation on the DMV's Facial Recognition Program.
- October 5, 2011**  
**Heavy Equipment/Vehicle Theft Summit**  
**New York State Police Academy, Albany, NY**  
 Conducted in conjunction with NICB, NYSP and DCJS, and offered insights to this specialized area of vehicle crime.
- October 20, 2011**  
**Joint One-Day Education Conference with NYSSIU**  
**Turning Stone, Verona, NY**  
 This training opportunity offered drew attendees from a wide swath of Upstate, along with other personnel from NYC/LI area.
- November 14, 2011**  
**Annual State Education Conference**  
**Cradle of Aviation Museum, Garden City, NY**  
 NYACT's largest training event of the year offered a wide range of timely and practical training applying to the detection, prevention and prosecution of vehicle crime and insurance fraud.
- November 16, 2011**  
**Joint Training Seminar with NYPTI**  
**NYPD Academy, Manhattan, NY**  
 The theme of this joint training was "Four-Wheel Driven Fraud."
- December 16, 2011**  
**Joint Training Seminar with NYPTI**  
**Holiday Inn Utica, New Hartford, NY**  
 This joint effort focused on the federal perspective in dealing with vehicle theft and insurance fraud in the State and was presented by ATF Investigators and a Deputy US Attorney.

<b>New York Anti-Car Theft &amp; Fraud Association</b>			
<b>2011 Grant-Funded Vehicle Theft &amp; Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Locations</b>	<b>Dates</b>
Trainings/Education	13	Statewide	Various
Verified Attendees	884		
Agencies Attending	252		



## **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. In 2011, 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 the 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 continued the momentum from its launch of 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, more than four million decisions.

PE also makes streaming videos of expert witnesses' courtroom testimony available to prosecutors nationwide. PE features one of the most extensive and substantive libraries of streaming videos for prosecutors. There are almost 900 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.

Currently, PE contains more than 4.5 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. More than 3,200 prosecutors from all 50 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 defendant's criminal history. NYPTI also operates Online Continuous Legal Education (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. In addition to those services, NYPTI maintains a website for the public 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 2011 Activity**

### **Training:**

In 2011, NYPTI conducted training on motor vehicle insurance fraud and theft investigation and prosecution for 189 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 March 30, 2011. The course agenda was submitted with a previous quarterly report, and is included with a summary of the evaluations in the attached Appendix. 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 13<sup>th</sup> Annual Summer College in Syracuse on August 3-4, 2011. This 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.

NYPTI's third training program was in New York City on November 16, 2011. Its focus was on case studies presented by prosecutors, who can address both successful methods of investigating and prosecuting these crimes, as well as how to overcome the challenges these kinds of crimes present to law enforcement. 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 Department of Financial Services; 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, either at each training or online, through Prosecutors Encyclopedia ("PE").

NYPTI also recorded its training programs on March 30, August 3-4, and November 16 2011 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 *X-Ray Vision for District Attorneys*, written by NYPTI attorney Joshua Vinciguerra, was published in the Spring 2011 edition. A second article, titled *Prosecuting No-Body Homicides, A Case Study: Outfoxing the Slyest Fox*, written by, Kings County Assistant District Attorney Kyle C. Reeves, was published in the Summer 2011 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 80 lectures

are available to be viewed through NYPTI's Online CLE site in the categories of "insurance fraud" and "auto crime" alone. In 2011, prosecutors viewed approximately 34 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"): 2011 Grant-Funded Vehicle Theft &amp; Insurance Fraud Activity: Snapshot</b>			
<b>Performance Measure</b>	<b>Total</b>	<b>Locations</b>	<b>Dates</b>
Number of Seminars/Trainings/Conferences	3	New York City Syracuse New York City	Mar 30, 2011 Aug 3-4, 2011 Nov 16, 2011
Number of Verified Attendees	189		
Number of Agencies Attending	38		

