Criminal Justice Statistical Report

Kathy Hochul
Governor

Rossana Rosado
Commissioner

November 2024

Felony Insurance Fraud Offenses
2023 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 2019 through 2023 for New York State and its two regions: New York City (five boroughs) and Non-New York City (57 counties).

TABLE 1
NEW YORK STATE
FELONY INSURANCE FRAUD ARRESTS
2019 to 2023

		2019	2020	2021	2022	2023	Total
NEW YORK STATE	**TOTAL**	**70**	**34**	**36**	**42**	**57**	**239**
	1st Degree Insurance Fraud	2	0	2	5	6	15
	2nd Degree Insurance Fraud	5	1	3	3	5	17
	3rd Degree Insurance Fraud	52	13	12	19	21	117
	Aggravated Insurance Fraud	0	0	0	2	0	2
	4th Degree Insurance Fraud	11	20	19	13	25	88
	5th Degree Insurance Fraud	0	0	0	0	0	0
NEW YORK CITY	**TOTAL**	**38**	**16**	**18**	**11**	**17**	**100**
	1st Degree Insurance Fraud	2	0	1	4	6	13
	2nd Degree Insurance Fraud	3	1	1	1	0	6
	3rd Degree Insurance Fraud	33	1	2	2	0	38
	Aggravated Insurance Fraud	0	0	0	0	0	0
	4th Degree Insurance Fraud	0	14	14	4	11	43
	5th Degree Insurance Fraud	0	0	0	0	0	0
NON-NEW YORK CITY	**TOTAL**	**32**	**18**	**18**	**31**	**40**	**139**
	1st Degree Insurance Fraud	0	0	1	1	0	2
	2nd Degree Insurance Fraud	2	0	2	2	5	11
	3rd Degree Insurance Fraud	19	12	10	17	21	79
	Aggravated Insurance Fraud	0	0	0	2	0	2
	4th Degree Insurance Fraud	11	6	5	9	14	45
	5th Degree Insurance Fraud	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 9/20/2024).
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 are 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 information (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
2019 to 2023

		2019	2020	2021	2022	2023	Total
NEW YORK STATE	**TOTAL**	**22**	**3**	**8**	**10**	**12**	**55**
	1st Degree Insurance Fraud	3	0	1	4	6	14
	2nd Degree Insurance Fraud	4	0	1	0	1	6
	3rd Degree Insurance Fraud	8	2	4	6	4	24
	Aggravated Insurance Fraud	0	0	0	0	0	0
	4th Degree Insurance Fraud	7	1	2	0	1	11
	5th Degree Insurance Fraud	0	0	0	0	0	0
NEW YORK CITY	**TOTAL**	**12**	**0**	**5**	**5**	**6**	**28**
	1st Degree Insurance Fraud	2	0	1	4	6	13
	2nd Degree Insurance Fraud	4	0	1	0	0	5
	3rd Degree Insurance Fraud	4	0	2	1	0	7
	Aggravated Insurance Fraud	0	0	0	0	0	0
	4th Degree Insurance Fraud	2	0	1	0	0	3
	5th Degree Insurance Fraud	0	0	0	0	0	0
NON-NEW YORK CITY	**TOTAL**	**10**	**3**	**3**	**5**	**6**	**27**
	1st Degree Insurance Fraud	1	0	0	0	0	1
	2nd Degree Insurance Fraud	0	0	0	0	1	1
	3rd Degree Insurance Fraud	4	2	2	5	4	17
	Aggravated Insurance Fraud	0	0	0	0	0	0
	4th Degree Insurance Fraud	5	1	1	0	1	8
	5th Degree Insurance Fraud	0	0	0	0	0	0

Source: Felony Processing File (as of 9/20/2024).

The term actions in this table refers to indictments and superior court information (SCIs).

