



Division of Criminal
Justice Services

Criminal Justice Statistical Report

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Legislative Report Series

July 2018

Felony Insurance Fraud Offenses 2017 Annual Report

Executive Law §837-a requires the Division of Criminal Justice Services (DCJS) to report on the processing and disposition of Penal Law Article 176 (Insurance Fraud) felony offenses. This report complies with that reporting requirement and provides processing information for the years 2013 to 2017.

Table 1 provides information about the number of persons arrested for felony Insurance Fraud offenses from 2013 to 2017. The counts of arrests are derived from fingerprintable adult arrest information transmitted by law enforcement agencies to the DCJS Computerized Criminal History (CCH) system and are based on the most serious charge in the arrest event.

TABLE 1
New York State
Felony Insurance Fraud Arrests
2013 to 2017

		2013	2014	2015	2016	2017	TOTAL
NEW YORK STATE	TOTAL INSURANCE FRAUD ARRESTS	164	132	122	83	69	570
	1st Degree Insurance Fraud	0	2	0	0	0	2
	2nd Degree Insurance Fraud	14	9	7	8	4	42
	3rd Degree Insurance Fraud	81	76	62	42	51	312
	4th Degree Insurance Fraud	69	45	53	33	14	214
NEW YORK CITY	TOTAL INSURANCE FRAUD ARRESTS	63	60	41	35	41	240
	1st Degree Insurance Fraud	0	2	0	0	0	2
	2nd Degree Insurance Fraud	9	6	3	6	2	26
	3rd Degree Insurance Fraud	48	44	33	24	32	181
	4th Degree Insurance Fraud	6	8	5	5	7	31
REST OF STATE	TOTAL INSURANCE FRAUD ARRESTS	101	72	81	48	28	330
	2nd Degree Insurance Fraud	5	3	4	2	2	16
	3rd Degree Insurance Fraud	33	32	29	18	19	131
	4th Degree Insurance Fraud	63	37	48	28	7	183

Source: DCJS, Computerized Criminal History system (as of 05/18/2018).

Regional designation based on location of crime.

Table 2 provides information about the number of defendants prosecuted in superior court where the top charge in the indictment or superior court information was an insurance fraud felony offense based on the year that the defendant was arraigned in superior court. The counts are derived from information about superior court cases transmitted to CCH from the New York State Office of Court Administration. The unit of count in this table is the “defendant-indictment.” When more than one defendant is charged in a single indictment or SCI, each defendant is counted separately. If one defendant is charged in multiple indictments or SCIs, each indictment or SCI is counted separately. More than one indictment or SCI can be linked to a single arrest event and multiple arrests can be combined into one indictment or SCI.

**TABLE 2
NEW YORK STATE
FELONY INSURANCE FRAUD ACTIONS
2013 TO 2017**

		2013	2014	2015	2016	2017	Total
NEW YORK STATE	TOTAL INSURANCE LAW ACTIONS	51	51	43	24	22	191
	1st Degree Insurance Fraud	0	2	0	1	0	3
	2nd Degree Insurance Fraud	5	8	1	1	3	18
	3rd Degree Insurance Fraud	24	20	20	16	14	94
	4th Degree Insurance Fraud	22	21	22	6	5	76
NEW YORK CITY	TOTAL INSURANCE LAW ACTIONS	7	19	17	11	12	66
	1st Degree Insurance Fraud	0	2	0	1	0	3
	2nd Degree Insurance Fraud	1	4	1	1	2	9
	3rd Degree Insurance Fraud	5	10	13	9	7	44
	4th Degree Insurance Fraud	1	3	3	0	3	10
REST OF STATE	TOTAL INSURANCE LAW ACTIONS	44	32	26	13	10	125
	2nd Degree Insurance Fraud	4	4	0	0	1	9
	3rd Degree Insurance Fraud	19	10	7	7	7	50
	4th Degree Insurance Fraud	21	18	19	6	2	66

Source: Felony Processing File (as of 05/18/2018).

The term actions in this table refers to indictments and superior court informations.

Regional designation based on location of crime.