# Appendix – 2011 Statistics

## Reported Incidents of Motor Vehicle Theft - 2011

Rank	COUNTY	MV Theft		Rank	COUNTY	MV Theft
1	Queens	3,149		32	Genesee	39
2	Kings	2,936		33	Steuben	37
3	Bronx	2,110		34	Cayuga	34
4	Erie	1,537		35	Cattaraugus	32
5	Suffolk	1,269		36	Franklin	29
6	Nassau	1,094		36	Greene	29
7	Monroe	1,048		36	Lewis	29
8	New York	899		39	Orleans	28
9	Westchester	772		40	Clinton	26
10	Onondaga	500		40	Warren	26
11	Richmond	340		42	Madison	25
12	Niagara	290		43	Otsego	23
13	Albany	253		44	Herkimer	22
14	Orange	235		44	Montgomery	22
15	Schenectady	222		44	Tompkins	22
16	Oneida	150		47	Delaware	21
17	Dutchess	149		48	Allegany	20
18	Rensselaer	148		49	Livingston	18
19	Broome	116		49	Putnam	18
20	Rockland	104		49	Seneca	18
21	Oswego	102		49	Tioga	18
22	Ulster	88		53	Chenango	17
23	Chautauqua	87		53	Cortland	17
24	Jefferson	85		53	Essex	17
25	Saratoga	58		53	Washington	17
26	St. Lawrence	45		57	Columbia	15
27	Sullivan	44		58	Wyoming	14
27	Wayne	44		59	Schoharie	13
29	Chemung	41		60	Schuyler	7
29	Ontario	41		61	Hamilton	3
31	Fulton	40		61	Yates	3

As of 06/04/2012, thirty-one law enforcement agencies submitted less than 12 months of UCR motor vehicle theft reporting to DCJS.

## Motor Vehicle Theft Trends 2007 - 2011

	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>5 Year Average</b>	<b>Ranking on 5 Year Average</b>
Albany	427	331	351	360	253	344	<b>12</b>
Allegany	16	18	17	14	20	17	<b>55</b>
Bronx	2,991	2,927	2,425	2,163	2,110	2,523	<b>3</b>
Broome	119	127	106	88	116	111	<b>20</b>
Cattaraugus	60	52	37	41	32	44	<b>30</b>
Cayuga	41	24	23	26	34	30	<b>39</b>
Chautauqua	105	88	60	85	87	85	<b>22</b>
Chemung	70	39	45	47	41	48	<b>26</b>
Chenango	24	19	18	16	17	19	<b>49</b>
Clinton	44	37	34	38	26	36	<b>36</b>
Columbia	38	20	14	21	15	22	<b>47</b>
Cortland	34	30	29	37	17	29	<b>40</b>
Delaware	19	15	11	23	21	18	<b>51</b>
Dutchess	263	211	162	137	149	184	<b>18</b>
Erie	2,771	2,362	2,018	1,834	1,537	2,104	<b>4</b>
Essex	21	6	12	15	17	14	<b>57</b>
Franklin	33	14	28	27	29	26	<b>43</b>
Fulton	50	46	43	54	40	47	<b>28</b>
Genesee	45	43	37	34	39	40	<b>33</b>
Greene	33	41	22	33	29	32	<b>38</b>
Hamilton	0	0	0	2	3	1	<b>62</b>
Herkimer	16	20	12	24	22	19	<b>49</b>
Jefferson	29	27	18	32	85	38	<b>34</b>
Kings	4,292	3,879	3,459	3,337	2,936	3,581	<b>1</b>
Lewis	12	13	16	16	29	17	<b>54</b>
Livingston	27	15	19	8	18	17	<b>53</b>
Madison	30	23	22	20	25	24	<b>44</b>
Monroe	2,121	1,698	1,341	1,028	1,048	1,447	<b>6</b>
Montgomery	23	15	15	30	22	21	<b>48</b>
Nassau	1,586	1,446	1,548	1,151	1,094	1,365	<b>7</b>
New York	1,506	1,333	1,082	987	899	1,161	<b>8</b>
Niagara	370	297	264	245	290	293	<b>13</b>
Oneida	269	207	141	165	150	186	<b>17</b>

	2007	2008	2009	2010	2011	5 Year Average	Ranking on 5 Year Average
Onondaga	771	687	488	541	500	597	10
Ontario	39	37	34	35	41	37	35
Orange	340	326	262	237	235	280	14
Orleans	41	48	41	48	28	41	31
Oswego	62	71	78	104	102	83	23
Otsego	22	21	18	27	23	22	46
Putnam	33	31	36	24	18	28	41
Queens	3,945	3,831	3,300	3,484	3,149	3,542	2
Rensselaer	233	164	175	230	148	190	16
Richmond	522	470	428	348	340	422	11
Rockland	179	138	152	122	104	139	19
Saratoga	86	82	63	79	58	74	24
Schenectady	358	288	258	220	222	269	15
Schoharie	12	12	9	9	13	11	59
Schuyler	4	4	5	4	7	5	60
Seneca	7	24	19	9	18	15	56
St Lawrence	43	48	37	54	45	45	29
Steuben	32	32	22	44	37	33	37
Suffolk	2,260	2,093	1,648	1,592	1,269	1,772	5
Sullivan	101	58	34	51	44	58	25
Tioga	25	19	17	10	18	18	51
Tompkins	53	55	33	42	22	41	32
Ulster	129	97	117	106	88	107	21
Warren	32	17	25	15	26	23	45
Washington	37	24	30	29	17	27	42
Wayne	50	48	48	45	44	47	27
Westchester	969	841	896	657	772	827	9
Wyoming	20	13	10	10	14	13	58
Yates	6	3	1	7	3	4	61

