

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE  
STATE OF CALIFORNIA**

Order Instituting Rulemaking on Regulations  
Relating to Passenger Carriers, Ridesharing,  
And New Online Enabled Transportation  
Services

R.12-12-011

**OPENING COMMENTS OF SAN FRANCISCO INTERNATIONAL AIRPORT  
AND THE SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY TO  
PHASE III.B SCOPING MEMO AND RULING OF ASSIGNED COMMISSIONER**

**TRACK 1 – BACKGROUND CHECK REQUIREMENTS**

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## A. INTRODUCTION

TNC customers and members of the public assume that TNC drivers are not sexual predators, violent felons or reckless drivers. They assume that if the government or a TNC company says the drivers are safe, then the drivers are safe. But hundreds of TNC customers in the United States have discovered their assumptions were wrong.

Taxi drivers in California's 10 largest cities are required to pass a fingerprint-based criminal history background check before getting behind the wheel to drive paying members of the public.<sup>1</sup> The local public entities that mandate these background checks make public safety their highest priority. The impact of this safety check on the pocketbooks of taxi companies is not a factor in the public safety calculation. It should not be a factor here, either.

There is no logical reason why the safety of limousine and TNC passengers should be any less important than that of taxi passengers. This Commission – the first in the nation to recognize the value of this new transportation mode – should be the leader in recognizing that the TNC market has matured enough that it is no longer “nascent” and will not disappear because its drivers must meet the same safety standards applicable to taxi drivers. In fact, TNCs are valued in the billions of dollars.

The Commission should lead the nation on passenger safety and require TNC *and* limousine drivers to submit to a biometric-based criminal history records check before driving members of the public.

## B. QUESTIONS PRESENTED

### 1. **What public policy and or safety objectives would be achieved by requiring all existing and prospective TNC drivers to undergo biometric (i.e., the use of a person's physical characteristics and other traits) background check?**

Only a biometric background check can positively identify a driver-applicant and verify that the driver who presents herself as Jane Doe is indeed Jane Doe. Without a positive identification, the validity of a background investigation depends on the veracity of the applicant. But there are plenty of people who operate in the opaque world of ever-changing identities. According to the Federal Trade Commission's Consumer Sentinel Network Data Book for January-December 2016, consumers in

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<sup>1</sup> See Declaration of Kate Toran.

California reported 54,744 cases of identity theft in 2016. Of these reports, 16,054 were for employment related or tax-related fraud and 3,090 were for use of fraudulent government documents, including passports and drivers' licenses.<sup>2</sup>

Whether an individual is fingerprinted through a criminal booking process or in connection with a job or permit application, the person's unique fingerprint is assigned a unique identifying number.<sup>3</sup> This process helps determine whether the individual providing the fingerprints is using an alias. For example, an individual who was arrested, prosecuted and convicted of sexual assault in Fresno and serves three years, may then decide to move to San Francisco and apply to be a taxi driver using a fake driver's license. Because SFMTA requires driver applicants to provide fingerprints, the result will be a hit in Fresno showing the identical fingerprints, but a different unique identifying number. SFMTA would now know that the taxi applicant failed to disclose an alias and was in fact convicted of a sexual assault. Because TNC driver-applicants are not required to provide fingerprints, a commercial background check firm would have no way of discovering that applicant was using an alias except to ask and hope the applicant is truthful.<sup>4</sup>

As we asserted earlier in these proceedings, the unlawful business practices action filed by the District Attorneys of San Francisco and Los Angeles ("the D.A. Lawsuit") identified 25 examples of drivers who passed Uber's background check but, nevertheless, had disqualifying criminal convictions or were driving on suspended licenses. Without reiterating the entirety of our previous comments on this issue, two of these individuals, identified as Uber Driver #2" and "Uber Driver #3," had previous criminal convictions involving lewd acts against a child and sexual exploitation of children.

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<sup>2</sup> See Appendix A, "Consumer Sentinel Network Data Book for January-December 2016," Federal Trade Commission, pp 12 and 26.

<sup>3</sup> See People v. Uber Technologies, First Amended Complaint (D.A. Complaint"), Appendix B, and Brussow Declaration.

<sup>4</sup> See Brussow Declaration.

In the case of Uber Driver #2, Uber’s background check company did not pick up that the individual was a registered sex offender because he applied for and was granted an exemption from being identified in the public Megan’s Law registry. Uber Driver #3, whose crimes were committed in Wyoming, was also not detected by Uber’s background check company because it does not have access to government databases.

The problem here is that commercial background check firms – regardless of how advanced their technology is or how many investigators they employ – cannot access Department of Justice arrest and conviction records, or “RAP sheets.” Because commercial name-based criminal background checks do not use an applicant’s unique biometric identifier such as a fingerprint, they cannot ensure that the information obtained actually pertains to the applicant.

Recognizing that commercial background check firms cannot access the same information that results from fingerprint-based background checks, Civil Code § 1786.29(a) requires that the first page of a commercial background check report include “[a] notice in at least 12-point boldface type setting forth that *the report does not guarantee the accuracy or truthfulness of the information as to the subject of the investigation, but only that it is accurately copied from public records, and information generated as a result of identity theft, including evidence of criminal activity, may be inaccurately associated with the consumer who is the subject of the report.*” [Emphasis added.] Similarly, where an applicant uses a false identity, a background check performed by a commercial firm may falsely confirm no disqualifying criminal history when, in fact, the applicant has a history of convictions for disqualifying crimes.

For all of these reasons, public safety is not served when regulations do not require the use of unique biometric identifiers such as fingerprints.

**2. Does subjecting all TNC drivers to a biometric background check adversely affect the chances of persons of different races or ethnicities to pass the background check? Explain why or why not.**

No, not in California. The procedures for disclosing state and federal criminal history information are addressed in 11 C.C.R. §§721-724. Collectively, these regulations prohibit the California Department of Justice (“CA DOJ”) from disclosing arrest information unless the record includes disposition information. When the CA DOJ database does not contain disposition information, CA DOJ personnel are required to query the arresting agency, the prosecuting agency, the court and local probation agency, and any other criminal justice agency that might possess the missing information. After such efforts are exhausted, if the CA DOJ still cannot obtain the corresponding disposition information for an arrest, the disposition information is deemed unavailable and the CA DOJ “*shall suppress that arrest information and provide the authorized agency with a response that no criminal history exists.*”<sup>5</sup>

There is no dispute that our criminal justice system has a disparate, negative impact on people of color. We are aware that organizations such as the National Employment Law Project have conducted studies demonstrating that people of color, particularly people in the African-American community, are arrested at greater rates than the rest of the population and that many of those arrests do not lead to a conviction. The underlying solution to this societal problem is obviously much larger than the scope of this rulemaking. In the context of the rulemaking, the solution is not simply to require a different type of background check for TNC drivers. To guard against disparate arrest rates for communities of color, California law requires that no history of an arrest can *ever* be disclosed unless the record includes a final disposition. Because of these protections, it is difficult to understand the argument advanced by the TNCs that requiring fingerprint-based background checks for TNC driver-applicants will somehow result in the exclusion of disadvantaged racial and ethnic groups. In fact, 67% of SFMTA taxi drivers report that English is their second language and hundreds of SFMTA taxi drivers are immigrants from countries in Africa, Asia and the Middle East.<sup>6</sup>

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<sup>5</sup> See 11 C.C.R. §723.

<sup>6</sup> See Declaration of Kate Toran.

We anticipate the TNCs will argue that the mere requirement of submitting one's fingerprints for inspection is so unnerving that people of color will be discouraged from applying to become a TNC driver, thereby excluding this group from the economic pie. While this assertion appears to have validity at first glance, the Commission should reject this assertion of several reasons.

First, to the extent that presenting oneself to a law enforcement agency might understandably be intimidating to individuals previously subjected to unwarranted attention from law enforcement, there are hundreds, perhaps thousands of Livescan devices in FedEx, UPS and other private businesses and non-law enforcement government offices in California, obviating the need to enter a police station or sheriff's office. There are over 60 Livescan locations in Alameda County, for example, more than 100 locations in San Francisco and well over 200 in Los Angeles County. Even in Lassen County, where there are no Livescan devices in commercial businesses, there is one at the Department of Education. The CA DOJ website lists Livescan locations in every county in California.<sup>7</sup>

Second, because California law expressly prohibits disclosure of criminal records in the absence of a final disposition, there is simply no basis for the argument TNCs have previously raised that requiring fingerprints will adversely affect people of color. This point is underscored by the diverse pool of SFMTA taxi drivers who have passed fingerprint-based criminal history record checks.

Finally, the purpose of requiring criminal background checks in the first place is to screen out applicants who have a disqualifying criminal history. The only way to do that is to positively identify the applicant, which cannot be done except through a biometric-based process. It is possible that such an approach will result in fewer Caucasian TNC applicants with disqualifying crimes than those in racial or ethnic minority groups, but that does not mean this level of background check should not be undertaken in order to protect public safety.<sup>8</sup>

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<sup>7</sup> See <https://oag.ca.gov/fingerprints/locations>.

<sup>8</sup> The Commission could and should develop an appeals process where errors in criminal records and/or mitigating factors can be taken into account.

**3. In addition to a biometric background check, are there other background check protocols that the Commission should consider adopting? Explain why or why not.**

Yes. The Commission should adopt a hybrid model of background checks, employing the unique attributes of fingerprints with the proprietary investigative techniques of accredited commercial investigation firms. This approach was suggested in the analysis of Assembly Bill 1289, as it made its way through the legislature:

*While no one background check system is completely full-proof, a combination of name and social security checks with a biometric identifier, such as a fingerprint, would ensure the greatest level of accuracy, and therefore, the best protection of public safety and fairness to potential drivers... Moreover, the Senate Committee on Public Safety noted in its analysis: “Historically, this Committee [Public Safety] has not passed bills providing for background checks that are not fingerprint based. Name based checks are not as reliable as similar names exist and there is not (sic) check on the information.” However, fingerprinting requires applicants to visit a police station or other channeling office in order to provide fingerprints that can be used to search in federal, state, and local law enforcement databases. The TNCs argue that such delay in hiring drivers could jeopardize their business model which relies on signing-up drivers instantaneously via phone application.<sup>9</sup>*

But Uber’s business model does not appear to have suffered in New York City, where all of its drivers must submit to a fingerprint-based criminal history background check to be approved by the NYC Taxi and Limousine Commission, which regulates the industry. In fact, the TNC market in New York City grew from 5 million rides in 2015 to 16 million in 2016.<sup>10</sup> Making public safety secondary to providing a quicker and less expensive means for TNC companies to screen driver applicants is not a reasonable balancing of these two interests.

The State of Massachusetts recently adopted a hybrid regulatory framework for TNC operations, which includes a two-part background check: First, the driver-applicant must be cleared by the TNC through its own background check process to determine suitability consistent with state regulations; and second, the identifying information gathered by the TNC is submitted to the TNC

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<sup>9</sup> See [http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=201520160AB128](http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201520160AB128). [Emphasis added.]

<sup>10</sup> See “Subway Ridership Declines in New York. Is Uber to Blame?”; Emma G. Fitzsimmons, 2/23/2017, the New York Times, Appendix C.

Division of the Department of Public Utilities, which refers the information to the Department of Criminal Justice Information Services to obtain all available criminal offender record information.<sup>11</sup>

Prior to the effective date of the bill, the Massachusetts Department of Public Utilities entered into MOUs with Rasier (Uber) and Lyft which outline the scope of background checks performed by the TNCs, and the supplemental check performed by the criminal justice department.<sup>12</sup> The MOUs expressly provide that driver applicants shall provide written authorization to the Department, through the TNC, to conduct a criminal history records check and consent to obtain Criminal Offender Record Information, and driver applicants who are rejected during the state's review may appeal the decision.

A recent Boston Globe article found that over 8,000 applicants approved by the TNCs' commercial background check firms failed when records were compared to the state's criminal offender records. This a significant number of applicants who would now be driving but for that state's required criminal history records check.<sup>13</sup>

For these reasons, we urge the Commission to implement a hybrid background check.

**4. How would any other background check protocols described in #3 above satisfy California's public policy or safety objectives?**

As the analysis of AB 1289 notes, no background check procedure is foolproof and a hybrid approach will provide the best of both biometric-based and commercial background checks.

**5. What background check protocol should the Commission adopt to comply with the requirements and goals of Assembly Bill 1289, codified at Pub. Util. Code § 5445.2?**

The Commission should adopt a two-step hybrid approach to background checks for TNC driver applicants, similar to the one recently adopted in Massachusetts. Consistent with Pub. Util. Code § 5445.2, TNCs would conduct background investigation screening for the criminal records

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<sup>11</sup> See § 4(c) of Chapter 159A1/2 of General Laws; Appendix D.

<sup>12</sup> See Lyft and Uber MOUs with the TNC Division of the Massachusetts Department of Public Utilities, Appendix E, F.

<sup>13</sup> See Appendix G, "Thousands of Current Uber, Lyft drivers fail new background checks," Adam Vaccaro and Dan Adams, Boston Globe, 4/5/2017



available to commercial investigation firms. The identifying information of the applicants (name, all other names used, social security number, addresses, and so on), would then be provided to the CPUC, which will direct applicants to provide Livescan fingerprints. The Livescan prints and the identifying information would be routed directly to CA DOJ, which will run the fingerprints and personal information to obtain a RAP sheet. If the RAP sheet does not generate a report of disqualifying crimes with final dispositions, the applicant is then qualified to drive for a TNC.

The Commission has the authority to receive these records through Penal Code §11105, which provides as follows [emphasis added]:

(b) The Attorney General shall furnish state summary criminal history information to any of the following, if needed in the course of their duties, provided that when information is furnished to assist an agency, officer, or official of state or local government, a public utility, or any other entity, in fulfilling employment, certification, or licensing duties, Chapter 1321 of the Statutes of 1974 and Section 432.7 of the Labor Code shall apply:

*10) Any agency, officer, or official of the state if the criminal history information is required to implement a statute or regulation that expressly refers to specific criminal conduct applicable to the subject person of the state summary criminal history information, and contains requirements or exclusions, or both, expressly based upon that specified criminal conduct. The agency, officer, or official of the state authorized by this paragraph to receive state summary criminal history information may also transmit fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation.*

If the CPUC were to adopt a regulation requiring TNC driver applicants to submit to a fingerprint-based criminal history background check, under Cal. Penal Code §11105(b)(10), the Commission—not a TNC or its commercial background investigator— would receive criminal history information from CA DOJ, but only information that includes a final disposition.

**VI. CONCLUSION<sup>14</sup>**

The City respectfully submits that the existing regulations are in need of rebalancing for the sake of public safety. We believe that a hybrid solution will provide much needed public safety protections without injury to the robust TNC industry.