Tables 3 through 5 provide information about the dispositions of arrests for felony insurance fraud offenses. The summaries are displayed according to the year in which the final disposition occurred, regardless of when the arrest actually occurred.

**TABLE 3
NEW YORK STATE
DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS
2013 TO 2017**

	2013	2014	2015	2016	2017	TOTAL
TOTAL DISPOSITIONS	154	134	135	109	83	615
Convicted-Sentenced	132	118	115	96	73	534
Adjudicated Youthful Offender	0	0	0	0	1	1
Covered by Another Case	2	1	1	0	0	4
Dismissed-Other	17	10	15	11	8	61
Acquitted	1	2	0	1	0	4
DA Declined to Prosecute	2	3	4	1	1	11
TOTAL SENTENCES	132	118	115	96	73	534
Felonies	30	21	21	14	21	107
Misdemeanors	68	69	68	61	37	303
Non-Criminal Offenses	34	28	26	21	15	124
TOTAL SENTENCES	132	118	115	96	74	535
Prison	10	5	2	2	2	21
Jail	9	9	2	5	3	28
Time Served	8	6	2	1	5	22
Jail+Probation	2	4	1	3	0	10
Probation	34	32	38	29	20	153
Fine	12	12	12	10	11	57
Cond Discharge	50	43	54	44	30	221
Uncond Discharge	7	7	4	2	3	23
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 05/18/2018).
Includes convictions to felonies, misdemeanors and non-criminal offenses such as violations and infractions.
Regional designation based on location of the disposition court.

**TABLE 4
NEW YORK CITY
DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS
2013 TO 2017**

	2013	2014	2015	2016	2017	TOTAL
TOTAL DISPOSITIONS	63	48	49	36	42	238
Convicted-Sentenced	56	34	38	31	37	196
Adjudicated Youthful Offender	0	0	0	0	1	1
Covered by Another Case	0	0	0	0	0	0
Dismissed-Other	4	9	7	4	3	27
Acquitted	1	2	0	0	0	3
DA Declined to Prosecute	2	3	4	1	1	11
TOTAL SENTENCES	56	34	38	31	37	196
Felonies	12	6	7	3	12	40
Misdemeanors	21	16	21	18	16	92
Non-Criminal Offenses	23	12	10	10	9	64
TOTAL SENTENCES	56	34	38	31	38	197
Prison	6	1	2	0	1	10
Jail	4	3	0	0	0	7
Time Served	8	6	2	1	4	21
Jail+Probation	1	1	0	0	0	2
Probation	7	2	5	4	7	25
Fine	6	1	9	4	5	25
Cond Discharge	23	20	20	22	21	106
Uncond Discharge	1	0	0	0	0	1
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 05/18/2018).
Includes convictions to felonies, misdemeanors and non-criminal offenses such as violations and infractions.
Regional designation based on location of the disposition court.

**TABLE 5
REST OF STATE
DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS
2013 TO 2017**

	2013	2014	2015	2016	2017	TOTAL
TOTAL DISPOSITIONS	91	86	86	73	41	377
Convicted-Sentenced	76	84	77	65	36	338
Adjudicated Youthful Offender	0	0	0	0	0	0
Covered by Another Case	2	1	1	0	0	4
Dismissed-Other	13	1	8	7	5	34
Acquitted	0	0	0	1	0	1
DA Declined to Prosecute	0	0	0	0	0	0
TOTAL SENTENCES	76	84	77	65	36	338
Felonies	18	15	14	11	9	67
Misdemeanors	47	53	47	43	21	211
Non-Criminal Offenses	11	16	16	11	6	60
TOTAL SENTENCES	76	84	77	65	36	338
Prison	4	4	0	2	1	11
Jail	5	6	2	5	3	21
Time Served	0	0	0	0	1	1
Jail+Probation	1	3	1	3	0	8
Probation	27	30	33	25	13	128
Fine	6	11	3	6	6	32
Cond Discharge	27	23	34	22	9	115
Uncond Discharge	6	7	4	2	3	22
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 05/18/2018).
Includes convictions to felonies, misdemeanors and non-criminal offenses such as violations and infractions.
Regional designation based on location of the disposition court.