New York State	27,900	25,005	21,713	20,321	18,655	22,719
New York City	13,256	12,440	10,694	10,319	9,434	11,229
Non-New York City	14,644	12,565	11,019	10,002	9,221	11,490



## Motor Vehicle Thefts by Region 2010 - 2011

<i>REPORTED MOTOR VEHICLE THEFTS: 2010-2011</i>					
Region	Counties	2010	2011	# Change	% Change
<b>New York City Region</b>		<b>10,319</b>	<b>9,434</b>	<b>-885</b>	<b>-8.6%</b>
	Bronx	2,163	2,110	-53	-2.5%
	Kings	3,337	2,936	-401	-12.0%
	New York	987	899	-88	-8.9%
	Queens	3,484	3,149	-335	-9.6%
	Richmond	348	340	-8	-2.3%
<b>Suburban Region</b>		<b>3,522</b>	<b>3,239</b>	<b>-283</b>	<b>-8.0%</b>
	Nassau	1,151	1,094	-57	-5.0%
	Suffolk	1,592	1,269	-323	-20.3%
	Rockland	122	104	-18	-14.8%
	Westchester	657	772	115	17.5%
<b>Mid-Hudson Region</b>		<b>555</b>	<b>534</b>	<b>-21</b>	<b>-3.8%</b>
	Dutchess	137	149	12	8.8%
	Orange	237	235	-2	-0.8%
	Putnam	24	18	-6	-25.0%
	Sullivan	51	44	-7	-13.7%
	Ulster	106	88	-18	-17.0%
<b>Southern Tier Region</b>		<b>301</b>	<b>302</b>	<b>1</b>	<b>0.3%</b>
	Broome	88	116	28	31.8%
	Chemung	47	41	-6	-12.8%
	Chenango	16	17	1	6.3%
	Delaware	23	21	-2	-8.7%
	Otsego	27	23	-4	-14.8%
	Schuyler	4	7	3	75.0%
	Steuben	44	37	-7	-15.9%
	Tioga	10	18	8	80.0%
	Tompkins	42	22	-20	-47.6%

**REPORTED MOTOR VEHICLE THEFTS: 2010-2011**

Region	Counties	2010	2011	# Change	% Change
<b>Western Region</b>		<b>2,219</b>	<b>1,966</b>	<b>-253</b>	<b>-11.4%</b>
	Allegany	14	20	6	42.9%
	Cattaraugus	41	32	-9	-22.0%
	Chautauqua	85	87	2	2.4%
	Erie	1,834	1,537	-297	-16.2%
	Niagara	245	290	45	18.4%
<b>Capital District Region</b>		<b>987</b>	<b>768</b>	<b>-219</b>	<b>-22.2%</b>
	Albany	360	253	-107	-29.7%
	Columbia	21	15	-6	-28.6%
	Greene	33	29	-4	-12.1%
	Rensselaer	230	148	-82	-35.7%
	Saratoga	79	58	-21	-26.6%
	Schenectady	220	222	2	0.9%
	Warren	15	26	11	73.3%
	Washington	29	17	-12	-41.4%
<b>Mohawk Valley Region</b>		<b>282</b>	<b>247</b>	<b>-35</b>	<b>-12.4%</b>
	Fulton	54	40	-14	-25.9%
	Herkimer	24	22	-2	-8.3%
	Montgomery	30	22	-8	-26.7%
	Oneida	165	150	-15	-9.1%
	Schoharie	9	13	4	44.4%
<b>North Country Region</b>		<b>184</b>	<b>234</b>	<b>50</b>	<b>27.2%</b>
	Clinton	38	26	-12	-31.6%
	Essex	15	17	2	13.3%
	Franklin	27	29	2	7.4%
	Hamilton	2	3	1	50.0%
	Jefferson	32	85	53	165.6%
	Lewis	16	29	13	81.3%
	St Lawrence	54	45	-9	-16.7%

