

# An Uber rider is suing the company, claiming it shouldn't have hired driver who allegedly raped her

 [cnbc.com/2017/11/15/uber-rider-sues-alleging-inadequate-background-checks-for-drivers.html](https://www.cnbc.com/2017/11/15/uber-rider-sues-alleging-inadequate-background-checks-for-drivers.html)

Paayal Zaveri | Deirdre Bosa

11/16/2017

An anonymous Uber rider is suing the company in California Superior Court, claiming that Uber did not take sufficient measures to protect her from a driver who allegedly raped her on Nov. 11, 2016.

The complaint states that the passenger, called "Jane Doe" in the filing to preserve her anonymity, called an Uber after getting drinks and picking "the safe choice" to get home. After the assault happened, the passenger went to the hospital and doctors conducted a rape kit analysis. The Uber driver was charged with "Rape by use of drugs."

The complaint alleges that this Uber driver had been previously charged with committing violent crimes and that Uber's background check "either failed to discover these egregious charges, or willfully chose to risk passengers' lives in exchange for the additional profit one more driver could potentially have provided."

The filing alleges that Uber has an "inadequate and careless background checking process" that "only [goes] back for a period of seven years and [does] not capture all arrests and/or convictions."

It also cites former Uber employee Susan Fowler's blog post earlier this year that detailed a culture of sexual harassment and sexism at the company. The suit alleges that this culture has spilled over into the way Uber treats its passengers, especially female passengers, and says the number of reported sexual assaults and rapes of female passengers by male Uber drivers "has skyrocketed in the last several years."

The filing also suggests that a "profits over safety" culture has "led to thousands of drivers with violent criminal records slipping through the cracks."

"We are confident that a jury will hold Uber accountable for this horrific and senseless violence," plaintiff's attorney Jeanne M. Christensen said. "Uber must take immediate action to prevent another tragedy like this from happening."

In response, an Uber spokesperson said, "These accusations are extremely concerning, and we are in the process of reviewing the lawsuit."

The lawsuit follows a proposed class action lawsuit [filed Tuesday](#) against Uber asking the ride-sharing company to change its screening practices for drivers on behalf of all U.S. riders who were "subject to rape, sexual assault or gender-motivated violence or harassment by their Uber driver in the last four years."

In late 2016, California Gov. Jerry Brown signed a new law that requires ride-hailing start-ups to look at violent convictions throughout a prospective driver's entire record, instead of examining only those that occurred in the past seven years. It required Uber, Lyft and other companies to reject any driver who has been convicted of a violent felony or a terrorism-related offense, or is a registered sex offender. But it stopped short of requiring ride-sharing companies to submit drivers to fingerprint background checks conducted by the government.