# Criminal Justice Statistical Report

**Kathy Hochul**
*Governor*

**Michael C. Green**
*Executive Deputy Commissioner*

**September 2021**

# Felony Insurance Fraud Offenses
# 2020 Annual Report

New York State Executive Law requires the state Division of Criminal Justice Services (DCJS) to publish an annual report detailing arrests and prosecutions for felony offenses included in state Insurance Fraud Law (Penal Law Article 176).

Table 1 details arrests for these crimes annually for the five-year period from 2016 through 2020 for New York State and its two regions: New York City (five boroughs) and the Rest of State (57 counties).

**TABLE 1**
**NEW YORK STATE**
**FELONY INSURANCE FRAUD ARRESTS**
**2016 to 2020**

| | | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|---|---|---|---|---|---|---|---|
| **NEW YORK STATE** | **TOTAL ARRESTS** | **83** | **69** | **81** | **70** | **34** | **337** |
| | 1st Degree Insurance Fraud | 0 | 0 | 5 | 2 | 0 | 7 |
| | 2nd Degree Insurance Fraud | 8 | 4 | 10 | 5 | 1 | 28 |
| | 3rd Degree Insurance Fraud | 42 | 51 | 51 | 52 | 13 | 209 |
| | 4th Degree Insurance Fraud | 33 | 14 | 15 | 11 | 20 | 93 |
| **NEW YORK CITY** | **TOTAL ARRESTS** | **35** | **41** | **48** | **37** | **16** | **177** |
| | 1st Degree Insurance Fraud | 0 | 0 | 4 | 2 | 0 | 6 |
| | 2nd Degree Insurance Fraud | 6 | 2 | 4 | 3 | 1 | 16 |
| | 3rd Degree Insurance Fraud | 24 | 32 | 36 | 32 | 1 | 125 |
| | 4th Degree Insurance Fraud | 5 | 7 | 4 | 0 | 14 | 30 |
| **REST OF STATE** | **TOTAL ARRESTS** | **48** | **28** | **33** | **33** | **18** | **160** |
| | 1st Degree Insurance Fraud | 0 | 0 | 1 | 0 | 0 | 1 |
| | 2nd Degree Insurance Fraud | 2 | 2 | 6 | 2 | 0 | 12 |
| | 3rd Degree Insurance Fraud | 18 | 19 | 15 | 20 | 12 | 84 |
| | 4th Degree Insurance Fraud | 28 | 7 | 11 | 11 | 6 | 63 |

Source: DCJS, Computerized Criminal History system (as of 7/16/2021).
The regional designation is based on the location of the arrest.

These data are reported to DCJS by the police agency that made the arrest and maintained in the agency's Computerized Criminal History (CCH) database. DCJS compiles arrest data by top charge: the most serious an individual faced at the time of arrest. For example, if an arrest included one felony and one misdemeanor charge, that arrest is classified as a felony.

Table 2 details the number of indictments or superior court informations (SCIs) where the top charge was a felony insurance fraud offense. The year represents the year in which the arraignment or the indictment or SCI occurred, as reported to DCJS by the state Office of Court Administration. In addition:

If a single indictment or SCI included charges against more than one individual, the indictment or SCI is counted multiple times in Table 2 (for example, an indictment or SCI charging three individuals is counted three times). The same is true if an individual is named in multiple indictments or SCIs: each indictment or SCI is reflected in Table 2 separately.

**Please note:** A single arrest may result in more than one indictment or SCI and multiple arrests may result in one indictment or SCI.

