

Uber sued by female passengers alleging driver rape, violence

 [usatoday.com/story/tech/2017/11/14/uber-sued-female-passengers-alleging-driver-rape-violence/863166001/](https://www.usatoday.com/story/tech/2017/11/14/uber-sued-female-passengers-alleging-driver-rape-violence/863166001/)

Elizabeth
Weise

SAN FRANCISCO — Two unnamed women filed a proposed class action suit against Uber Tuesday, accusing the ride-sharing company of poor driver vetting that has led to thousands of female passengers enduring a range of sexual harassment, including rape.

The plaintiffs allege that to keep profits up, Uber has not properly screened or monitored its drivers.

Extensive vetting that includes fingerprinting — which Uber does not require — and deep background checks can cost companies time and money.

The accusation is a familiar one to Uber, which has also been hit with a [lawsuit](#) by a woman in India who not only said her driver raped her but also that Uber executives illegally obtained her medical records in an effort to discredit her.

Uber's toxic internal culture, which former employee Susan Fowler described in a now infamous February blog post as being hostile towards women, led to the replacement of CEO Travis Kalanick.

"Uber has done everything possible to continue using low-cost, woefully inadequate background checks on drivers and has failed to monitor drivers for any violent or inappropriate conduct after they are hired," the complaint alleges.

The complaint further alleges that to protect itself from the kinds of requirements that would be placed on a transportation company, Uber has instead labeled itself a "technology platform," allowing it to avoid regulations that would govern drivers for a taxi or limousine company.

Uber said it was in the process of reviewing the complaint. "These allegations are important to us and we take them very seriously," the San Francisco-based company said in a statement to USA TODAY.

At heart, the complaint gets at the ongoing and still unresolved issue of whether Uber is a company that provides transportation to riders, or instead a company that merely allows drivers to connect with riders.

Higher duty of care

The complaint notes that drivers for private transportation carriers in California, where the company is based, are held to a higher "duty of care." For example taxi and limousine companies are required to do criminal background checks on their drivers as well as monitoring.

Uber is not held to this standard because it is not licensed as a private transportation carrier, the complaint alleges.

The complaint calls upon Uber to "make drastic changes" to keep its female riders safe.

Uber "must come forward with information about how many reports it has received about rapes, sexual assaults and gender-motivated harassment to allow consumers to assess whether Uber really does provide safe rides, especially to women," said Jeanne Christensen, one of the lawyers who filed the complaint and a partner at Wigdor LLP in New York City.

Wigdor has brought other suits in high-profile assault and harassment cases, including the case of the Indian-American woman [who was raped by her Uber driver](#) in Delhi in 2014, and [discrimination and harassment suits against Fox News](#).

In May the company provided [a detailed overview of its safety practices in California](#), including a requirement that drivers undergo a national, state, and local-level criminal history check that screens a series of national, state, and local databases, including the U.S. Department of Justice National Sex Offender Public Website.

The company's driver check process can vary depending on local requirements. For example, Uber left the Austin, Texas market for a time because local city regulations required drivers to be fingerprinted. When a state law was passed to overturn that requirement, the company returned to the city earlier this year.

Woman assaulted by her driver

According to the complaint, Jane Doe ordered an Uber to ride home with a friend from a restaurant on Oct. 17, 2016. Doe had been drinking and was barely conscious when they arrived at her house in South Miami, the complaint said.

The driver, Nimer Abdullah, threw her over his shoulder, carried her upstairs to her apartment and put her on the bed where he lay on top of her, the complaint alleges. When her friend demanded that he leave, Abdullah's response was to invite her to join them, the complain stated.

The friend became so frightened she locked herself in the bathroom, where she passed out.

When Doe awoke in the morning, she found she was not wearing pants or underwear and there appeared to be semen stains on her comforter. She reported the assault to the police and Abdullah was arrested and charged with two counts of sexual battery.

Abdullah admitted to raping Doe and also told police he was aware that she had been drinking before he assaulted her. The case is pending in Miami-Dade County, the complaint said.

When Doe contacted Uber regarding the incident, she was told the company would be "taking the appropriate action here." However according to the complaint Uber had not confirmed to her that Abdullah has been deactivated from driving for Uber.

The company did offer to refund the \$9.51 she paid for the ride.