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 2019 arrest that resulted in a conviction in 2020 is included in the 2020 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
2019 to 2023

	2019	2020	2021	2022	2023	TOTAL
TOTAL DISPOSITIONS	**73**	**45**	**43**	**36**	**54**	**251**
Convicted-Sentenced	59	39	37	22	37	194
Diverted and Dismissed	0	0	0	0	0	0
Covered by Another Case	0	0	1	1	3	5
Dismissed-ACD	6	3	1	1	1	12
Dismissed-Not ACD	8	3	4	4	3	22
Acquitted	0	0	0	0	0	0
DA Declined to Prosecute	0	0	0	3	5	8
Other Favorable	0	0	0	5	5	10
TOTAL SENTENCES	**59**	**39**	**37**	**22**	**37**	**194**
Felonies	7	5	2	1	12	27
Misdemeanors	29	17	15	11	19	91
Non-Criminal Offenses	23	17	20	10	6	76
TOTAL SENTENCES	**59**	**39**	**37**	**22**	**37**	**194**
Prison	2	2	1	0	6	11
Jail	3	0	1	1	0	5
Time Served	3	1	2	1	0	7
Jail+Probation	0	0	0	1	2	3
Probation	10	4	4	2	4	24
Fine	16	5	5	2	10	38
Cond Discharge	25	27	23	15	14	104
Other	0	0	1	0	1	2

Source: DCJS, Computerized Criminal History system (as of 9/20/2024).

Table includes convictions to 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
2019 to 2023

	2019	2020	2021	2022	2023	TOTAL
TOTAL DISPOSITIONS	**41**	**23**	**23**	**10**	**12**	**109**
Convicted-Sentenced	34	21	20	7	9	91
Diverted and Dismissed	0	0	0	0	0	0
Covered by Another Case	0	0	0	0	0	0
Dismissed-ACD	1	0	0	0	1	2
Dismissed-Not ACD	6	2	3	3	2	16
Acquitted	0	0	0	0	0	0
DA Declined to Prosecute	0	0	0	0	0	0
Other Favorable	0	0	0	0	0	0
TOTAL SENTENCES	**34**	**21**	**20**	**7**	**9**	**91**
Felonies	6	3	0	0	7	16
Misdemeanors	15	7	6	3	2	33
Non-Criminal Offenses	13	11	14	4	0	42
TOTAL SENTENCES	**34**	**21**	**20**	**7**	**9**	**91**
Prison	1	0	0	0	4	5
Jail	2	0	0	0	0	2
Time Served	3	1	2	0	0	6
Jail+Probation	0	0	0	0	1	1
Probation	6	3	1	1	1	12
Fine	14	2	3	0	0	19
Cond Discharge	8	15	14	6	3	46
Other	0	0	0	0	0	0

Source: DCJS, Computerized Criminal History system (as of 9/20/2024).

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
NON-NEW YORK CITY
DISPOSITIONS OF FELONY INSURANCE FRAUD ARRESTS
2019 to 2023

	2019	2020	2021	2022	2023	TOTAL
TOTAL DISPOSITIONS	**32**	**22**	**20**	**26**	**42**	**142**
Convicted-Sentenced	25	18	17	15	28	103
Diverted and Dismissed	0	0	0	0	0	0
Covered by Another Case	0	0	1	1	3	5
Dismissed-ACD	5	3	1	1	0	10
Dismissed-Not ACD	2	1	1	1	1	6
Acquitted	0	0	0	0	0	0
DA Declined to Prosecute	0	0	0	3	5	8
Other Favorable	0	0	0	5	5	10
TOTAL SENTENCES	**25**	**18**	**17**	**15**	**28**	**103**
Felonies	1	2	2	1	5	11
Misdemeanors	14	10	9	8	17	58
Non-Criminal Offenses	10	6	6	6	6	34
TOTAL SENTENCES	**25**	**18**	**17**	**15**	**28**	**103**
Prison	1	2	1	0	2	6
Jail	1	0	1	1	0	3
Time Served	0	0	0	1	0	1
Jail+Probation	0	0	0	1	1	2
Probation	4	1	3	1	3	12
Fine	2	3	2	2	10	19
Cond Discharge	17	12	9	9	11	58
Other	0	0	1	0	1	2

Source: DCJS, Computerized Criminal History system (as of 9/20/2024).

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.