**TABLE 2**
**NEW YORK STATE**
**FELONY INSURANCE FRAUD ACTIONS**
**2016 to 2020**

| | | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|---|---|---|---|---|---|---|---|
| **NEW YORK STATE** | **TOTAL INSURANCE LAW ACTIONS** | **25** | **22** | **22** | **22** | **2** | **93** |
| | 1st Degree Insurance Fraud | 1 | 0 | 4 | 3 | 0 | 8 |
| | 2nd Degree Insurance Fraud | 1 | 3 | 5 | 4 | 0 | 13 |
| | 3rd Degree Insurance Fraud | 17 | 14 | 9 | 8 | 2 | 50 |
| | 4th Degree Insurance Fraud | 6 | 5 | 4 | 7 | 0 | 22 |
| **NEW YORK CITY** | **TOTAL INSURANCE LAW ACTIONS** | **11** | **12** | **11** | **12** | **0** | **46** |
| | 1st Degree Insurance Fraud | 1 | 0 | 4 | 2 | 0 | 7 |
| | 2nd Degree Insurance Fraud | 1 | 2 | 3 | 4 | 0 | 10 |
| | 3rd Degree Insurance Fraud | 9 | 7 | 2 | 4 | 0 | 22 |
| | 4th Degree Insurance Fraud | 0 | 3 | 2 | 2 | 0 | 7 |
| **REST OF STATE** | **TOTAL INSURANCE LAW ACTIONS** | **14** | **10** | **11** | **10** | **2** | **47** |
| | 1st Degree Insurance Fraud | 0 | 0 | 0 | 1 | 0 | 1 |
| | 2nd Degree Insurance Fraud | 0 | 1 | 2 | 0 | 0 | 3 |
| | 3rd Degree Insurance Fraud | 8 | 7 | 7 | 4 | 2 | 28 |
| | 4th Degree Insurance Fraud | 6 | 2 | 2 | 5 | 0 | 15 |

Source: Felony Processing File (as of 7/16/2021).
The term actions in this table refers to indictments and superior court informations.
The regional designation is based on the location of the court.

Tables 3 through 5 provide information about the outcomes of felony insurance fraud arrests. The summaries are displayed according to the year in which the final disposition occurred. For example, a 2016 arrest that resulted in a conviction in 2017 is included in the 2017 dispositions. In addition:

- An arrest made for an Insurance Fraud felony may result in a conviction to a different Penal Law offense.

- An arrest made for a felony may result in a conviction to a felony, misdemeanor or non-criminal offense.

**TABLE 3**
**NEW YORK STATE**
**DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS**
**2016 to 2020**

|  | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|---|---|---|---|---|---|---|
| **TOTAL DISPOSITIONS** | **110** | **86** | **83** | **74** | **44** | **397** |
| Convicted-Sentenced | 97 | 75 | 72 | 59 | 38 | 341 |
| Adjudicated Youthful Offender | 0 | 1 | 0 | 0 | 0 | 1 |
| Dismissed-Other | 11 | 9 | 11 | 15 | 6 | 52 |
| Acquitted | 1 | 0 | 0 | 0 | 0 | 1 |
| DA Declined to Prosecute | 1 | 1 | 0 | 0 | 0 | 2 |
| **TOTAL SENTENCES** | **97** | **76** | **72** | **59** | **38** | **342** |
| Felonies | 14 | 21 | 11 | 7 | 4 | 57 |
| Misdemeanors | 62 | 40 | 41 | 29 | 17 | 189 |
| Non-Criminal Offenses | 21 | 15 | 20 | 23 | 17 | 96 |
| **TOTAL SENTENCES** | **97** | **76** | **72** | **59** | **38** | **342** |
| Prison | 2 | 2 | 1 | 2 | 1 | 8 |
| Jail | 5 | 3 | 4 | 3 | 0 | 15 |
| Time Served | 1 | 5 | 3 | 3 | 1 | 13 |
| Jail+Probation | 3 | 0 | 3 | 0 | 0 | 6 |
| Probation | 30 | 20 | 13 | 10 | 4 | 77 |
| Fine | 10 | 13 | 18 | 16 | 5 | 62 |
| Cond Discharge | 44 | 30 | 29 | 25 | 26 | 154 |
| Uncond Discharge | 2 | 3 | 1 | 0 | 0 | 6 |
| Other | 0 | 0 | 0 | 0 | 1 | 1 |

Source: DCJS, Computerized Criminal History system (as of 7/16/2021).
Table includes convictions for felonies, misdemeanors and non-criminal offenses such as violations and infractions.
The regional designation is based on the location of the disposition court.