Dated: May1, 2017

Respectfully submitted,

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<sup>14</sup> The City is also very concerned about the amount of time TNC drivers can operate vehicles in a 24-hour period. California Vehicle Code section 21702 limits the number of hours commercial drivers can operate. We encourage the Commission to add this issue to Phase III.B of these proceedings.

# APPENDIX A



CONSUMER  
**SENTINEL** NETWORK  
**DATA BOOK**  
for January – December 2016



**Federal Trade Commission**  
March 2017

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# INTRODUCTION

The Consumer Sentinel Network (CSN) is a secure online database of millions of consumer complaints available only to law enforcement. In addition to storing complaints received by the FTC, the CSN also includes complaints filed with state law enforcement organizations, including the Hawaii Office of Consumer Protection, the Montana, North Carolina and Oregon Departments of Justice, the South Carolina Department of Consumer Affairs, the Tennessee Division of Consumer Affairs, the Wisconsin Department of Agriculture, Trade and Consumer Protection, and the Offices of the Attorneys General for Alaska, California, Colorado, Idaho, Indiana, Iowa, Louisiana, Maine, Massachusetts, Michigan, Mississippi, Nevada, Ohio, and Washington. Federal agencies, including the Consumer Financial Protection Bureau and the Internal Revenue Service, contribute data. Non-governmental organizations also provide complaint data to the FTC. The Council of Better Business Bureaus, consisting of all North American BBBs, is a major contributor of complaint data. Other organizations include PrivacyStar and the National Consumers League.

Law enforcement partners - whether they are down the street, across the nation, or around the world - can use information in the database to enhance and coordinate investigations. Non-government organizations that contribute complaint data cannot see CSN complaints. Access to CSN is limited to law enforcement organizations.

Begun in 1997 to collect fraud and identity theft complaints, the CSN now has more than 13 million complaints on a wide variety of subjects. The CSN has a five-year data retention policy; complaints older than five years are purged biannually. Between January and December 2016, the CSN received more than 3 million consumer complaints, which the FTC has sorted into 30 complaint categories. Some organizations transfer their complaints to the CSN after the end of the calendar year, and new data providers, added to the system each year, are contributing complaints from prior years. As a result, the total number of complaints for 2016 will increase during the next few months, and totals from previous years may differ from prior CSN annual reports.

The 2016 Consumer Sentinel Network Data Book is based on unverified complaints reported by consumers. The data is not based on a consumer survey.

For more information about the Consumer Sentinel Network, visit [www.FTC.gov/sentinel](http://www.FTC.gov/sentinel). Law enforcement personnel may join CSN at [Register.ConsumerSentinel.gov](http://Register.ConsumerSentinel.gov).

## Leading Data Contributors

 Better Business Bureaus	 Consumer Financial Protection Bureau
 Internal Revenue Service	 National Consumers League
 PrivacyStar	 Publishers Clearing House
 MoneyGram International	 Ohio Attorney General
 North Carolina Department of Justice	 Washington Attorney General
 California Attorney General	 Maine Attorney General
 Wisconsin DATCP	 Indiana Attorney General

For a detailed description of the CSN and a complete list of our data contributors, see Appendices A1 through A4.



[www.FTC.gov/sentinel](http://www.FTC.gov/sentinel)



FEDERAL TRADE COMMISSION  
 IdentityTheft.gov

[www.IdentityTheft.gov](http://www.IdentityTheft.gov)



Report international scams online!  
 econsumer.gov

[www.econsumer.gov](http://www.econsumer.gov)

**Executive Summary**  
**Consumer Sentinel Network Data Book**  
*January – December 2016*

- The Consumer Sentinel Network (CSN) contains more than 13 million complaints dating from calendar year 2012 through calendar year 2016. (In addition, the CSN contains over 20 million do-not-call complaints from this same time period. We report on do-not-call complaints after the end of each fiscal year. See [https://www.ftc.gov/system/files/documents/reports/national-do-not-call-registry-data-book-fiscal-year-2016/dnc\\_data\\_book\\_fy\\_2016\\_post.pdf](https://www.ftc.gov/system/files/documents/reports/national-do-not-call-registry-data-book-fiscal-year-2016/dnc_data_book_fy_2016_post.pdf) for the 2016 National Do Not Call Registry Data Book.)
- The CSN received over 3 million complaints (excluding do-not-call) during calendar year 2016: 42% fraud complaints; 13% identity theft complaints; and 45% other types of complaints.
- Debt Collection was the number one complaint category in the CSN for calendar year 2016 with 28% of the overall complaints, followed by Impostor Scams (13%); Identity Theft (13%); Telephone and Mobile Services (10%); Banks and Lenders (5%); Prizes, Sweepstakes and Lotteries (5%); Shop-at-Home and Catalog Sales (4%); Auto-Related Complaints (3%); and Credit Bureaus, Information Furnishers and Report Users (2%). The complete ranking of all 30 complaint categories is listed on page six of this report.
- Impostor Scams moved to the number two complaint category in 2016 due to an increase in complaints about government impostors and a decrease in Identity Theft complaints.
- For military consumers, Impostor Scams was the number one complaint category in the CSN, followed by Identity Theft at number two.

***Fraud***

- Almost 1.3 million complaints were fraud-related. Consumers reported paying over \$744 million in those fraud complaints; the median amount paid was \$450. Fifty-one percent of the consumers who reported a fraud-related complaint also reported an amount paid.
- Fifty-five percent of all fraud-related complaints reported the method of initial contact. Of those complaints, 77% said the telephone and 8% said e-mail. Only 3% of those consumers reported mail as the initial point of contact.
- Florida is the state with the highest per capita rate of reported fraud and other types of complaints, followed by Georgia and Michigan.

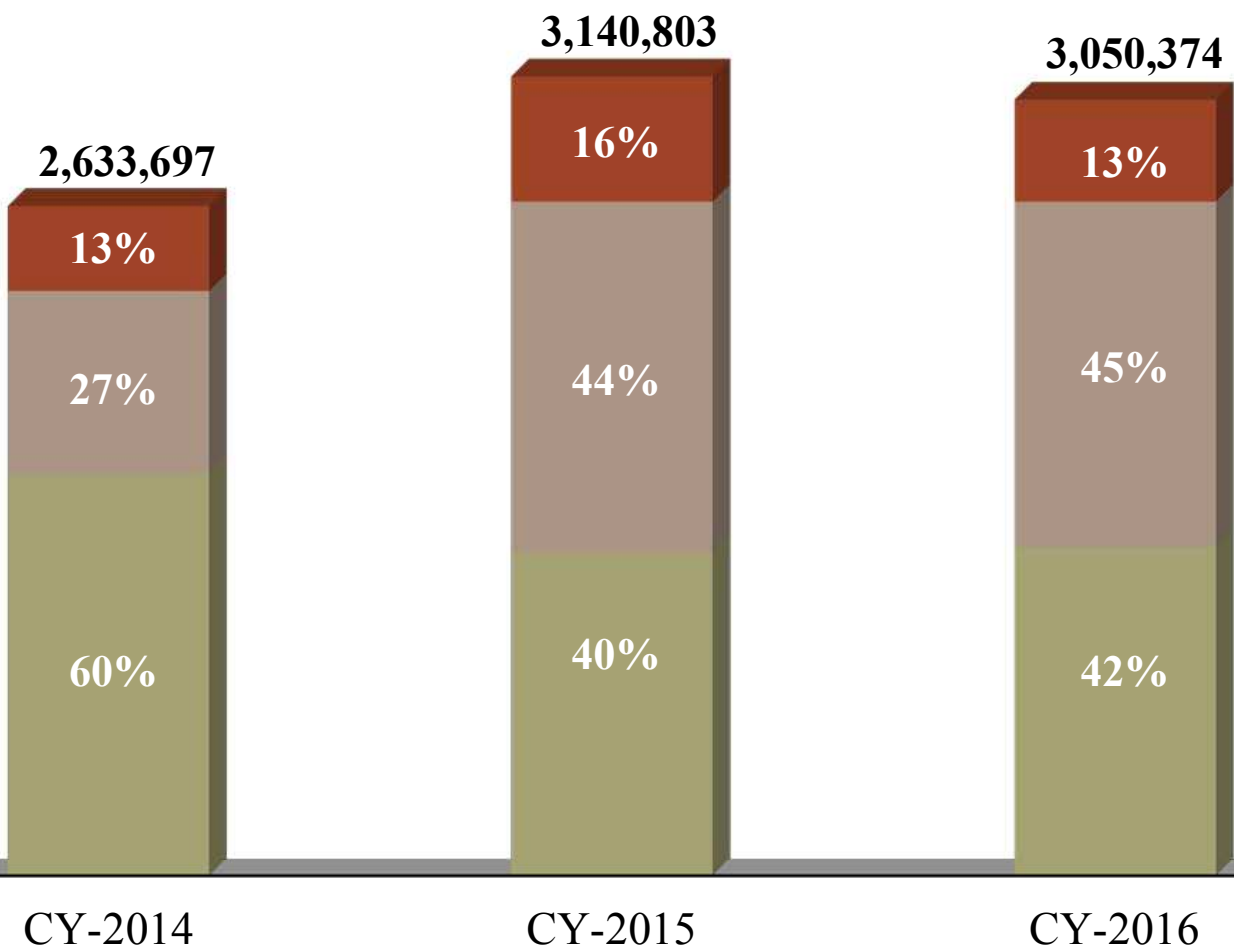
***Identity Theft***

- Employment- or Tax-related fraud (34%) was the most common form of reported identity theft, followed by credit card fraud (33%), phone or utilities fraud (13%), and bank fraud (12%). Other significant categories of identity theft reported by victims were loan or lease fraud (7%) and government documents or benefits fraud (7%).
- Twenty-seven percent of identity theft complainants reported they contacted law enforcement. Of those victims, 87% indicated a report was taken.
- Michigan is the state with the highest per capita rate of reported identity theft complaints, followed by Florida and Delaware.

# Consumer Sentinel Network Complaint Type Percentages<sup>1</sup> *Calendar Years 2014 through 2016*

## *Complaint Types<sup>2</sup>*

- Identity Theft Complaints
- Other Complaints
- Fraud Complaints

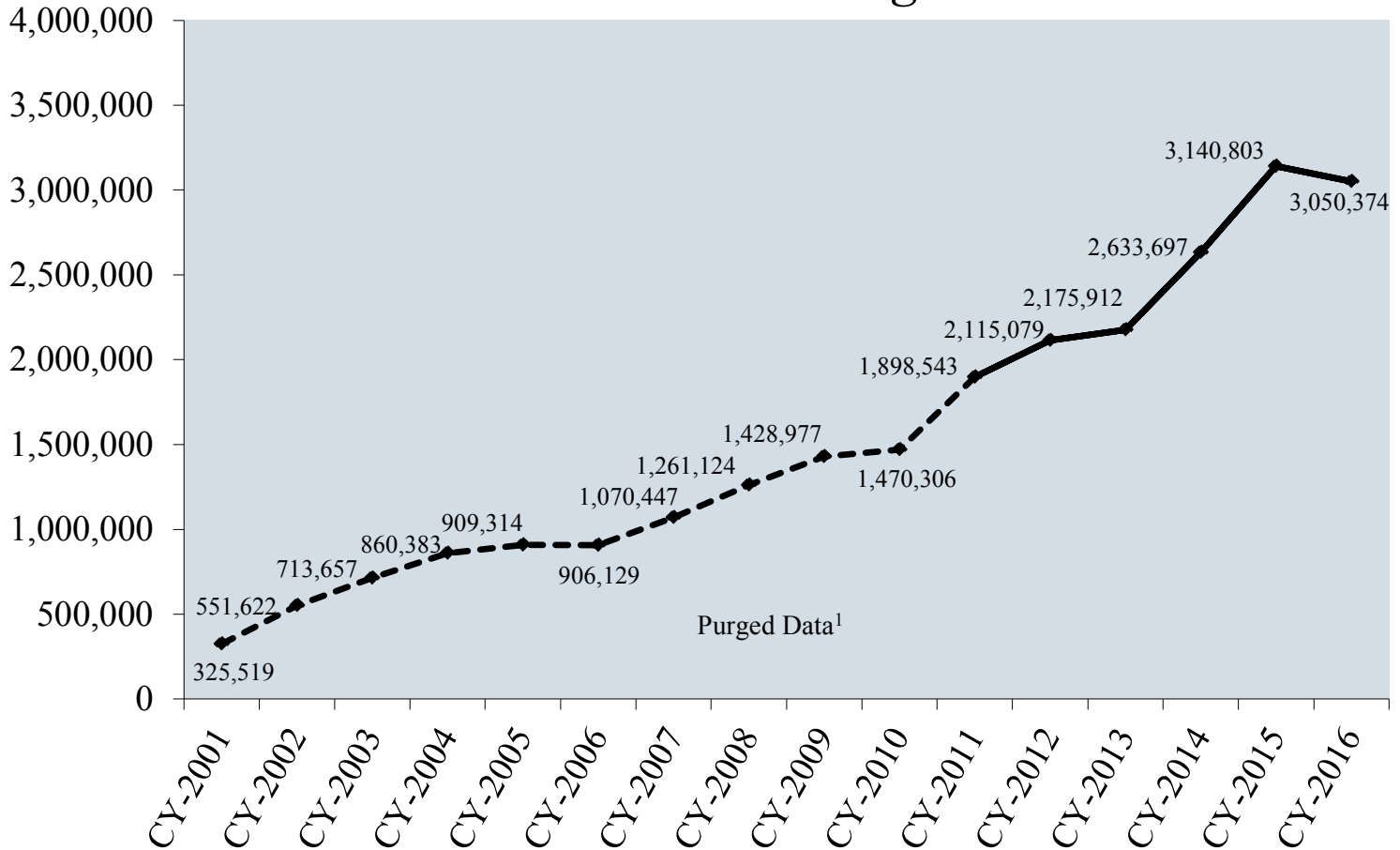


<sup>1</sup>Percentages are based on the total number of Consumer Sentinel Network complaints by calendar year.

<sup>2</sup>For CSN complaint type descriptions, see Appendix B1.