<b>REPORTED MOTOR VEHICLE THEFTS: 2010-2011</b>					
Region	Counties	2010	2011	# Change	% Change
<b>Finger Lakes Region</b>		<b>1,224</b>	<b>1,253</b>	<b>29</b>	<b>2.4%</b>
	Genesee	34	39	5	14.7%
	Livingston	8	18	10	125.0%
	Monroe	1,028	1,048	20	1.9%
	Ontario	35	41	6	17.1%
	Orleans	48	28	-20	-41.7%
	Seneca	9	18	9	100.0%
	Wayne	45	44	-1	-2.2%
	Wyoming	10	14	4	40.0%
	Yates	7	3	-4	-57.1%
<b>Central Region</b>		<b>728</b>	<b>678</b>	<b>-50</b>	<b>-6.9%</b>
	Cayuga	26	34	8	30.8%
	Cortland	37	17	-20	-54.1%
	Madison	20	25	5	25.0%
	Onondaga	541	500	8	30.8%
	Oswego	104	102	-20	-54.1%
<b>New York State</b>		<b>20,321</b>	<b>18,655</b>	<b>-1,666</b>	<b>-8.2%</b>
<b>New York City</b>		<b>10,319</b>	<b>9,434</b>	<b>-885</b>	<b>-8.6%</b>
<b>Non-New York City</b>		<b>10,002</b>	<b>9,221</b>	<b>-781</b>	<b>-7.8%</b>

## Motor Vehicle Thefts Rates per Population

<i>Reported Motor Vehicle Thefts: 2011 Rates per 100,000 Population</i>				
<b>Rank</b>	<b>County</b>	<b>Population</b>	<b>Thefts</b>	<b>Rate/100,000</b>
1	Erie	923,171	1,537	166.5
2	Bronx	1,391,333	2,110	151.7
3	Schenectady	155,422	222	142.8
4	Queens	2,240,748	3,149	140.5
5	Monroe	747,689	1,048	140.2
6	Niagara	217,442	290	133.4
7	Kings	2,515,957	2,936	116.7
8	Lewis	27,209	29	106.6
9	Onondaga	469,125	500	106.6
10	Rensselaer	160,146	148	92.4
11	Suffolk	1,500,062	1,269	84.6
12	Oswego	122,658	102	83.2
13	Albany	305,571	253	82.8
14	Nassau	1,345,553	1,094	81.3
15	Westchester	953,379	772	81.0
16	Jefferson	116,751	85	72.8
17	Richmond	470,837	340	72.2
18	Fulton	55,649	40	71.9
19	Orleans	43,076	28	65.0
20	Genesee	60,220	39	64.8
21	Chautauqua	135,511	87	64.2
22	Oneida	235,934	150	63.6
23	Orange	374,489	235	62.8
24	Hamilton	4,858	3	61.8
25	Greene	49,442	29	58.7
26	Broome	201,502	116	57.6
27	Sullivan	77,896	44	56.5
28	New York	1,593,000	899	56.4
29	Franklin	51,831	29	56.0
30	Seneca	35,409	18	50.8
31	Dutchess	298,825	149	49.9

<i>Reported Motor Vehicle Thefts: 2011 Rates per 100,000 Population</i>				
Rank	County	Population	Thefts	Rate/100,000
32	Ulster	183,313	88	48.0
33	Wayne	94,193	44	46.7
34	Chemung	89,229	41	45.9
35	Essex	38,031	17	44.7
36	Delaware	47,349	21	44.4
37	Montgomery	50,445	22	43.6
38	Cayuga	80,386	34	42.3
39	Allegany	49,166	20	40.7
40	Cattaraugus	78,771	32	40.6
41	St Lawrence	112,447	45	40.0
42	Schoharie	32,896	13	39.5
43	Warren	66,002	26	39.4
44	Schuyler	18,425	7	38.0
45	Ontario	108,416	41	37.8
46	Steuben	99,435	37	37.2
47	Otsego	62,539	23	36.8
48	Tioga	51,355	18	35.1
49	Cortland	49,558	17	34.3
50	Herkimer	64,809	22	33.9
51	Madison	73,772	25	33.9
52	Chenango	50,704	17	33.5
53	Rockland	313,088	104	33.2
54	Wyoming	42,344	14	33.1
55	Clinton	82,497	26	31.5
56	Livingston	65,687	18	27.4
57	Washington	63,500	17	26.8
58	Saratoga	220,594	58	26.3
59	Columbia	63,380	15	23.7
60	Tompkins	102,020	22	21.6
61	Putnam	100,158	18	18.0
62	Yates	25,462	3	11.8