**TABLE 4**
**NEW YORK CITY**
**DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS**
**2016 to 2020**

| | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|---|---|---|---|---|---|---|
| **TOTAL DISPOSITIONS** | **36** | **42** | **47** | **41** | **24** | **190** |
| Convicted-Sentenced | 31 | 37 | 39 | 34 | 22 | 163 |
| Adjudicated Youthful Offender | 0 | 1 | 0 | 0 | 0 | 1 |
| Dismissed-Other | 4 | 3 | 8 | 7 | 2 | 24 |
| Acquitted | 0 | 0 | 0 | 0 | 0 | 0 |
| DA Declined to Prosecute | 1 | 1 | 0 | 0 | 0 | 2 |
| **TOTAL SENTENCES** | **31** | **38** | **39** | **34** | **22** | **164** |
| Felonies | 3 | 12 | 5 | 6 | 3 | 29 |
| Misdemeanors | 18 | 17 | 21 | 15 | 8 | 79 |
| Non-Criminal Offenses | 10 | 9 | 13 | 13 | 11 | 56 |
| **TOTAL SENTENCES** | **31** | **38** | **39** | **34** | **22** | **164** |
| Prison | 0 | 1 | 0 | 1 | 0 | 2 |
| Jail | 0 | 0 | 1 | 2 | 0 | 3 |
| Time Served | 1 | 4 | 2 | 3 | 1 | 11 |
| Jail+Probation | 0 | 0 | 1 | 0 | 0 | 1 |
| Probation | 4 | 7 | 4 | 6 | 3 | 24 |
| Fine | 4 | 5 | 17 | 14 | 2 | 42 |
| Cond Discharge | 22 | 21 | 14 | 8 | 15 | 80 |
| Uncond Discharge | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 1 | 1 |

Source: DCJS, Computerized Criminal History system (as of 7/16/2021).

Table includes convictions for felonies, misdemeanors and non-criminal offenses such as violations and infractions.

The regional designation is based on the location of the disposition court.

**TABLE 5**
**REST OF STATE**
**DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS**
**2016 to 2020**

| | 2016 | 2017 | 2018 | 2019 | 2020 | Total |
|---|---|---|---|---|---|---|
| **TOTAL DISPOSITIONS** | **74** | **44** | **36** | **33** | **20** | **207** |
| Convicted-Sentenced | 66 | 38 | 33 | 25 | 16 | 178 |
| Adjudicated Youthful Offender | 0 | 0 | 0 | 0 | 0 | 0 |
| Dismissed-Other | 7 | 6 | 3 | 8 | 4 | 28 |
| Acquitted | 1 | 0 | 0 | 0 | 0 | 1 |
| DA Declined to Prosecute | 0 | 0 | 0 | 0 | 0 | 0 |
| **TOTAL SENTENCES** | **66** | **38** | **33** | **25** | **16** | **178** |
| Felonies | 11 | 9 | 6 | 1 | 1 | 28 |
| Misdemeanors | 44 | 23 | 20 | 14 | 9 | 110 |
| Non-Criminal Offenses | 11 | 6 | 7 | 10 | 6 | 40 |
| **TOTAL SENTENCES** | **66** | **38** | **33** | **25** | **16** | **178** |
| Prison | 2 | 1 | 1 | 1 | 1 | 6 |
| Jail | 5 | 3 | 3 | 1 | 0 | 12 |
| Time Served | 0 | 1 | 1 | 0 | 0 | 2 |
| Jail+Probation | 3 | 0 | 2 | 0 | 0 | 5 |
| Probation | 26 | 13 | 9 | 4 | 1 | 53 |
| Fine | 6 | 8 | 1 | 2 | 3 | 20 |
| Cond Discharge | 22 | 9 | 15 | 17 | 11 | 74 |
| Uncond Discharge | 2 | 3 | 1 | 0 | 0 | 6 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 |

Source: DCJS, Computerized Criminal History system (as of 7/16/2021).
Table includes convictions for felonies, misdemeanors and non-criminal offenses such as violations and infractions.
The regional designation is based on the location of the disposition court.