## Consumer Sentinel Network Complaint Count<sup>1</sup> *Calendar Years 2001 through 2016*



## Consumer Sentinel Network Complaint Type Count<sup>1</sup> *Calendar Years 2001 through 2016*

Calendar Year	Consumer Sentinel Network Complaint Count			Total Complaints
	Fraud	Identity Theft	Other	
2001	137,306	86,250	101,963	325,519
2002	242,783	161,977	146,862	551,622
2003	331,366	215,240	167,051	713,657
2004	410,298	246,909	203,176	860,383
2005	437,585	255,687	216,042	909,314
2006	423,672	246,214	236,243	906,129
2007	505,563	259,314	305,570	1,070,447
2008	620,832	314,587	325,705	1,261,124
2009	708,781	278,360	441,836	1,428,977
2010	820,072	251,074	399,160	1,470,306
2011	1,041,517	279,191	577,835	1,898,543
2012	1,112,693	369,958	632,428	2,115,079
2013	1,212,860	290,099	672,953	2,175,912
2014	1,579,740	332,647	721,310	2,633,697
2015	1,273,766	490,226	1,376,811	3,140,803
2016	1,294,094	399,225	1,357,055	3,050,374

<sup>1</sup>Complaint counts from CY-2001 to CY-2011 represent historical figures as per the Consumer Sentinel Network's five-year data retention policy. These complaint figures exclude National Do Not Call Registry complaints.



# Consumer Sentinel Network Complaint Categories<sup>1</sup>

*January 1 – December 31, 2016*

Rank	Category	No. of Complaints	Percentages <sup>1</sup>
1	Debt Collection	859,090	28%
2	Impostor Scams	406,578	13%
3	Identity Theft	399,225	13%
4	Telephone and Mobile Services	292,155	10%
5	Banks and Lenders	143,987	5%
6	Prizes, Sweepstakes and Lotteries	141,643	5%
7	Shop-at-Home and Catalog Sales	109,831	4%
8	Auto-Related Complaints	94,673	3%
9	Credit Bureaus, Information Furnishers and Report Users	49,679	2%
10	Television and Electronic Media	49,546	2%
11	Credit Cards	42,003	1%
12	Internet Services	40,086	1%
13	Foreign Money Offers and Counterfeit Check Scams	26,428	1%
14	Health Care	25,791	1%
15	Investment-Related Complaints	21,604	1%
16	Advance Payments for Credit Services	17,904	1%
17	Travel, Vacations and Timeshare Plans	17,244	1%
18	Business and Job Opportunities	14,484	<1%
19	Computer Equipment and Software	9,312	<1%
20	Education	8,815	<1%
21	Office Supplies and Services	7,977	<1%
22	Mortgage Foreclosure Relief and Debt Management	7,693	<1%
23	Magazines and Books	7,113	<1%
24	Home Repair, Improvement and Products	6,103	<1%
25	Grants	4,969	<1%
26	Tax Preparers	3,899	<1%
27	Charitable Solicitations	2,970	<1%
28	Internet Auction	2,077	<1%
29	Funeral Services	1,212	<1%
30	Buyers' Clubs	752	<1%

<sup>1</sup>Percentages are based on the total number of CSN complaints (3,050,374) received by the FTC between January 1 and December 31, 2016. Five percent (147,229) of the total CSN complaints received by the FTC were coded “Other (Note in Comments).” For CSN category descriptions, details and three-year figures, see Appendices B1 through B3.

## Consumer Sentinel Network

### Total Number of Fraud Complaints & Amount Paid

*Calendar Years 2014 through 2016*

CY	Complaint Count		Percentage Reporting Amount Paid	Amount Paid		
	Total	Reporting Amount Paid		Reported <sup>1</sup>	Average <sup>2</sup>	Median <sup>3</sup>
2014	1,579,740	866,040	55%	\$1,713,871,857	\$1,979	\$499
2015	1,273,766	671,022	53%	\$774,156,810	\$1,154	\$400
2016	1,294,094	662,209	51%	\$744,536,010	\$1,124	\$450

<sup>1</sup>The decrease in reported amount paid between 2014 and 2015 is due primarily to the loss of a significant data contributor.

<sup>2</sup>Average is based on the total number of consumers who reported an amount paid for each calendar year: CY-2014 = 866,040; CY-2015 = 671,022; and CY-2016 = 662,209. The amount paid is based on complaints with reported values from \$0 to \$999,999.

<sup>3</sup>Median is the middle number in a set of numbers so that half the numbers have values that are greater than the median and half have values that are less. Calculation of the median excludes complaints with amount paid reported as \$0.

Note: See Appendix C for fraud complaints and amount paid figures by State and the District of Columbia.

## Consumer Sentinel Network

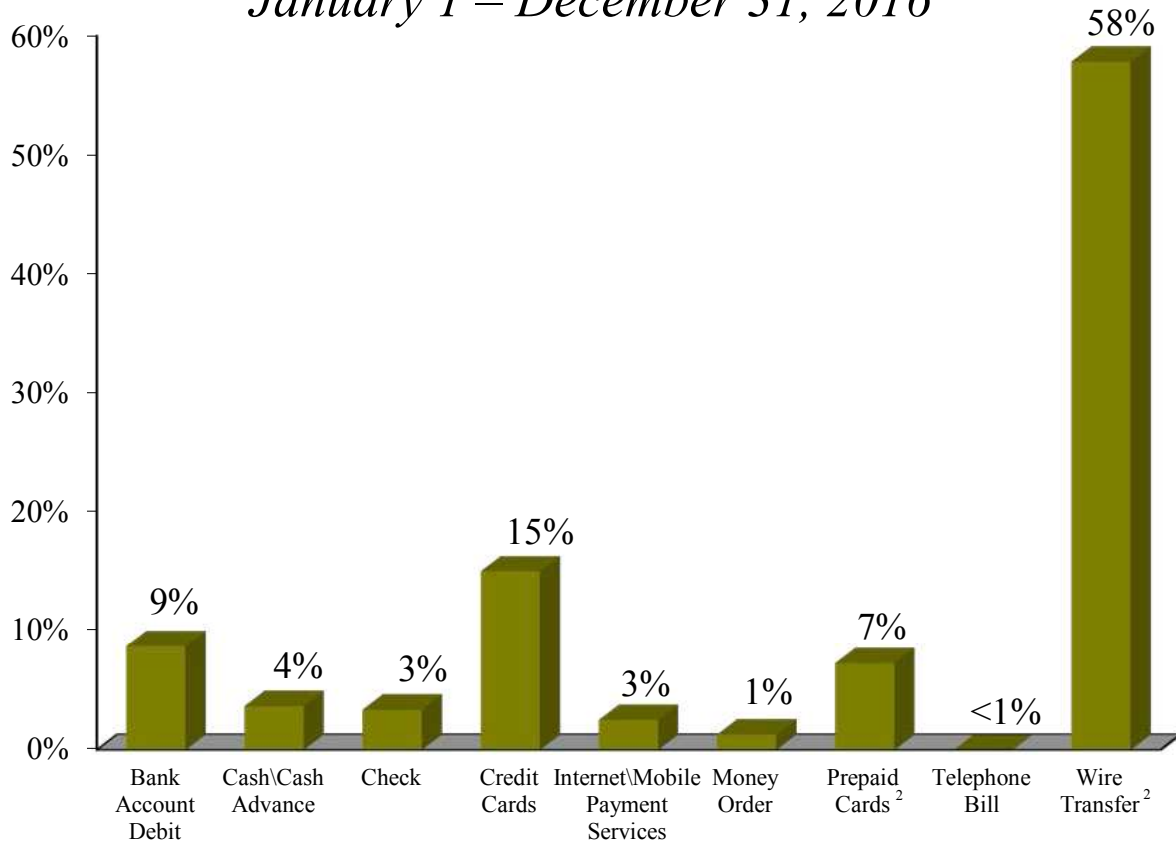
### Distribution of Fraud Complaints by Amount Paid

*Calendar Years 2014 through 2016*

Amount Paid	CY - 2014		CY - 2015		CY - 2016	
	Complaints	Percentages <sup>4</sup>	Complaints	Percentages <sup>4</sup>	Complaints	Percentages <sup>4</sup>
\$0	420,670	49%	376,654	56%	403,557	61%
\$1 - 25	14,959	2%	9,854	1%	8,646	1%
\$26 - 50	20,152	2%	14,122	2%	11,149	2%
\$51 - 75	13,597	2%	10,329	2%	8,340	1%
\$76 - 100	23,734	3%	15,071	2%	12,612	2%
\$101 - 250	83,352	10%	61,617	9%	50,489	8%
\$251 - 500	125,244	14%	61,420	9%	50,026	8%
\$501 - 1,000	54,674	6%	47,094	7%	44,078	7%
\$1,001 - 5,000	80,098	9%	59,649	9%	57,969	9%
More than \$5,000	29,560	3%	15,212	2%	15,343	2%

<sup>4</sup>Percentages are based on the total number of CSN fraud complaints for each calendar year where consumers reported the amount paid: CY-2014 = 866,040; CY-2015 = 671,022; and CY-2016 = 662,209.

## Consumer Sentinel Network Fraud Complaints by Method of Consumer Payment<sup>1</sup> *January 1 – December 31, 2016*



## Consumer Sentinel Network Fraud Complaints by Method of Consumer Payment *Calendar Years 2014 through 2016*

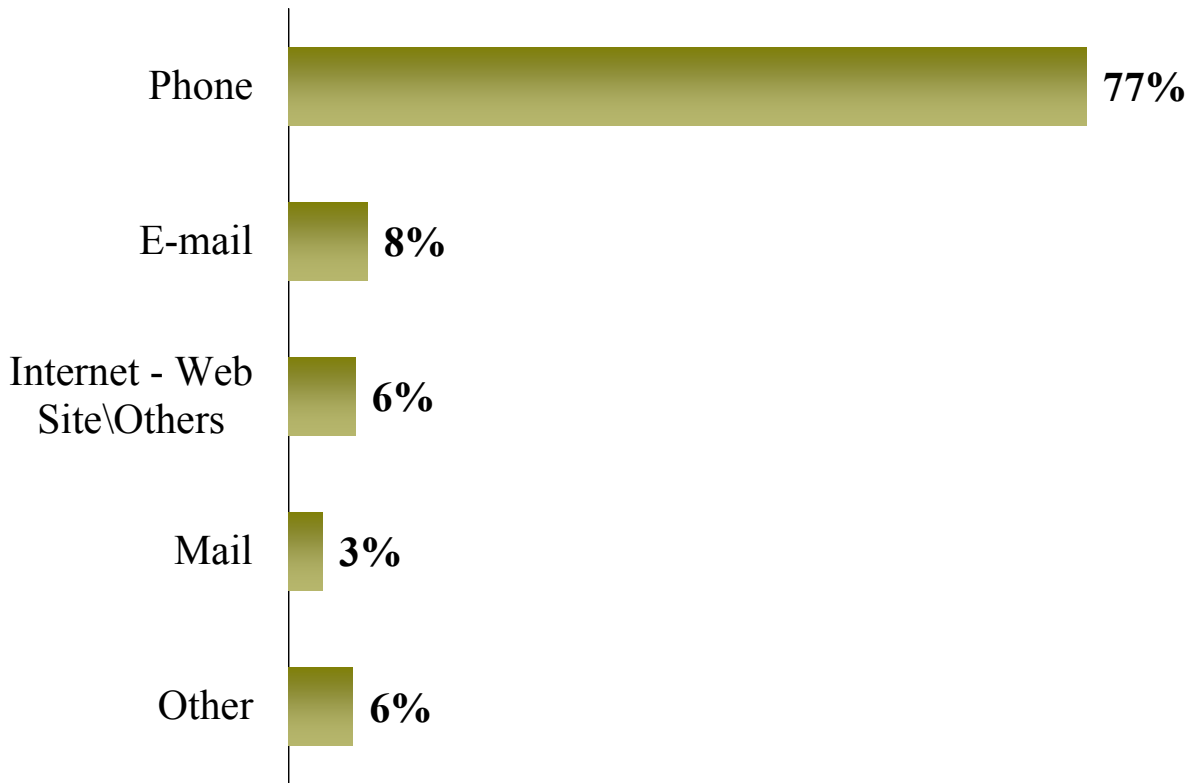
Payment Method	CY - 2014			CY - 2015			CY - 2016		
	Complaints	Percentages <sup>1</sup>	Amount Paid <sup>3</sup>	Complaints	Percentages <sup>1</sup>	Amount Paid <sup>3</sup>	Complaints	Percentages <sup>1</sup>	Amount Paid <sup>3</sup>
Bank Account Debit	38,541	11%	\$85,430,891	18,870	8%	\$39,949,204	20,967	9%	\$44,819,673
Cash\Cash Advance	17,337	5%	\$168,986,988	7,851	3%	\$44,966,358	8,831	4%	\$51,701,625
Check	12,923	4%	\$88,661,254	7,604	3%	\$65,424,790	8,128	3%	\$49,361,569
Credit Cards	46,771	13%	\$96,444,198	34,346	14%	\$45,456,263	36,230	15%	\$76,260,623
Internet\Mobile	5,738	2%	\$9,402,354	5,686	2%	\$9,016,408	6,067	3%	\$11,658,439
Money Order	8,711	2%	\$56,273,792	3,300	1%	\$12,429,114	3,118	1%	\$11,626,107
Prepaid Cards <sup>2</sup>	129,211	35%	\$85,147,208	16,669	7%	\$19,997,361	17,485	7%	\$26,721,000
Telephone Bill	1,029	<1%	\$870,511	1,101	<1%	\$714,428	1,128	<1%	\$1,710,200
Wire Transfer <sup>2</sup>	106,509	29%	\$501,194,310	148,488	61%	\$284,691,229	139,932	58%	\$300,244,092
Total Reporting Payment Method	366,770		\$1,092,411,507	243,915		\$522,645,155	241,886		\$574,103,328

<sup>1</sup>Percentages are based on the total number of CSN fraud complaints for each calendar year where consumers reported the method of payment: CY-2014 = 366,770; CY-2015 = 243,915; and CY-2016 = 241,886. Of the total, 19% reported this information during CY-2016, 19% in CY-2015 and 23% in CY-2014.

<sup>2</sup>Prepaid Cards includes a significant number of complaints from data contributor Green Dot, and Wire Transfer includes a significant number of complaints from data contributors MoneyGram International and Western Union. This may affect the distribution of the reported methods of payment.

<sup>3</sup>The amount paid is based on complaints reporting values from \$0 to \$999,999.