New York State	19,460,666	18,655	95.9
New York City	8,211,875	9,434	114.9
Non-New York City	11,248,791	9,221	82.0

## Motor Vehicle Thefts Rates per Registration

<i>Reported Motor Vehicle Thefts: 2011 Rates per 100,000 Registrations*</i>				
<b>Rank</b>	<b>County</b>	<b>2011 MV Thefts</b>	<b>Registrations</b>	<b>Rate/100,000</b>
1	Bronx	2,110	224,051	941.7
2	Kings	2,936	404,389	726.0
3	Queens	3,149	668,190	471.3
4	New York	899	220,511	407.7
5	Erie	1,537	558,107	275.4
6	Monroe	1,048	469,795	223.1
7	Schenectady	222	105,186	211.1
8	Niagara	290	137,593	210.8
9	Lewis	29	15,753	184.1
10	Onondaga	500	281,206	177.8
11	Rensselaer	148	99,857	148.2
12	Albany	253	179,789	140.7
13	Oswego	102	72,547	140.6
14	Richmond	340	247,099	137.6
15	Jefferson	85	64,475	131.8
16	Westchester	772	597,387	129.2
17	Nassau	1,094	905,108	120.9
18	Suffolk	1,269	1,070,893	118.5
19	Fulton	40	34,965	114.4
20	Chautauqua	87	78,216	111.2
21	Orleans	28	25,425	110.1
22	Oneida	150	137,082	109.4
23	Genesee	39	37,997	102.6
24	Franklin	29	28,913	100.3
25	Orange	235	242,687	96.8
26	Broome	116	125,301	92.6
27	Seneca	18	20,776	86.6
28	Sullivan	44	51,939	84.7
29	Greene	29	36,101	80.3
30	Hamilton	3	3,938	76.2
31	Allegany	20	26,388	75.8

**Reported Motor Vehicle Thefts: 2011 Rates per 100,000 Registrations\***

Rank	County	2011 MV Thefts	Registrations	Rate/100,000
32	Chemung	41	54,853	74.7
33	St. Lawrence	45	60,812	74.0
34	Cayuga	34	46,274	73.5
35	Dutchess	149	208,538	71.4
36	Essex	17	23,964	70.9
37	Wayne	44	62,516	70.4
38	Cattaraugus	32	46,019	69.5
39	Montgomery	22	31,707	69.4
40	Ulster	88	128,175	68.7
41	Delaware	21	32,250	65.1
42	Cortland	17	27,408	62.0
43	Otsego	23	37,710	61.0
44	Madison	25	41,671	60.0
45	Steuben	37	61,731	59.9
46	Schoharie	13	21,986	59.1
47	Herkimer	22	37,591	58.5
48	Ontario	41	70,738	58.0
49	Wyoming	14	24,475	57.2
50	Schuyler	7	12,373	56.6
51	Warren	26	46,565	55.8
52	Tioga	18	33,303	54.0
53	Rockland	104	193,473	53.8
54	Chenango	17	33,068	51.4
55	Clinton	26	50,627	51.4
56	Livingston	18	39,574	45.5
57	Washington	17	39,325	43.2
58	Tompkins	22	51,695	42.6
59	Saratoga	58	156,896	37.0
60	Columbia	15	45,680	32.8
61	Putnam	18	78,875	22.8
62	Yates	3	14,280	21.0

New York State	18,655	8,985,816	207.6
New York City	9,434	1,764,240	534.7
Non-New York City	9,221	7,221,576	127.7

\*Standard registrations excluding commercial vehicles, motorcycles, buses, taxis, rental vehicles, trailers, farm vehicles, ambulances and mopeds.

