

**NEW YORK STATE
DIVISION OF CRIMINAL JUSTICE SERVICES
2013 REPORT ON FELONY INSURANCE FRAUD OFFENSES**

Executive Law §837-a requires the Division of Criminal Justice Services to report on the processing and disposition of Penal Law Article 176 (Insurance Fraud) felony offenses. This report complies with that reporting requirement and provides processing information for the years 2009 to 2013.

Table 1 provides information about the number of persons arrested for felony Insurance Fraud offenses from 2009 to 2013. 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
2009 to 2013**

		2009	2010	2011	2012	2013	TOTAL
NEW YORK STATE	TOTAL INSURANCE FRAUD ARRESTS	219	192	196	189	165	961
	1st Degree Insurance Fraud	0	3	1	0	0	4
	2nd Degree Insurance Fraud	7	14	8	34	14	77
	3rd Degree Insurance Fraud	148	130	136	102	82	598
	Aggravated Insurance Fraud	0	0	0	1	0	1
	4th Degree Insurance Fraud	64	45	51	52	69	281
NEW YORK CITY	TOTAL INSURANCE FRAUD ARRESTS	99	89	90	92	64	434
	1st Degree Insurance Fraud	0	3	1	0	0	4
	2nd Degree Insurance Fraud	1	3	2	25	9	40
	3rd Degree Insurance Fraud	87	72	76	58	49	342
	Aggravated Insurance Fraud	0	0	0	1	0	1
	4th Degree Insurance Fraud	11	11	11	8	6	47
REST OF STATE	TOTAL INSURANCE FRAUD ARRESTS	120	103	106	97	101	527
	2nd Degree Insurance Fraud	6	11	6	9	5	37
	3rd Degree Insurance Fraud	61	58	60	44	33	256
	4th Degree Insurance Fraud	53	34	40	44	63	234

Source: DCJS, Computerized Criminal History system (as of 06/23/2014).
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
2009 to 2013**

		2009	2010	2011	2012	2013	Total
NEW YORK STATE	TOTAL INSURANCE LAW ACTIONS	65	60	45	56	51	277
	1st Degree Insurance Fraud	0	1	0	0	0	1
	2nd Degree Insurance Fraud	4	6	5	7	5	27
	3rd Degree Insurance Fraud	36	36	25	37	24	158
	Aggravated Insurance Fraud	1	0	0	0	0	1
	4th Degree Insurance Fraud	24	17	15	12	22	90
NEW YORK CITY	TOTAL INSURANCE LAW ACTIONS	17	16	11	22	7	73
	1st Degree Insurance Fraud	0	1	0	0	0	1
	2nd Degree Insurance Fraud	0	0	2	4	1	7
	3rd Degree Insurance Fraud	9	10	8	17	5	49
	4th Degree Insurance Fraud	8	5	1	1	1	16
	REST OF STATE	TOTAL INSURANCE LAW ACTIONS	48	44	34	34	44
	2nd Degree Insurance Fraud	4	6	3	3	4	20
	3rd Degree Insurance Fraud	27	26	17	20	19	109
	Aggravated Insurance Fraud	1	0	0	0	0	1
	4th Degree Insurance Fraud	16	12	14	11	21	74

Source: Felony Processing File (as of 06/23/2014).

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
DISPOSTIONS OF FELONY INSURANCE FRAUD ARRESTS
2009 to 2013**

	2009	2010	2011	2012	2013	TOTAL
TOTAL DISPOSITIONS	249	213	207	205	149	1023
Convicted-Sentenced	187	173	162	175	129	826
Adjudicated Youthful Offender	6	0	5	1	0	12
Covered by Another Case	6	0	3	1	2	12
Dismissed-Other	42	30	35	25	15	147
Acquitted	2	3	0	1	1	7
DA Declined to Prosecute	6	7	2	2	2	19
TOTAL SENTENCES	193	173	167	176	129	838
Felonies	44	36	31	23	30	164
Misdemeanors	109	89	96	109	65	468
Non-Criminal Offenses	40	48	40	44	34	206
TOTAL SENTENCES	193	173	167	176	129	838
Prison	5	4	8	2	10	29
Jail	6	11	8	9	9	43
Time Served	3	3	11	6	8	31
Jail+Probation	6	7	2	5	2	22
Probation	49	24	40	28	34	175
Fine	34	30	31	36	12	143
Cond Discharge	87	90	66	88	47	378
Uncond Discharge	3	3	1	2	7	16
Other	0	1	0	0	0	1

Source: DCJS, Computerized Criminal History system (as of 06/23/2014).

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
DISPOSTIONS OF FELONY INSURANCE FRAUD ARRESTS
2009 to 2013

	2009	2010	2011	2012	2013	TOTAL
TOTAL DISPOSITIONS	110	96	112	127	63	508
Convicted-Sentenced	73	67	79	106	56	381
Adjudicated Youthful Offender	4	0	5	1	0	10
Covered by Another Case	3	0	0	0	0	3
Dismissed-Other	23	19	26	18	4	90
Acquitted	1	3	0	0	1	5
DA Declined to Prosecute	6	7	2	2	2	19
TOTAL SENTENCES	77	67	84	107	56	391
Felonies	20	12	10	10	12	64
Misdemeanors	37	32	46	62	21	198
Non-Criminal Offenses	20	23	28	35	23	129
TOTAL SENTENCES	77	67	84	107	56	391
Prison	2	1	3	0	6	12
Jail	4	6	2	5	4	21
Time Served	2	1	9	6	8	26
Jail+Probation	0	0	0	1	1	2
Probation	10	5	5	5	7	32
Fine	12	14	15	17	6	64
Cond Discharge	46	40	50	73	23	232
Uncond Discharge	1	0	0	0	1	2
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 06/23/2014).

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
DISPOSTIONS OF FELONY INSURANCE FRAUD ARRESTS
2009 to 2013

	2009	2010	2011	2012	2013	TOTAL
TOTAL DISPOSITIONS	139	117	95	78	86	515
Convicted-Sentenced	114	106	83	69	73	445
Adjudicated Youthful Offender	2	0	0	0	0	2
Covered by Another Case	3	0	3	1	2	9
Dismissed-Other	19	11	9	7	11	57
Acquitted	1	0	0	1	0	2
DA Declined to Prosecute	0	0	0	0	0	0
TOTAL SENTENCES	116	106	83	69	73	447
Felonies	24	24	21	13	18	100
Misdemeanors	72	57	50	47	44	270
Non-Criminal Offenses	20	25	12	9	11	77
TOTAL SENTENCES	116	106	83	69	73	447
Prison	3	3	5	2	4	17
Jail	2	5	6	4	5	22
Time Served	1	2	2	0	0	5
Jail+Probation	6	7	2	4	1	20
Probation	39	19	35	23	27	143
Fine	22	16	16	19	6	79
Cond Discharge	41	50	16	15	24	146
Uncond Discharge	2	3	1	2	6	14
Other	0	1	0	0	0	1

Source: DCJS, Computerized Criminal History system (as of 06/23/2014).

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

Regional designation based on location of the disposition court.