## Consumer Sentinel Network Fraud Complaints by Company's Method of Contacting Consumers<sup>1</sup> *January 1 – December 31, 2016*



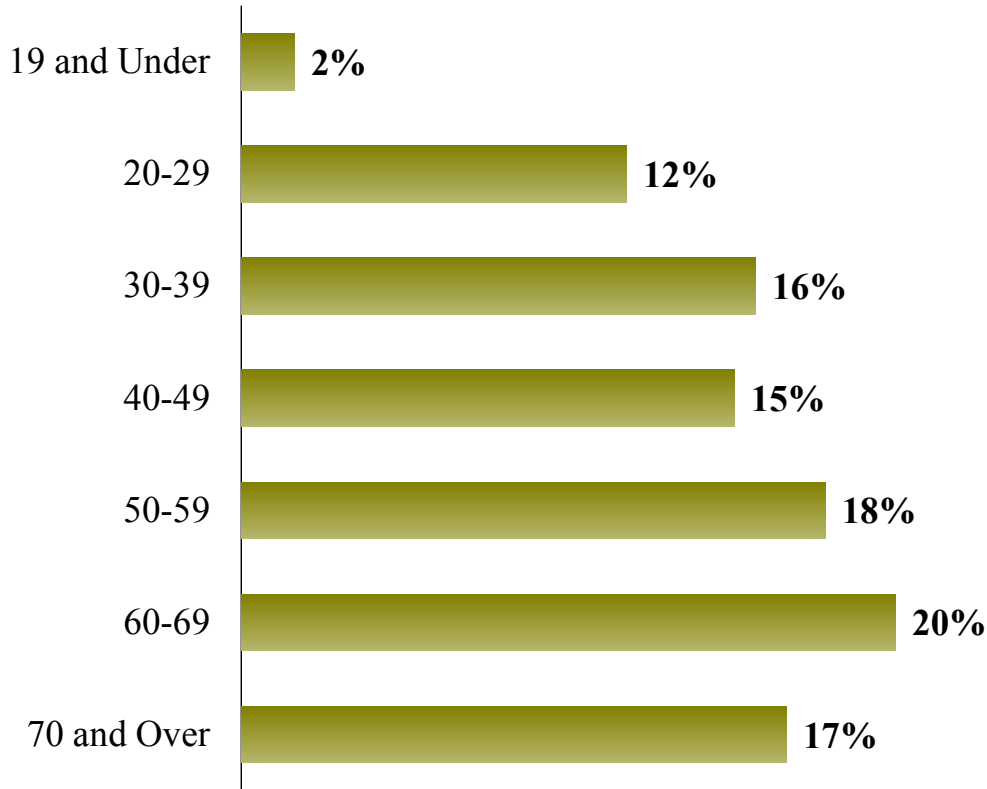
## Consumer Sentinel Network Fraud Complaints by Company's Method of Contacting Consumers *Calendar Years 2014 through 2016*

Contact Method	CY - 2014		CY - 2015		CY - 2016	
	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>
Phone	386,823	54%	485,570	75%	543,088	77%
E-mail	166,545	23%	54,086	8%	53,269	8%
Internet - Web Site\Others	79,901	11%	39,730	6%	45,129	6%
Mail	29,113	4%	28,187	4%	22,874	3%
Other	48,148	7%	43,426	7%	43,394	6%
Total Reporting Contact Method	710,530		650,999		707,754	

<sup>1</sup>Percentages are based on the total number of CSN fraud complaints for each calendar year where consumers reported the company's method of initial contact: CY-2014 = 710,530; CY-2015 = 650,999; and CY-2016 = 707,754. Of the total, 55% reported this information during CY-2016, 51% in CY-2015 and 45% in CY-2014.

## Consumer Sentinel Network Fraud Complaints by Consumer Age<sup>1</sup>

*January 1 – December 31, 2016*



## Consumer Sentinel Network Fraud Complaints by Consumer Age

*Calendar Years 2014 through 2016*

Consumer Age	CY - 2014		CY - 2015		CY - 2016	
	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>
19 and Under	12,656	2%	6,343	1%	8,677	2%
20-29	83,398	14%	50,968	11%	63,780	12%
30-39	102,109	17%	68,488	15%	85,165	16%
40-49	111,127	18%	75,471	16%	81,649	15%
50-59	127,742	21%	95,495	20%	99,426	18%
60-69	110,980	18%	96,986	21%	108,387	20%
70 and Over	59,868	10%	75,270	16%	90,288	17%
Total Reporting Age	607,880		469,021		537,372	

<sup>1</sup>Percentages are based on the total number of consumers reporting their age for CSN fraud complaints each calendar year: CY-2014 = 607,880; CY-2015 = 469,021; and CY-2016 = 537,372. Of the total, 42% of consumers reported this information during CY-2016, 37% in CY-2015 and 38% for CY-2014.

## Consumer Sentinel Network Top 10 Reported Company Countries for Fraud Complaints<sup>1</sup> *January 1 – December 31, 2016*

Rank	Company Country	Complaints	Percentages <sup>1</sup>
1	United States	1,153,832	97%
2	Canada	9,426	1%
3	United Kingdom	9,274	1%
4	Nigeria	8,566	1%
5	China	8,132	1%
6	Jamaica	6,016	1%
7	India	5,398	<1%
8	Mexico	4,847	<1%
9	Ghana	3,252	<1%
10	Dominican Republic	2,373	<1%

<sup>1</sup>Percentages are based on the number of fraud complaints received by the FTC between January 1 and December 31, 2016, where consumers reported a company country name (1,194,811).

Note: Company country names appear as reported by consumers and may not reflect where the company is actually located.

## Company's Method of Contacting Consumers for Fraud Complaints Against Foreign Companies<sup>2</sup> *January 1 – December 31, 2016*

Contact Method	Complaints	Percentages <sup>2</sup>
E-mail	6,769	30%
Phone	6,689	30%
Internet - Web Site\Others	3,969	18%
Mail	1,555	7%
Other	3,351	15%
Total Reporting Contact Method	22,333	

<sup>2</sup>Percentages are based on the 22,333 fraud complaints against foreign companies received by the FTC between January 1 and December 31, 2016, where consumers reported how companies initially contacted them. Complaints which reported a company country other than the United States were considered foreign for these figures.

# Consumer Sentinel Network Identity Theft Complaints

## How Victims' Information is Misused<sup>1</sup>

### Calendar Years 2014 through 2016

#### Employment- or Tax-Related Fraud

Theft Subtype	Percentages		
	CY-2014	CY-2015	CY-2016
Tax Fraud <sup>2</sup>	-	-	29.2%
Employment- or Wage-Related Fraud <sup>2</sup>	4.9%	3.3%	4.3%
Tax- or Wage-Related Fraud <sup>2</sup>	32.8%	45.1%	0.5%
<b>Total</b>	<b>37.7%</b>	<b>48.4%</b>	<b>34.0%</b>

#### Credit Card Fraud

Theft Subtype	Percentages		
	CY-2014	CY-2015	CY-2016
New Accounts	12.5%	11.7%	25.6%
Existing Accounts	4.9%	4.2%	7.1%
<b>Total</b>	<b>17.4%</b>	<b>15.9%</b>	<b>32.7%</b>

#### Phone or Utilities Fraud

Theft Subtype	Percentages		
	CY-2014	CY-2015	CY-2016
Utilities - New Accounts	7.6%	5.1%	5.6%
Mobile Telephone - New Accounts	3.5%	3.7%	5.5%
Mobile Telephone - Existing Accounts <sup>3</sup>	-	-	1.0%
Landline Telephone - New Accounts	0.7%	0.5%	0.6%
Utilities - Existing Accounts <sup>3</sup>	0.7%	0.6%	0.3%
Landline Telephone - Existing Accounts <sup>3</sup>	-	-	0.1%
<b>Total</b>	<b>12.5%</b>	<b>9.9%</b>	<b>13.1%</b>

#### Bank Fraud

Theft Subtype	Percentages		
	CY-2014	CY-2015	CY-2016
Debit Cards, Electronic Funds Transfer, or ACH <sup>4</sup>	3.3%	2.3%	4.9%
New Accounts	3.4%	2.5%	4.3%
Existing Accounts	1.5%	1.1%	2.6%
<b>Total</b>	<b>8.2%</b>	<b>5.9%</b>	<b>11.8%</b>

#### Loan or Lease Fraud

Theft Subtype	Percentages		
	CY-2014	CY-2015	CY-2016
Business \ Personal Loan <sup>5</sup>	2.6%	2.1%	2.7%
Auto Loan \ Lease	1.1%	0.8%	1.7%
Real Estate Loan	0.7%	0.6%	1.1%
Apartment or House Rented	0.6%	0.5%	0.7%
Student Loan <sup>5</sup>	-	-	0.6%
<b>Total</b>	<b>5.1%</b>	<b>3.9%</b>	<b>6.8%</b>

#### Government Documents or Benefits Fraud

Theft Subtype	Percentages		
	CY-2014	CY-2015	CY-2016
Government Benefits Applied For \ Received	4.1%	2.6%	3.3%
Other Government Documents Issued \ Forged	1.4%	1.1%	2.0%
Driver's License Issued \ Forged	0.5%	0.3%	1.1%
Passport Issued \ Forged <sup>6</sup>	-	-	0.2%
<b>Total</b>	<b>6.0%</b>	<b>4.0%</b>	<b>6.6%</b>

#### Other Identity Theft

Theft Subtype	Percentages		
	CY-2014	CY-2015	CY-2016
Other <sup>7</sup>	3.4%	1.3%	9.3%
Online Shopping or Payment Account <sup>8</sup>	-	-	1.5%
Email or Social Media <sup>9</sup>	1.5%	1.2%	1.4%
Medical Services	1.0%	0.8%	1.2%
Evading the Law	0.9%	0.6%	0.9%
Insurance	0.4%	0.4%	0.6%
Uncertain	11.2%	10.8%	0.6%
Securities Accounts	0.1%	0.1%	0.3%
Data Breach	2.1%	3.0%	0.1%
Prepaid Debit Cards	0.3%	0.3%	<0.1%
Bankruptcy	0.2%	0.1%	<0.1%
Property Rental Fraud	0.1%	0.1%	<0.1%
Child Support	0.1%	0.1%	<0.1%
Magazines	<0.1%	<0.1%	<0.1%
<b>Total</b>	<b>21.4%</b>	<b>18.8%</b>	<b>16.0%</b>

<sup>1</sup>Percentages are based on the total number of CSN identity theft complaints for each calendar year: CY-2014 = 332,647; CY-2015 = 490,226; and CY-2016 = 399,225. Attempted identity theft complaints were 0.2% of the total in CY-2016, 3.6% in CY-2015 and 4.8% in CY-2014. Note that 25% of identity theft complaints included more than one type of identity theft in CY-2016, 14% in CY-2015 and 17% in CY-2014.

<sup>2</sup>Theft Subtypes "Tax Fraud" and "Employment- or Wage-Related Fraud" were added to the database in CY-2016; "Tax- or Wage-Related Fraud" and "Employment" were deactivated January 21, 2016.

<sup>3</sup>Theft Subtypes "Mobile Telephone - Existing Accounts" and "Landline Telephone - Existing Accounts" were added to the database in CY-2016; "Utilities - Existing Accounts" was named "Unauthorized Charges to Existing Accounts" prior to CY-2016.

<sup>4</sup>Theft Subtype "Debit Cards, Electronic Funds Transfer, or ACH" was named "Electronic Fund Transfer" prior to CY-2016.

<sup>5</sup>Theft Subtype "Business \ Personal Loan" was named "Business \ Personal \ Student Loan" prior to CY-2016; "Student Loan" was added to the database in CY-2016.

<sup>6</sup>Theft Subtype "Passport Issued \ Forged" was added to the database in CY-2016.

<sup>7</sup>Theft Subtype "Other" was named "Miscellaneous" prior to CY-2016 and "Securities Accounts" was named "Securities \ Other Investments."

<sup>8</sup>Theft Subtype "Online Shopping or Payment Account" was added to the database in CY-2016.

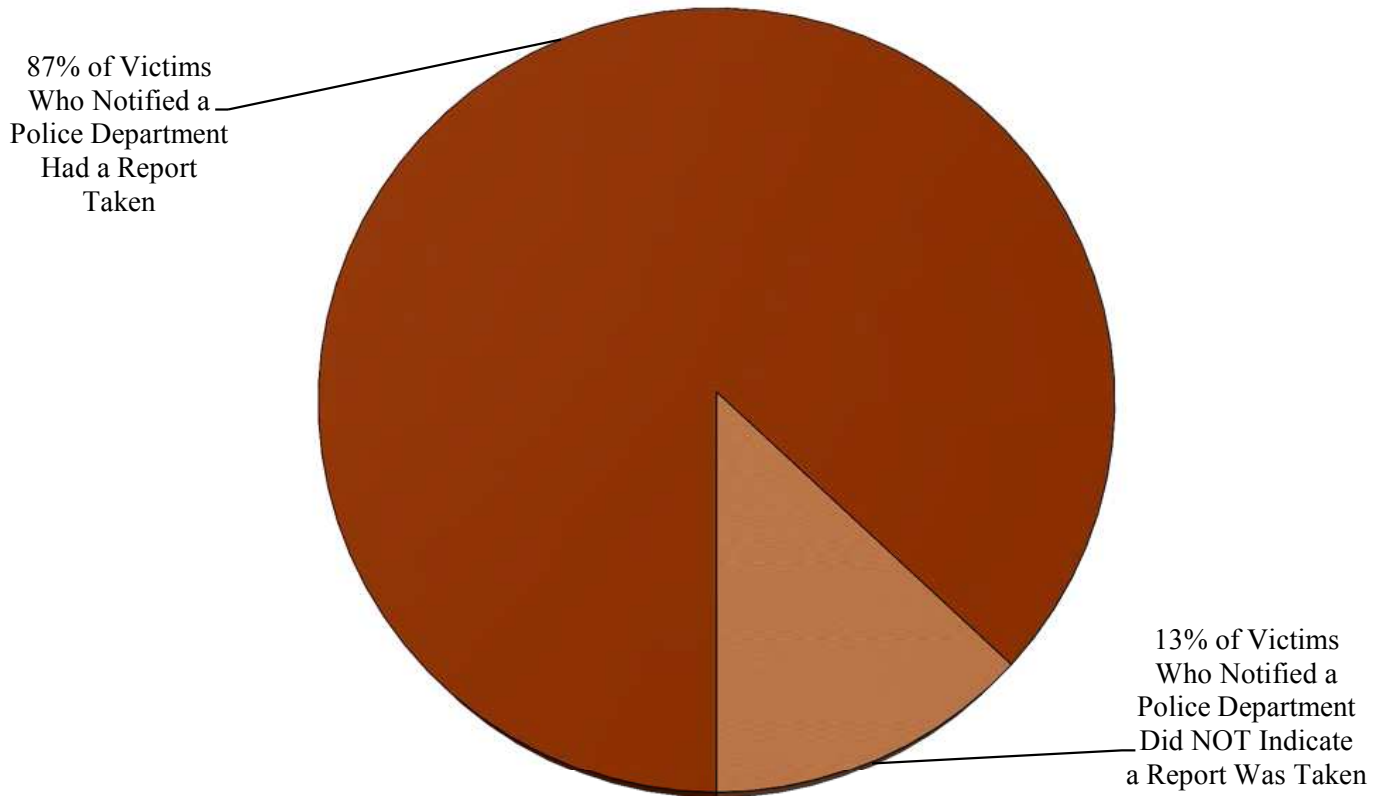
<sup>9</sup>Theft Subtype "Email or Social Media" was named "Internet \ Email" prior to CY-2016.