## Motor Vehicle Insurance Fraud Suspected Incidents 2011

Rank	COUNTY	MV INSURANCE FRAUD		Rank	COUNTY	MV INSURANCE FRAUD
1	Kings	4,981		32	Allegany	13
2	Queens	3,038		32	Chenango	13
3	Bronx	2,151		32	Clinton	13
4	New York	1,964		32	Franklin	13
5	Nassau	1,224		36	Columbia	12
6	Suffolk	917		36	Montgomery	12
7	Richmond	433		36	Putnam	12
8	Erie	383		36	Tompkins	12
9	Westchester	351		40	Steuben	11
10	Monroe	192		40	Tioga	11
11	Orange	188		42	Orleans	9
12	Onondaga	152		42	Otsego	9
13	Albany	85		44	Madison	8
13	Rockland	85		44	Washington	8
15	Dutchess	83		46	Chemung	7
16	Niagara	63		46	Delaware	7
17	Oneida	57		48	Genesee	6
18	Ulster	52		48	Lewis	6
19	Schenectady	46		48	Wayne	6
20	Broome	39		51	Essex	5
21	Saratoga	35		51	Jefferson	5
22	Sullivan	30		51	Ontario	5
23	Rensselaer	27		51	Seneca	5
24	Chautauqua	23		51	Wyoming	5
25	Oswego	20		56	Cortland	3
26	Cayuga	19		56	Fulton	3
26	Herkimer	19		56	Schoharie	3
28	Cattaraugus	18		59	Livingston	1
28	Warren	18		60	Hamilton	0
30	Greene	16		60	Schuyler	0
30	St. Lawrence	16		60	Yates	0



## Motor Vehicle Insurance Fraud Suspected Incidents 2011 Rate per Population

<i>MVIF 2011 Rate per Population</i>				
<b>Rank</b>	<b>County</b>	<b>2011 MVIF</b>	<b>Population</b>	<b>Rate/100,000</b>
1	Kings	4,981	2,515,957	198.0
2	Bronx	2,151	1,391,333	154.6
3	Queens	3,038	2,240,748	135.6
4	New York	1,964	1,593,000	123.3
5	Richmond	433	470,837	92.0
6	Nassau	1,224	1,345,553	91.0
7	Suffolk	917	1,500,062	61.1
8	Orange	188	374,489	50.2
9	Erie	383	923,171	41.5
10	Sullivan	30	77,896	38.5
11	Westchester	351	953,379	36.8
12	Onondaga	152	469,125	32.4
13	Greene	16	49,442	32.4
14	Schenectady	46	155,422	29.6
15	Herkimer	19	64,809	29.3
16	Niagara	63	217,442	29.0
17	Ulster	52	183,313	28.4
18	Albany	85	305,571	27.8
19	Dutchess	83	298,825	27.8
20	Warren	18	66,002	27.3
21	Rockland	85	313,088	27.1
22	Allegany	13	49,166	26.4
23	Monroe	192	747,689	25.7
24	Chenango	13	50,704	25.6
25	Franklin	13	51,831	25.1
26	Oneida	57	235,934	24.2
27	Montgomery	12	50,445	23.8
28	Cayuga	19	80,386	23.6
29	Cattaraugus	18	78,771	22.9
30	Lewis	6	27,209	22.1
31	Tioga	11	51,355	21.4

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<b>Rank</b>	<b>County</b>	<b>2011 MVIF</b>	<b>Population</b>	<b>Rate/100,000</b>
32	Orleans	9	43,076	20.9
33	Broome	39	201,502	19.4
34	Columbia	12	63,380	18.9
35	Chautauqua	23	135,511	17.0
36	Rensselaer	27	160,146	16.9
37	Oswego	20	122,658	16.3
38	Saratoga	35	220,594	15.9
39	Clinton	13	82,497	15.8
40	Delaware	7	47,349	14.8
41	Otsego	9	62,539	14.4
42	St Lawrence	16	112,447	14.2
43	Seneca	5	35,409	14.1
44	Essex	5	38,031	13.1
45	Washington	8	63,500	12.6
46	Putnam	12	100,158	12.0
47	Wyoming	5	42,344	11.8
48	Tompkins	12	102,020	11.8
49	Steuben	11	99,435	11.1
50	Madison	8	73,772	10.8
51	Genesee	6	60,220	10.0
52	Schoharie	3	32,896	9.1
53	Chemung	7	89,229	7.8
54	Wayne	6	94,193	6.4
55	Cortland	3	49,558	6.1
56	Fulton	3	55,649	5.4
57	Ontario	5	108,416	4.6
58	Jefferson	5	116,751	4.3
59	Livingston	1	65,687	1.5
60	Hamilton	0	4,858	0.0
61	Schuyler	0	18,425	0.0
62	Yates	0	25,462	0.0
	New York State	16,948	19,460,666	87.1
	New York City	12,567	8,211,875	153.0
	Non-New York City	4,381	11,248,791	38.9