# Consumer Sentinel Network Identity Theft Complaints

## Law Enforcement Contact<sup>1</sup>

*January 1 – December 31, 2016*



<sup>1</sup>Percentages are based on the total number of identity theft complaints where victims indicated they had notified a police department (109,002). Twenty-seven percent of identity theft victims reported law enforcement contact.

## Law Enforcement Contact

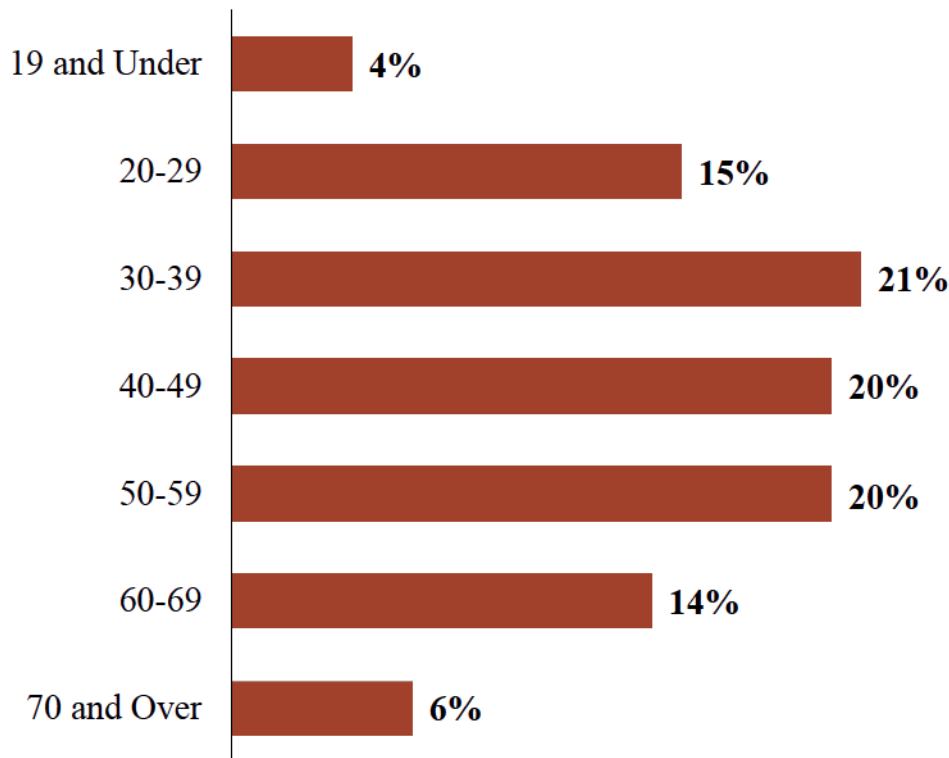
### *Calendar Years 2014 through 2016*

	CY-2014		CY-2015		CY-2016	
	Complaints	Percentages <sup>2</sup>	Complaints	Percentages <sup>2</sup>	Complaints	Percentages <sup>2</sup>
Yes	94,527	88%	160,584	89%	94,583	87%
No\Not Reported	13,337	12%	20,226	11%	14,419	13%
<b>Total Who Notified a Police Department</b>	<b>107,864</b>		<b>180,810</b>		<b>109,002</b>	

<sup>2</sup>Percentages are based on the total number of identity theft complaints where victims indicated they had notified a police department: CY-2014 = 107,864; CY-2015 = 180,810; and CY-2016 = 109,002. Of identity theft victims who contacted the FTC, 27% reported law enforcement contact in CY-2016, 37% in CY-2015 and 32% in CY-2014.

## Consumer Sentinel Network Identity Theft Complaints by Victims' Age<sup>1</sup>

*January 1 – December 31, 2016*



## Consumer Sentinel Network Identity Theft Complaints by Victims' Age

*Calendar Years 2014 through 2016*

Consumer Age	CY - 2014		CY - 2015		CY - 2016	
	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>
19 and Under	15,537	6%	20,957	5%	15,496	4%
20-29	46,862	17%	55,872	14%	58,904	15%
30-39	49,163	18%	65,956	16%	79,971	21%
40-49	51,697	19%	82,117	20%	77,920	20%
50-59	55,392	20%	97,516	24%	77,312	20%
60-69	38,514	12%	62,194	15%	50,769	14%
70 and Over	22,000	8%	26,348	6%	22,253	6%
Total Reporting Age	279,165		410,960		382,625	

<sup>1</sup>Percentages are based on the total number of victims reporting their age in CSN identity theft complaints for each calendar year: CY-2014 = 279,165; CY-2015 = 410,960; and CY-2016 = 382,625. Of identity theft victims who contacted the FTC, 96% reported their age in CY-2016; and 84% reported in both CY-2015 and CY-2014.

# Consumer Sentinel Network State Complaint Rates

January 1 – December 31, 2016

## Fraud & Other Complaints

Rank	Consumer State	Population <sup>1</sup>	Complaints Per 100,000	Complaints
1	Florida	1,305.6	269,117	
2	Georgia	1,136.6	117,189	
3	Michigan	1,083.3	107,557	
4	Texas	952.3	265,347	
5	Nevada	872.0	25,636	
6	Alabama	809.0	39,344	
7	Maryland	807.7	48,594	
8	Delaware	797.5	7,593	
9	Tennessee	767.3	51,036	
10	California	713.1	279,887	
11	Missouri	706.5	43,050	
12	Louisiana	701.9	32,861	
13	Virginia	701.3	58,991	
14	South Carolina	700.8	34,767	
15	Rhode Island	682.1	7,206	
16	New Mexico	667.9	13,900	
17	Ohio	664.8	77,213	
18	Pennsylvania	659.2	84,270	
19	Arizona	656.9	45,528	
20	North Carolina	641.2	65,059	
21	New Jersey	636.7	56,951	
22	Mississippi	609.3	18,210	
23	Colorado	609.1	33,745	
24	Connecticut	590.4	21,117	
25	Illinois	576.7	73,829	
26	New York	567.3	112,006	
27	New Hampshire	563.8	7,525	
28	Indiana	562.8	37,329	
29	Washington	554.7	40,423	
30	Massachusetts	547.2	37,271	
31	Oregon	546.8	22,385	
32	West Virginia	543.3	9,948	
33	Kentucky	539.7	23,948	
34	Arkansas	519.0	15,510	
35	Oklahoma	518.7	20,350	
36	Kansas	503.4	14,635	
37	Minnesota	470.7	25,980	
38	Wisconsin	465.9	26,921	
39	Idaho	463.4	7,800	
40	Montana	441.2	4,600	
41	Maine	423.7	5,642	
42	Utah	417.9	12,750	
43	Wyoming	416.2	2,437	
44	Nebraska	411.9	7,855	
45	Vermont	405.4	2,532	
46	Hawaii	403.8	5,768	
47	Alaska	358.9	2,663	
48	Iowa	342.5	10,735	
49	South Dakota	320.6	2,775	
50	North Dakota	284.7	2,158	

## Identity Theft Complaints

Rank	Victim State	Population <sup>1</sup>	Complaints Per 100,000	Complaints
1	Michigan	175.6	17,430	
2	Florida	166.8	34,384	
3	Delaware	155.9	1,484	
4	California	139.5	54,744	
5	Illinois	138.0	17,660	
6	Connecticut	137.9	4,933	
7	Maryland	137.1	8,251	
8	Missouri	136.1	8,292	
9	Nevada	135.8	3,993	
10	Arizona	126.2	8,748	
11	Georgia	124.0	12,787	
12	Texas	119.2	33,214	
13	Rhode Island	115.1	1,216	
14	Washington	114.0	8,310	
15	Colorado	112.0	6,203	
16	New Jersey	111.5	9,977	
17	Pennsylvania	109.7	14,030	
18	Minnesota	107.2	5,919	
19	Massachusetts	107.0	7,287	
20	Oregon	105.3	4,312	
21	Virginia	104.3	8,772	
22	New York	102.3	20,205	
23	New Hampshire	101.3	1,352	
24	New Mexico	96.9	2,016	
25	Alaska	96.1	713	
26	North Carolina	96.1	9,746	
27	Ohio	94.8	11,009	
28	South Carolina	89.5	4,438	
29	Maine	87.9	1,170	
30	Wisconsin	87.5	5,054	
31	Kansas	87.1	2,532	
32	Tennessee	86.0	5,718	
33	Oklahoma	85.1	3,337	
34	Utah	83.2	2,540	
35	Nebraska	83.1	1,584	
36	Alabama	82.4	4,007	
37	Idaho	80.1	1,348	
38	Mississippi	79.6	2,378	
39	Arkansas	77.2	2,308	
40	Indiana	76.8	5,091	
41	Wyoming	74.6	437	
42	Louisiana	69.7	3,264	
43	Montana	68.2	711	
44	Iowa	68.1	2,135	
45	Kentucky	65.3	2,898	
46	Vermont	62.0	387	
47	North Dakota	61.3	465	
48	West Virginia	59.7	1,093	
49	South Dakota	58.1	503	
50	Hawaii	55.2	789	

<sup>1</sup>Per 100,000 unit of population estimates are based on the 2016 U.S. Census population estimates (Table NST-EST2016-01 -- Annual Estimates of the Resident Population for the United States, Regions, States, and Puerto Rico: April 1, 2010 to July 1, 2016). Numbers for the District of Columbia are: Fraud and Others = 10,030 complaints and 1,474.5 complaints per 100,000 population; Identity Theft = 1,352 victims and 198.5 victims per 100,000 population.

Note: In calculating the State and Metropolitan Areas rankings, we excluded state-specific data contributors' complaints.

# Consumer Sentinel Network

## Largest Metropolitan Areas Ranking for Fraud and Other Consumer Complaints<sup>1</sup>

*January 1 – December 31, 2016*

Rank	Metropolitan Area	Complaints Per 100,000 Population <sup>1</sup>	Complaints
1	Homosassa Springs, FL Metropolitan Statistical Area	1,364.7	1,925
2	Santa Fe, NM Metropolitan Statistical Area	726.4	1,080
3	Prescott, AZ Metropolitan Statistical Area	704.1	1,565
4	Weirton-Steubenville, WV-OH Metropolitan Statistical Area	672.1	810
5	Charleston, WV Metropolitan Statistical Area	649.6	1,433
6	Spokane-Spokane Valley, WA Metropolitan Statistical Area	648.2	3,551
7	Myrtle Beach-Conway-North Myrtle Beach, SC-NC Metropolitan Statistical Area	592.9	2,561
8	Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Statistical Area	583.3	35,570
9	Gainesville, FL Metropolitan Statistical Area	556.7	1,543
10	Jacksonville, FL Metropolitan Statistical Area	553.7	8,026
11	Palm Bay-Melbourne-Titusville, FL Metropolitan Statistical Area	550.1	3,125
12	Sierra Vista-Douglas, AZ Metropolitan Statistical Area	541.8	685
13	Las Vegas-Henderson-Paradise, NV Metropolitan Statistical Area	535.7	11,330
14	Baltimore-Columbia-Towson, MD Metropolitan Statistical Area	533.2	14,915
15	Missoula, MT Metropolitan Statistical Area	532.5	608
16	Atlanta-Sandy Springs-Roswell, GA Metropolitan Statistical Area	531.8	30,370
17	Richmond, VA Metropolitan Statistical Area	531.0	6,751
18	Tampa-St. Petersburg-Clearwater, FL Metropolitan Statistical Area	530.2	15,774
19	Lubbock, TX Metropolitan Statistical Area	525.1	1,634
20	Pueblo, CO Metropolitan Statistical Area	519.6	850
21	Dover, DE Metropolitan Statistical Area	518.1	899
22	East Stroudsburg, PA Metropolitan Statistical Area	517.4	861
23	Deltona-Daytona Beach-Ormond Beach, FL Metropolitan Statistical Area	511.8	3,190
24	Laredo, TX Metropolitan Statistical Area	511.3	1,379
25	Cape Coral-Fort Myers, FL Metropolitan Statistical Area	509.1	3,574
26	Asheville, NC Metropolitan Statistical Area	502.9	2,247
27	Jacksonville, NC Metropolitan Statistical Area	502.9	937
28	Kingston, NY Metropolitan Statistical Area	500.2	901
29	Denver-Aurora-Lakewood, CO Metropolitan Statistical Area	499.0	14,043
30	Beckley, WV Metropolitan Statistical Area	497.1	609
31	Anniston-Oxford-Jacksonville, AL Metropolitan Statistical Area	496.5	574
32	Birmingham-Hoover, AL Metropolitan Statistical Area	495.7	5,679
33	Miami-Fort Lauderdale-West Palm Beach, FL Metropolitan Statistical Area	494.7	29,742
34	Phoenix-Mesa-Scottsdale, AZ Metropolitan Statistical Area	494.1	22,603
35	Topeka, KS Metropolitan Statistical Area	494.0	1,155
36	Colorado Springs, CO Metropolitan Statistical Area	492.4	3,436
37	Sebastian-Vero Beach, FL Metropolitan Statistical Area	492.2	728
38	Albany, OR Metropolitan Statistical Area	491.9	593
39	Orlando-Kissimmee-Sanford, FL Metropolitan Statistical Area	491.6	11,736
40	Lake Havasu City-Kingman, AZ Metropolitan Statistical Area	486.5	996
41	Punta Gorda, FL Metropolitan Statistical Area	485.8	841
42	Memphis, TN-MS-AR Metropolitan Statistical Area	485.7	6,529
43	Charlotte-Concord-Gastonia, NC-SC Metropolitan Statistical Area	482.9	11,716
44	Coeur d'Alene, ID Metropolitan Statistical Area	480.9	723
45	Pensacola-Ferry Pass-Brent, FL Metropolitan Statistical Area	478.6	2,288
46	Nashville-Davidson--Murfreesboro--Franklin, TN Metropolitan Statistical Area	477.7	8,743
47	St. Louis, MO-IL Metropolitan Statistical Area	475.7	13,375
48	Dallas-Fort Worth-Arlington, TX Metropolitan Statistical Area	474.6	33,708
49	North Port-Sarasota-Bradenton, FL Metropolitan Statistical Area	474.6	3,649
50	Columbia, SC Metropolitan Statistical Area	470.6	3,812

<sup>1</sup>Ranking is based on the number of fraud and other types of complaints per 100,000 inhabitants for each Metropolitan Area. This chart illustrates the top 50 Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. See complaint figures for all Metropolitan Areas with a population of 100,000 or more in Appendix D1. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

Note: In calculating the State and Metropolitan Areas rankings, we excluded state-specific data contributors' complaints.

# Consumer Sentinel Network

## Largest Metropolitan Areas Ranking for Identity Theft Consumer Complaints<sup>1</sup>

*January 1 – December 31, 2016*

Rank	Metropolitan Area	Complaints Per	
		100,000 Population <sup>1</sup>	Complaints
1	Ann Arbor, MI Metropolitan Statistical Area	336.0	1,206
2	Miami-Fort Lauderdale-West Palm Beach, FL Metropolitan Statistical Area	223.8	13,457
3	Detroit-Warren-Dearborn, MI Metropolitan Statistical Area	214.7	9,238
4	St. Louis, MO-IL Metropolitan Statistical Area	206.0	5,792
5	Naples-Immokalee-Marco Island, FL Metropolitan Statistical Area	188.1	672
6	Tallahassee, FL Metropolitan Statistical Area	185.0	699
7	San Francisco-Oakland-Hayward, CA Metropolitan Statistical Area	183.3	8,533
8	Orlando-Kissimmee-Sanford, FL Metropolitan Statistical Area	176.0	4,201
9	Niles-Benton Harbor, MI Metropolitan Statistical Area	174.6	270
10	Lansing-East Lansing, MI Metropolitan Statistical Area	169.6	801
11	San Jose-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area	166.3	3,288
12	Flint, MI Metropolitan Statistical Area	162.6	668
13	Atlanta-Sandy Springs-Roswell, GA Metropolitan Statistical Area	160.9	9,187
14	Grand Rapids-Wyoming, MI Metropolitan Statistical Area	159.5	1,657
15	Jacksonville, FL Metropolitan Statistical Area	155.8	2,259
16	Bridgeport-Stamford-Norwalk, CT Metropolitan Statistical Area	155.5	1,474
17	Tampa-St. Petersburg-Clearwater, FL Metropolitan Statistical Area	154.8	4,607
18	Chicago-Naperville-Elgin, IL-IN-WI Metropolitan Statistical Area	152.4	14,555
19	Cape Coral-Fort Myers, FL Metropolitan Statistical Area	152.0	1,067
20	Gainesville, FL Metropolitan Statistical Area	151.9	421
21	Dallas-Fort Worth-Arlington, TX Metropolitan Statistical Area	149.1	10,590
22	Fresno, CA Metropolitan Statistical Area	148.3	1,446
23	Kalamazoo-Portage, MI Metropolitan Statistical Area	147.6	495
24	Austin-Round Rock, TX Metropolitan Statistical Area	146.5	2,931
25	Las Vegas-Henderson-Paradise, NV Metropolitan Statistical Area	145.4	3,075
26	Iowa City, IA Metropolitan Statistical Area	144.7	241
27	Vallejo-Fairfield, CA Metropolitan Statistical Area	144.7	631
28	Stockton-Lodi, CA Metropolitan Statistical Area	144.6	1,050
29	Port St. Lucie, FL Metropolitan Statistical Area	144.4	657
30	Los Angeles-Long Beach-Anaheim, CA Metropolitan Statistical Area	144.2	19,236
31	Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Statistical Area	143.7	8,765
32	Palm Bay-Melbourne-Titusville, FL Metropolitan Statistical Area	143.6	816
33	Hartford-West Hartford-East Hartford, CT Metropolitan Statistical Area	142.7	1,729
34	Bakersfield, CA Metropolitan Statistical Area	142.3	1,255
35	Baltimore-Columbia-Towson, MD Metropolitan Statistical Area	142.0	3,972
36	Phoenix-Mesa-Scottsdale, AZ Metropolitan Statistical Area	139.8	6,397
37	Houston-The Woodlands-Sugar Land, TX Metropolitan Statistical Area	139.5	9,284
38	Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metropolitan Statistical Area	139.4	8,462
39	Monroe, MI Metropolitan Statistical Area	139.1	208
40	Sacramento--Roseville--Arden-Arcade, CA Metropolitan Statistical Area	138.9	3,158
41	Seattle-Tacoma-Bellevue, WA Metropolitan Statistical Area	138.1	5,155
42	Punta Gorda, FL Metropolitan Statistical Area	137.5	238
43	Battle Creek, MI Metropolitan Statistical Area	136.2	183
44	Jackson, MI Metropolitan Statistical Area	136.1	217
45	California-Lexington Park, MD Metropolitan Statistical Area	135.5	151
46	Reno, NV Metropolitan Statistical Area	134.0	604
47	San Diego-Carlsbad, CA Metropolitan Statistical Area	133.9	4,418
48	Albuquerque, NM Metropolitan Statistical Area	132.9	1,206
49	Minneapolis-St. Paul-Bloomington, MN-WI Metropolitan Statistical Area	132.2	4,660
50	Tucson, AZ Metropolitan Statistical Area	131.6	1,329

<sup>1</sup>Ranking is based on the number of identity theft complaints per 100,000 inhabitants for each Metropolitan Area. This chart illustrates the top 50 Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. See identity theft figures for all Metropolitan Areas with a population of 100,000 or more in Appendix D2. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

## Consumer Sentinel Network Military Complaints by Consumer Military Branch *January 1 – December 31, 2016*

Military Branch	Complaints	Percentages <sup>1</sup>
U.S. Army	48,617	47%
U.S. Navy	21,958	21%
U.S. Air Force	20,630	20%
U.S. Marines	10,073	10%
U.S. Coast Guard	1,798	2%
<b>Total</b>	<b>103,076</b>	

<sup>1</sup>Percentages are based on the total number of CSN complaints from military consumers reporting their branch of service (103,076) between January 1 and December 31, 2016. Of the 115,984 military consumers, 89% reported this information during CY-2016.

### Consumer Sentinel Network Military Complaints by Consumer Military Status *January 1 – December 31, 2016*

Military Status	Complaints	Percentages <sup>2</sup>
Active Duty Service Member	7,293	7%
Dependent Child\Other - DoD Civilian	1,164	1%
Dependent Child\Other - Service Member	3,510	3%
Dependent Spouse - DoD Civilian	3,656	3%
Dependent Spouse - Service Member	13,492	13%
DoD Civilian	1,041	1%
Inactive Reserve\National Guard	5,789	5%
Military Retiree\Veteran	69,801	66%
<b>Total</b>	<b>105,746</b>	

<sup>2</sup>Percentages are based on the total number of CSN complaints from military consumers reporting their military status (105,746) between January 1 and December 31, 2016. Of the 115,984 military consumers, 91% reported this information during CY-2016.

### Consumer Sentinel Network Military Complaints by Consumer Military Pay Grade *January 1 – December 31, 2016*

Military Pay Grade	Complaints	Percentages <sup>3</sup>
DoD Civilian	1,220	3%
E1-E3	10,412	23%
E4	7,185	16%
E5-E6	12,983	28%
E7-E9	4,886	11%
O1-O3	3,384	7%
O4-O6	4,495	10%
O7 and Above	383	1%
W1-W5	730	2%
<b>Total</b>	<b>45,678</b>	

<sup>3</sup>Percentages are based on the total number of CSN complaints from military consumers reporting their pay grade (45,678) between January 1 and December 31, 2016. Of the 115,984 military consumers, 39% reported this information during CY-2016.

## Consumer Sentinel Network Military Complaints by Top Category *January 1 – December 31, 2016*

Rank	Category	Complaints	Percentages <sup>1</sup>
1	Impostor Scams	37,257	32%
2	Identity Theft	34,871	30%
3	Debt Collection	7,550	7%
4	Banks and Lenders	6,673	6%
5	Prizes, Sweepstakes and Lotteries	2,128	2%
6	Credit Bureaus, Information Furnishers and Report Users	2,101	2%
7	Telephone and Mobile Services	2,036	2%
8	Shop-at-Home and Catalog Sales	1,982	2%
9	Auto-Related Complaints	1,876	2%
10	Education	1,591	1%
11	Foreign Money Offers and Counterfeit Check Scams	1,402	1%
12	Credit Cards	1,174	1%
13	Health Care	763	1%
14	Internet Services	737	1%
15	Home Repair, Improvement and Products	458	<1%
16	Television and Electronic Media	454	<1%
17	Business and Job Opportunities	346	<1%
18	Mortgage Foreclosure Relief and Debt Management	341	<1%
19	Travel, Vacations and Timeshare Plans	304	<1%
20	Advance Payments for Credit Services	288	<1%

<sup>1</sup>Percentages are based on the total number of CSN Military complaints (115,984) received between January 1 and December 31, 2016. Four percent (4,680) of these complaints were coded “Other (Note in Comments).”

### Top Categories for Complaints from Enlisted Military Consumers

*January 1 – December 31, 2016*

Rank	Category	Complaints	Percentages <sup>2</sup>
1	Identity Theft	16,246	46%
2	Impostor Scams	4,595	13%
3	Debt Collection	4,500	13%
4	Banks and Lenders	2,698	8%
5	Credit Bureaus, Information Furnishers and Report Users	1,108	3%
6	Auto-Related Complaints	608	2%
7	Shop-at-Home and Catalog Sales	562	2%
8	Credit Cards	463	1%
8	Telephone and Mobile Services	436	1%
10	Education	363	1%

<sup>2</sup>Percentages are based on the total number of CSN complaints (35,466) from military consumers reporting an enlisted rank received between January 1 and December 31, 2016. Four percent (1,363) of these complaints were coded “Other (Note in Comments).”

### Top Categories for Complaints from Officer Military Consumers

*January 1 – December 31, 2016*

Rank	Category	Complaints	Percentages <sup>3</sup>
1	Identity Theft	4,811	54%
2	Impostor Scams	1,573	17%
3	Banks and Lenders	474	5%
4	Debt Collection	442	5%
5	Credit Bureaus, Information Furnishers and Report Users	157	2%
6	Shop-at-Home and Catalog Sales	152	2%
7	Credit Cards	143	2%
8	Auto-Related Complaints	118	1%
9	Telephone and Mobile Services	78	1%
10	Foreign Money Offers and Counterfeit Check Scams	67	1%

<sup>3</sup>Percentages are based on the total number of CSN complaints (8,992) from military consumers reporting an officer rank received between January 1 and December 31, 2016. Four percent (387) of these complaints were coded “Other (Note in Comments).”

# Consumer Sentinel Network

## Military Identity Theft Complaints

### How Victims' Information is Misused

*January 1 – December 31, 2016*

Identity Theft Types \ Theft Subtypes	Complaints	Percentages <sup>1</sup>
<b>Credit Card Fraud</b>		
<b>35.6%</b>		
New Accounts	9,448	27.1%
Existing Accounts	2,978	8.5%
<b>Employment- or Tax-Related Fraud</b>		
<b>28.4%</b>		
Tax Fraud <sup>2</sup>	9,033	25.9%
Employment- or Wage-Related Fraud <sup>2</sup>	769	2.2%
Tax- or Wage-Related Fraud <sup>2</sup>	98	0.3%
<b>Bank Fraud</b>		
<b>17.5%</b>		
Debit Cards, Electronic Funds Transfer, or ACH	2,996	8.6%
New Accounts	1,820	5.2%
Existing Accounts	1,295	3.7%
<b>Phone or Utilities Fraud</b>		
<b>12.2%</b>		
Utilities - New Accounts	1,865	5.3%
Mobile Telephone - New Accounts	1,684	4.8%
Mobile Telephone - Existing Accounts	432	1.2%
Landline Telephone - New Accounts	186	0.5%
Utilities - Existing Accounts	97	0.3%
Landline Telephone - Existing Accounts	50	0.1%
<b>Government Documents or Benefits Fraud</b>		
<b>7.0%</b>		
Government Benefits Applied For \ Received	1,335	3.8%
Other Government Documents Issued \ Forged	781	2.2%
Driver's License Issued \ Forged	317	0.9%
Passport Issued \ Forged	43	0.1%
<b>Loan or Lease Fraud</b>		
<b>6.2%</b>		
Business \ Personal Loan	1,013	2.9%
Auto Loan \ Lease	503	1.4%
Real Estate Loan	307	0.9%
Student Loan	194	0.5%
Apartment or House Rented	190	0.5%
<b>Other Identity Theft</b>		
<b>14.6%</b>		
Other	2,661	7.6%
Email or Social Media	604	1.7%
Online Shopping or Payment Account	590	1.7%
Medical Services	403	1.2%
Evading the Law	332	1.0%
Insurance	200	0.6%
Securities Accounts	175	0.5%
Uncertain	87	0.2%
Data Breach	26	0.1%
Prepaid Debit Cards	4	<0.1%
Magazines	2	<0.1%
Bankruptcy	1	<0.1%
Property Rental Fraud	1	<0.1%

<sup>1</sup>Percentages are based on the total number of CSN Military identity theft complaints (34,871) received between January 1 and December 31, 2016. Attempted identity theft complaints were 0.3% of the total in CY-2016. Note that 16% of CSN Military identity theft complaints included more than one type of identity theft.

<sup>2</sup>Theft Subtypes "Tax Fraud" and "Employment- or Wage-Related Fraud" were added to the database in CY-2016; "Tax- or Wage-Related Fraud" and "Employment" were deactivated January 21, 2016.





# Consumer Sentinel Network Detailed State Complaint Information

(One Page per State and the District of Columbia)

## Fraud & Other Complaints

- ▶ Top Fraud & Other Complaint Categories

## Identity Theft Complaints

- ▶ Identity Theft Types Reported by Victims

**ALABAMA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 43,351**

**Fraud and Other Complaints Count from Alabama Consumers = 39,344**

*Top 10 Fraud and Other Complaint Categories Reported by Alabama Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	15,055	38%
2	Telephone and Mobile Services	5,264	13%
3	Impostor Scams	4,610	12%
4	Prizes, Sweepstakes and Lotteries	3,767	10%
5	Banks and Lenders	1,619	4%
6	Shop-at-Home and Catalog Sales	1,275	3%
7	Auto-Related Complaints	1,168	3%
8	Television and Electronic Media	716	2%
9	Credit Bureaus, Information Furnishers and Report Users	648	2%
10	Credit Cards	399	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Alabama consumers (39,344).

**Identity Theft Complaints Count from Alabama Victims = 4,007**

*Identity Theft Types Reported by Alabama Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	1,516	38%
2	Credit Card Fraud	906	23%
3	Phone or Utilities Fraud	505	13%
4	Bank Fraud	442	11%
5	Loan or Lease Fraud	356	9%
6	Government Documents or Benefits Fraud	249	6%
	Other	542	14%
	Attempted Identity Theft	4	<1%

<sup>1</sup>Percentages are based on the 4,007 victims reporting from Alabama. Note that CSN identity theft complaints may be coded under multiple theft types.

**ALASKA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 3,376**

**Fraud and Other Complaints Count from Alaska Consumers = 2,663**

*Top 10 Fraud and Other Complaint Categories Reported by Alaska Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Prizes, Sweepstakes and Lotteries	599	22%
2	Impostor Scams	472	18%
3	Shop-at-Home and Catalog Sales	177	7%
4	Banks and Lenders	172	6%
5	Telephone and Mobile Services	154	6%
6	Debt Collection	143	5%
7	Auto-Related Complaints	105	4%
8	Credit Bureaus, Information Furnishers and Report Users	69	3%
9	Internet Services	64	2%
10	Credit Cards	58	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Alaska consumers (2,663). Note: These figures exclude complaints provided by the Alaska Office of Attorney General.

**Identity Theft Complaints Count from Alaska Victims = 713**

*Identity Theft Types Reported by Alaska Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	349	49%
2	Credit Card Fraud	169	24%
3	Bank Fraud	88	12%
4	Phone or Utilities Fraud	48	7%
5	Government Documents or Benefits Fraud	42	6%
6	Loan or Lease Fraud	33	5%
	Other	71	10%
	Attempted Identity Theft	1	<1%

<sup>1</sup>Percentages are based on the 713 victims reporting from Alaska. Note that CSN identity theft complaints may be coded under multiple theft types.

**ARIZONA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 54,276**

**Fraud and Other Complaints Count from Arizona Consumers = 45,528**

*Top 10 Fraud and Other Complaint Categories Reported by Arizona Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	10,237	22%
2	Impostor Scams	8,933	20%
3	Telephone and Mobile Services	5,327	12%
4	Banks and Lenders	3,156	7%
5	Prizes, Sweepstakes and Lotteries	2,300	5%
6	Auto-Related Complaints	2,000	4%
7	Shop-at-Home and Catalog Sales	1,676	4%
8	Television and Electronic Media	1,354	3%
9	Credit Bureaus, Information Furnishers and Report Users	1,060	2%
10	Credit Cards	981	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Arizona consumers (45,528).

**Identity Theft Complaints Count from Arizona Victims = 8,748**

*Identity Theft Types Reported by Arizona Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	3,683	42%
2	Credit Card Fraud	2,248	26%
3	Bank Fraud	854	10%
4	Phone or Utilities Fraud	778	9%
5	Loan or Lease Fraud	510	6%
6	Government Documents or Benefits Fraud	429	5%
	Other	1,492	17%
	Attempted Identity Theft	19	<1%

<sup>1</sup>Percentages are based on the 8,748 victims reporting from Arizona. Note that CSN identity theft complaints may be coded under multiple theft types.

**ARKANSAS**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 17,818**

**Fraud and Other Complaints Count from Arkansas Consumers = 15,510**

*Top 10 Fraud and Other Complaint Categories Reported by Arkansas Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	3,733	24%
2	Impostor Scams	2,376	15%
3	Prizes, Sweepstakes and Lotteries	2,281	15%
4	Telephone and Mobile Services	1,816	12%
5	Shop-at-Home and Catalog Sales	651	4%
6	Banks and Lenders	643	4%
7	Auto-Related Complaints	483	3%
8	Television and Electronic Media	465	3%
9	Credit Bureaus, Information Furnishers and Report Users	212	1%
9	Internet Services	212	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Arkansas consumers (15,510).

**Identity Theft Complaints Count from Arkansas Victims = 2,308**

*Identity Theft Types Reported by Arkansas Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	946	41%
2	Credit Card Fraud	601	26%
3	Bank Fraud	282	12%
4	Phone or Utilities Fraud	242	10%
5	Loan or Lease Fraud	106	5%
6	Government Documents or Benefits Fraud	99	4%
	Other	314	14%
	Attempted Identity Theft	5	<1%

<sup>1</sup>Percentages are based on the 2,308 victims reporting from Arkansas. Note that CSN identity theft complaints may be coded under multiple theft types.

# CALIFORNIA

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 334,631**

**Fraud and Other Complaints Count from California Consumers = 279,887**

*Top 10 Fraud and Other Complaint Categories Reported by California Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	100,717	36%
2	Telephone and Mobile Services	38,828	14%
3	Impostor Scams	37,147	13%
4	Banks and Lenders	18,847	7%
5	Shop-at-Home and Catalog Sales	9,942	4%
6	Prizes, Sweepstakes and Lotteries	9,036	3%
7	Auto-Related Complaints	8,613	3%
8	Credit Bureaus, Information Furnishers and Report Users	6,261	2%
9	Credit Cards	5,374	2%
10	Internet Services	4,060	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from California consumers (279,887). Note: These figures exclude complaints provided by the California Office of Attorney General.

**Identity Theft Complaints Count from California Victims = 54,744**

*Identity Theft Types Reported by California Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	20,331	37%
2	Employment- or Tax-Related Fraud	16,054	29%
3	Phone or Utilities Fraud	6,923	13%
4	Bank Fraud	6,834	12%
5	Loan or Lease Fraud	3,755	7%
6	Government Documents or Benefits Fraud	3,090	6%
	Other	7,793	14%
	Attempted Identity Theft	121	<1%

<sup>1</sup>Percentages are based on the 54,744 victims reporting from California. Note that CSN identity theft complaints may be coded under multiple theft types.

## COLORADO

### Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 39,948**

**Fraud and Other Complaints Count from Colorado Consumers = 33,745**

*Top 10 Fraud and Other Complaint Categories Reported by Colorado Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	6,799	20%
2	Impostor Scams	6,644	20%
3	Telephone and Mobile Services	3,324	10%
4	Banks and Lenders	2,541	8%
5	Prizes, Sweepstakes and Lotteries	1,842	5%
6	Shop-at-Home and Catalog Sales	1,634	5%
7	Auto-Related Complaints	1,574	5%
8	Credit Bureaus, Information Furnishers and Report Users	1,024	3%
9	Television and Electronic Media	919	3%
10	Internet Services	755	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Colorado consumers (33,745).  
 Note: These figures exclude complaints provided by the Colorado Office of Attorney General.

**Identity Theft Complaints Count from Colorado Victims = 6,203**

*Identity Theft Types Reported by Colorado Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	2,376	38%
2	Credit Card Fraud	1,965	32%
3	Bank Fraud	762	12%
4	Phone or Utilities Fraud	568	9%
5	Government Documents or Benefits Fraud	294	5%
6	Loan or Lease Fraud	280	5%
	Other	784	13%
	Attempted Identity Theft	9	<1%

<sup>1</sup>Percentages are based on the 6,203 victims reporting from Colorado. Note that CSN identity theft complaints may be coded under multiple theft types.

# CONNECTICUT

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 26,050**

**Fraud and Other Complaints Count from Connecticut Consumers = 21,117**

*Top 10 Fraud and Other Complaint Categories Reported by Connecticut Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	5,398	26%
2	Impostor Scams	4,129	20%
3	Telephone and Mobile Services	2,063	10%
4	Banks and Lenders	1,554	7%
5	Auto-Related Complaints	1,028	5%
6	Shop-at-Home and Catalog Sales	938	4%
7	Prizes, Sweepstakes and Lotteries	836	4%
8	Credit Cards	489	2%
9	Credit Bureaus, Information Furnishers and Report Users	473	2%
10	Television and Electronic Media	406	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Connecticut consumers (21,117).

**Identity Theft Complaints Count from Connecticut Victims = 4,933**

*Identity Theft Types Reported by Connecticut Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	1,745	35%
2	Credit Card Fraud	1,695	34%
3	Phone or Utilities Fraud	914	19%
4	Bank Fraud	431	9%
5	Government Documents or Benefits Fraud	216	4%
6	Loan or Lease Fraud	146	3%
	Other	516	10%
	Attempted Identity Theft	15	<1%

<sup>1</sup>Percentages are based on the 4,933 victims reporting from Connecticut. Note that CSN identity theft complaints may be coded under multiple theft types.



**DELAWARE**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 9,077**

**Fraud and Other Complaints Count from Delaware Consumers = 7,593**

*Top 10 Fraud and Other Complaint Categories Reported by Delaware Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	2,273	30%
2	Impostor Scams	1,257	17%
3	Telephone and Mobile Services	795	10%
4	Banks and Lenders	594	8%
5	Prizes, Sweepstakes and Lotteries	351	5%
6	Auto-Related Complaints	325	4%
7	Shop-at-Home and Catalog Sales	300	4%
8	Credit Bureaus, Information Furnishers and Report Users	187	2%
9	Credit Cards	177	2%
10	Television and Electronic Media	149	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Delaware consumers (7,593).

**Identity Theft Complaints Count from Delaware Victims = 1,484**

*Identity Theft Types Reported by Delaware Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	794	54%
2	Credit Card Fraud	321	22%
3	Phone or Utilities Fraud	132	9%
4	Bank Fraud	118	8%
5	Loan or Lease Fraud	96	6%
6	Government Documents or Benefits Fraud	47	3%
	Other	141	10%
	Attempted Identity Theft	2	<1%

<sup>1</sup>Percentages are based on the 1,484 victims reporting from Delaware. Note that CSN identity theft complaints may be coded under multiple theft types.

**DISTRICT OF COLUMBIA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 11,382**

**Fraud and Other Complaints Count from District of Columbia Consumers = 10,030**

*Top 10 Fraud and Other Complaint Categories Reported by District of Columbia Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	3,941	39%
2	Telephone and Mobile Services	1,531	15%
3	Impostor Scams	1,147	11%
4	Banks and Lenders	764	8%
5	Shop-at-Home and Catalog Sales	325	3%
6	Auto-Related Complaints	242	2%
7	Credit Bureaus, Information Furnishers and Report Users	237	2%
8	Credit Cards	236	2%
9	Prizes, Sweepstakes and Lotteries	187	2%
10	Television and Electronic Media	129	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from District of Columbia consumers (10,030).

**Identity Theft Complaints Count from District of Columbia Victims = 1,352**

*Identity Theft Types Reported by District of Columbia Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	524	39%
2	Credit Card Fraud	372	28%
3	Phone or Utilities Fraud	170	13%
4	Bank Fraud	168	12%
5	Loan or Lease Fraud	79	6%
6	Government Documents or Benefits Fraud	78	6%
	Other	181	13%
	Attempted Identity Theft	3	<1%

<sup>1</sup>Percentages are based on the 1,352 victims reporting from District of Columbia. Note that CSN identity theft complaints may be coded under multiple theft types.

**FLORIDA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 303,501**

**Fraud and Other Complaints Count from Florida Consumers = 269,117**

*Top 10 Fraud and Other Complaint Categories Reported by Florida Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	144,384	54%
2	Telephone and Mobile Services	30,665	11%
3	Impostor Scams	23,069	9%
4	Banks and Lenders	11,552	4%
5	Auto-Related Complaints	7,286	3%
6	Prizes, Sweepstakes and Lotteries	7,204	3%
7	Shop-at-Home and Catalog Sales	6,073	2%
8	Credit Bureaus, Information Furnishers and Report Users	5,408	2%
9	Television and Electronic Media	3,999	1%
10	Credit Cards	3,307	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Florida consumers (269,117).

**Identity Theft Complaints Count from Florida Victims = 34,384**

*Identity Theft Types Reported by Florida Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	12,761	37%
2	Employment- or Tax-Related Fraud	10,236	30%
3	Bank Fraud	4,796	14%
4	Phone or Utilities Fraud	3,837	11%
5	Government Documents or Benefits Fraud	2,061	6%
6	Loan or Lease Fraud	1,749	5%
	Other	4,307	13%
	Attempted Identity Theft	136	<1%

<sup>1</sup>Percentages are based on the 34,384 victims reporting from Florida. Note that CSN identity theft complaints may be coded under multiple theft types.

# GEORGIA

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 129,976**

**Fraud and Other Complaints Count from Georgia Consumers = 117,189**

*Top 10 Fraud and Other Complaint Categories Reported by Georgia Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	56,815	48%
2	Telephone and Mobile Services	14,665	13%
3	Impostor Scams	9,457	8%
4	Banks and Lenders	6,110	5%
5	Prizes, Sweepstakes and Lotteries	4,264	4%
6	Auto-Related Complaints	3,836	3%
7	Credit Bureaus, Information Furnishers and Report Users	3,061	3%
8	Shop-at-Home and Catalog Sales	2,891	2%
9	Television and Electronic Media	2,153	2%
10	Credit Cards	1,697	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Georgia consumers (117,189).

**Identity Theft Complaints Count from Georgia Victims = 12,787**

*Identity Theft Types Reported by Georgia Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	3,954	31%
2	Credit Card Fraud	3,786	30%
3	Phone or Utilities Fraud	1,937	15%
4	Bank Fraud	1,534	12%
5	Loan or Lease Fraud	1,140	9%
6	Government Documents or Benefits Fraud	668	5%
	Other	2,110	17%
	Attempted Identity Theft	45	<1%

<sup>1</sup>Percentages are based on the 12,787 victims reporting from Georgia. Note that CSN identity theft complaints may be coded under multiple theft types.

## HAWAII

### Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 6,557**

**Fraud and Other Complaints Count from Hawaii Consumers = 5,768**

*Top 10 Fraud and Other Complaint Categories Reported by Hawaii Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	1,193	21%
2	Prizes, Sweepstakes and Lotteries	727	13%
3	Telephone and Mobile Services	504	9%
4	Banks and Lenders	471	8%
5	Debt Collection	414	7%
6	Shop-at-Home and Catalog Sales	357	6%
7	Auto-Related Complaints	271	5%
8	Internet Services	253	4%
9	Credit Cards	137	2%
10	Foreign Money Offers and Counterfeit Check Scams	99	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Hawaii consumers (5,768). Note: These figures exclude complaints provided by the Hawaii Office of Consumer Protection.

**Identity Theft Complaints Count from Hawaii Victims = 789**

*Identity Theft Types Reported by Hawaii Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	267	34%
2	Employment- or Tax-Related Fraud	202	26%
3	Bank Fraud	146	19%
4	Phone or Utilities Fraud	70	9%
5	Loan or Lease Fraud	50	6%
6	Government Documents or Benefits Fraud	48	6%
	Other	131	17%
	Attempted Identity Theft	3	<1%

<sup>1</sup>Percentages are based on the 789 victims reporting from Hawaii. Note that CSN identity theft complaints may be coded under multiple theft types.

**IDAHO**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 9,148**

**Fraud and Other Complaints Count from Idaho Consumers = 7,800**

*Top 10 Fraud and Other Complaint Categories Reported by Idaho Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	1,849	24%
2	Debt Collection	1,000	13%
3	Telephone and Mobile Services	713	9%
4	Prizes, Sweepstakes and Lotteries	700	9%
5	Banks and Lenders	477	6%
6	Shop-at-Home and Catalog Sales	386	5%
7	Auto-Related Complaints	347	4%
8	Internet Services	231	3%
9	Television and Electronic Media	221	3%
10	Credit Bureaus, Information Furnishers and Report Users	176	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Idaho consumers (7,800).  
 Note: These figures exclude complaints provided by the Idaho Office of Attorney General.

**Identity Theft Complaints Count from Idaho Victims = 1,348**

*Identity Theft Types Reported by Idaho Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	509	38%
2	Credit Card Fraud	371	28%
3	Loan or Lease Fraud	183	14%
4	Bank Fraud	116	9%
5	Phone or Utilities Fraud	113	8%
6	Government Documents or Benefits Fraud	47	3%
	Other	176	13%
	Attempted Identity Theft	-	-

<sup>1</sup>Percentages are based on the 1,348 victims reporting from Idaho. Note that CSN identity theft complaints may be coded under multiple theft types.

## ILLINOIS

### Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 91,489**

**Fraud and Other Complaints Count from Illinois Consumers = 73,829**

*Top 10 Fraud and Other Complaint Categories Reported by Illinois Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	19,831	27%
2	Impostor Scams	11,338	15%
3	Telephone and Mobile Services	7,865	11%
4	Banks and Lenders	5,522	7%
5	Prizes, Sweepstakes and Lotteries	3,743	5%
6	Shop-at-Home and Catalog Sales	3,328	5%
7	Auto-Related Complaints	3,246	4%
8	Television and Electronic Media	2,450	3%
9	Credit Bureaus, Information Furnishers and Report Users	2,234	3%
10	Credit Cards	1,638	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Illinois consumers (73,829).

**Identity Theft Complaints Count from Illinois Victims = 17,660**

*Identity Theft Types Reported by Illinois Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	5,933	34%
2	Employment- or Tax-Related Fraud	5,509	31%
3	Phone or Utilities Fraud	2,943	17%
4	Bank Fraud	1,988	11%
5	Loan or Lease Fraud	1,192	7%
6	Government Documents or Benefits Fraud	1,017	6%
	Other	2,282	13%
	Attempted Identity Theft	47	<1%

<sup>1</sup>Percentages are based on the 17,660 victims reporting from Illinois. Note that CSN identity theft complaints may be coded under multiple theft types.

**INDIANA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 42,420**

**Fraud and Other Complaints Count from Indiana Consumers = 37,329**

*Top 10 Fraud and Other Complaint Categories Reported by Indiana Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	10,914	29%
2	Impostor Scams	6,166	17%
3	Telephone and Mobile Services	4,083	11%
4	Prizes, Sweepstakes and Lotteries	3,001	8%
5	Banks and Lenders	1,866	5%
6	Shop-at-Home and Catalog Sales	1,604	4%
7	Auto-Related Complaints	1,422	4%
8	Television and Electronic Media	1,096	3%
9	Internet Services	538	1%
10	Credit Cards	535	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Indiana consumers (37,329).  
 Note: These figures exclude complaints provided by the Indiana Office of Attorney General.

**Identity Theft Complaints Count from Indiana Victims = 5,091**

*Identity Theft Types Reported by Indiana Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	1,806	35%
2	Credit Card Fraud	1,384	27%
3	Phone or Utilities Fraud	815	16%
4	Bank Fraud	519	10%
5	Government Documents or Benefits Fraud	295	6%
5	Loan or Lease Fraud	295	6%
	Other	697	14%
	Attempted Identity Theft	4	<1%

<sup>1</sup>Percentages are based on the 5,091 victims reporting from Indiana. Note that CSN identity theft complaints may be coded under multiple theft types.



**IOWA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 12,870**

**Fraud and Other Complaints Count from Iowa Consumers = 10,735**

*Top 10 Fraud and Other Complaint Categories Reported by Iowa Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	2,474	23%
2	Debt Collection	1,351	13%
3	Prizes, Sweepstakes and Lotteries	916	9%
4	Telephone and Mobile Services	896	8%
5	Shop-at-Home and Catalog Sales	662	6%
6	Banks and Lenders	615	6%
7	Auto-Related Complaints	485	5%
8	Television and Electronic Media	400	4%
9	Credit Bureaus, Information Furnishers and Report Users	309	3%
10	Internet Services	237	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Iowa consumers (10,735).  
 Note: These figures exclude complaints provided by the Iowa Office of Attorney General.

**Identity Theft Complaints Count from Iowa Victims = 2,135**

*Identity Theft Types Reported by Iowa Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	896	42%
2	Credit Card Fraud	691	32%
3	Bank Fraud	213	10%
4	Phone or Utilities Fraud	211	10%
5	Government Documents or Benefits Fraud	92	4%
6	Loan or Lease Fraud	78	4%
	Other	207	10%
	Attempted Identity Theft	9	<1%

<sup>1</sup>Percentages are based on the 2,135 victims reporting from Iowa. Note that CSN identity theft complaints may be coded under multiple theft types.

**KANSAS**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 17,167**

**Fraud and Other Complaints Count from Kansas Consumers = 14,635**

*Top 10 Fraud and Other Complaint Categories Reported by Kansas Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	3,148	22%
2	Debt Collection	3,023	21%
3	Prizes, Sweepstakes and Lotteries	1,600	11%
4	Telephone and Mobile Services	1,325	9%
5	Banks and Lenders	793	5%
6	Shop-at-Home and Catalog Sales	687	5%
7	Auto-Related Complaints	518	4%
8	Television and Electronic Media	305	2%
9	Internet Services	246	2%
10	Credit Cards	244	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Kansas consumers (14,635).

**Identity Theft Complaints Count from Kansas Victims = 2,532**

*Identity Theft Types Reported by Kansas Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	902	36%
2	Credit Card Fraud	755	30%
3	Bank Fraud	326	13%
4	Phone or Utilities Fraud	243	10%
5	Loan or Lease Fraud	181	7%
6	Government Documents or Benefits Fraud	128	5%
	Other	340	13%
	Attempted Identity Theft	4	<1%

<sup>1</sup>Percentages are based on the 2,532 victims reporting from Kansas. Note that CSN identity theft complaints may be coded under multiple theft types.

# KENTUCKY

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 26,846**

**Fraud and Other Complaints Count from Kentucky Consumers = 23,948**

*Top 10 Fraud and Other Complaint Categories Reported by Kentucky Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	6,000	25%
2	Impostor Scams	4,344	18%
3	Telephone and Mobile Services	2,448	10%
4	Prizes, Sweepstakes and Lotteries	2,194	9%
5	Banks and Lenders	1,171	5%
6	Shop-at-Home and Catalog Sales	1,120	5%
7	Auto-Related Complaints	1,092	5%
8	Television and Electronic Media	690	3%
9	Internet Services	370	2%
10	Credit Bureaus, Information Furnishers and Report Users	364	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Kentucky consumers (23,948).

**Identity Theft Complaints Count from Kentucky Victims = 2,898**

*Identity Theft Types Reported by Kentucky Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	1,049	36%
2	Credit Card Fraud	917	32%
3	Phone or Utilities Fraud	346	12%
4	Bank Fraud	306	11%
5	Government Documents or Benefits Fraud	176	6%
6	Loan or Lease Fraud	152	5%
	Other	325	11%
	Attempted Identity Theft	3	<1%

<sup>1</sup>Percentages are based on the 2,898 victims reporting from Kentucky. Note that CSN identity theft complaints may be coded under multiple theft types.

**LOUISIANA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 36,125**

**Fraud and Other Complaints Count from Louisiana Consumers = 32,861**

*Top 10 Fraud and Other Complaint Categories Reported by Louisiana Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	12,154	37%
2	Telephone and Mobile Services	4,515	14%
3	Impostor Scams	3,788	12%
4	Prizes, Sweepstakes and Lotteries	2,337	7%
5	Banks and Lenders	1,647	5%
6	Shop-at-Home and Catalog Sales	1,258	4%
7	Auto-Related Complaints	1,001	3%
8	Credit Bureaus, Information Furnishers and Report Users	705	2%
9	Television and Electronic Media	620	2%
10	Credit Cards	447	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Louisiana consumers (32,861). Note: These figures exclude complaints provided by the Louisiana Office of Attorney General.

**Identity Theft Complaints Count from Louisiana Victims = 3,264**

*Identity Theft Types Reported by Louisiana Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	1,092	33%
2	Credit Card Fraud	827	25%
3	Bank Fraud	433	13%
4	Phone or Utilities Fraud	377	12%
5	Government Documents or Benefits Fraud	261	8%
6	Loan or Lease Fraud	247	8%
	Other	489	15%
	Attempted Identity Theft	5	<1%

<sup>1</sup>Percentages are based on the 3,264 victims reporting from Louisiana. Note that CSN identity theft complaints may be coded under multiple theft types.

**MAINE**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 6,812**

**Fraud and Other Complaints Count from Maine Consumers = 5,642**

*Top 10 Fraud and Other Complaint Categories Reported by Maine Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	1,362	24%
2	Debt Collection	742	13%
3	Telephone and Mobile Services	516	9%
4	Prizes, Sweepstakes and Lotteries	460	8%
5	Banks and Lenders	429	8%
6	Shop-at-Home and Catalog Sales	318	6%
7	Auto-Related Complaints	185	3%
8	Television and Electronic Media	180	3%
9	Credit Cards	153	3%
10	Internet Services	114	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Maine consumers (5,642).  
 Note: These figures exclude complaints provided by the Maine Office of Attorney General.

**Identity Theft Complaints Count from Maine Victims = 1,170**

*Identity Theft Types Reported by Maine Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	582	50%
2	Credit Card Fraud	308	26%
3	Bank Fraud	107	9%
4	Phone or Utilities Fraud	84	7%
5	Loan or Lease Fraud	43	4%
6	Government Documents or Benefits Fraud	37	3%
	Other	122	10%
	Attempted Identity Theft	1	<1%

<sup>1</sup>Percentages are based on the 1,170 victims reporting from Maine. Note that CSN identity theft complaints may be coded under multiple theft types.

**MARYLAND**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 56,845**

**Fraud and Other Complaints Count from Maryland Consumers = 48,594**

*Top 10 Fraud and Other Complaint Categories Reported by Maryland Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	12,911	27%
2	Impostor Scams	8,483	17%
3	Telephone and Mobile Services	5,082	10%
4	Banks and Lenders	4,279	9%
5	Shop-at-Home and Catalog Sales	2,025	4%
6	Auto-Related Complaints	2,011	4%
7	Prizes, Sweepstakes and Lotteries	1,924	4%
8	Credit Bureaus, Information Furnishers and Report Users	1,415	3%
9	Credit Cards	1,013	2%
10	Television and Electronic Media	911	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Maryland consumers (48,594).

**Identity Theft Complaints Count from Maryland Victims = 8,251**

*Identity Theft Types Reported by Maryland Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	3,247	39%
2	Credit Card Fraud	2,599	31%
3	Phone or Utilities Fraud	1,024	12%
4	Bank Fraud	859	10%
5	Loan or Lease Fraud	400	5%
6	Government Documents or Benefits Fraud	347	4%
	Other	932	11%
	Attempted Identity Theft	19	<1%

<sup>1</sup>Percentages are based on the 8,251 victims reporting from Maryland. Note that CSN identity theft complaints may be coded under multiple theft types.

# MASSACHUSETTS

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 44,558**

**Fraud and Other Complaints Count from Massachusetts Consumers = 37,271**

*Top 10 Fraud and Other Complaint Categories Reported by Massachusetts Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	9,147	25%
2	Impostor Scams	6,690	18%
3	Telephone and Mobile Services	4,698	13%
4	Banks and Lenders	2,718	7%
5	Shop-at-Home and Catalog Sales	1,911	5%
6	Prizes, Sweepstakes and Lotteries	1,574	4%
7	Auto-Related Complaints	1,479	4%
8	Credit Cards	875	2%
9	Internet Services	760	2%
10	Television and Electronic Media	609	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Massachusetts consumers (37,271).  
 Note: These figures exclude complaints provided by the Massachusetts Office of Attorney General.

**Identity Theft Complaints Count from Massachusetts Victims = 7,287**

*Identity Theft Types Reported by Massachusetts Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	2,742	38%
2	Credit Card Fraud	2,447	34%
3	Phone or Utilities Fraud	822	11%
4	Bank Fraud	725	10%
5	Government Documents or Benefits Fraud	349	5%
6	Loan or Lease Fraud	254	3%
	Other	832	11%
	Attempted Identity Theft	12	<1%

<sup>1</sup>Percentages are based on the 7,287 victims reporting from Massachusetts. Note that CSN identity theft complaints may be coded under multiple theft types.

**MICHIGAN**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 124,987**

**Fraud and Other Complaints Count from Michigan Consumers = 107,557**

*Top 10 Fraud and Other Complaint Categories Reported by Michigan Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	61,469	57%
2	Telephone and Mobile Services	13,956	13%
3	Impostor Scams	8,623	8%
4	Prizes, Sweepstakes and Lotteries	3,722	3%
5	Banks and Lenders	3,143	3%
6	Shop-at-Home and Catalog Sales	2,424	2%
7	Television and Electronic Media	1,589	1%
8	Auto-Related Complaints	1,526	1%
9	Credit Bureaus, Information Furnishers and Report Users	1,030	1%
10	Credit Cards	987	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Michigan consumers (107,557). Note: These figures exclude complaints provided by the Michigan Office of Attorney General.

**Identity Theft Complaints Count from Michigan Victims = 17,430**

*Identity Theft Types Reported by Michigan Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	7,480	43%
2	Credit Card Fraud	3,382	19%
3	Government Documents or Benefits Fraud	2,728	16%
4	Phone or Utilities Fraud	2,131	12%
5	Bank Fraud	1,048	6%
6	Loan or Lease Fraud	550	3%
	Other	1,862	11%
	Attempted Identity Theft	34	<1%

<sup>1</sup>Percentages are based on the 17,430 victims reporting from Michigan. Note that CSN identity theft complaints may be coded under multiple theft types.



**MINNESOTA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 31,899**

**Fraud and Other Complaints Count from Minnesota Consumers = 25,980**

*Top 10 Fraud and Other Complaint Categories Reported by Minnesota Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	5,645	22%
2	Debt Collection	4,235	16%
3	Telephone and Mobile Services	2,581	10%
4	Banks and Lenders	1,872	7%
5	Prizes, Sweepstakes and Lotteries	1,821	7%
6	Shop-at-Home and Catalog Sales	1,333	5%
7	Auto-Related Complaints	1,002	4%
8	Television and Electronic Media	813	3%
9	Credit Cards	611	2%
10	Internet Services	566	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Minnesota consumers (25,980).

**Identity Theft Complaints Count from Minnesota Victims = 5,919**

*Identity Theft Types Reported by Minnesota Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	2,714	46%
2	Credit Card Fraud	1,858	31%
3	Bank Fraud	586	10%
4	Phone or Utilities Fraud	428	7%
5	Government Documents or Benefits Fraud	228	4%
6	Loan or Lease Fraud	206	3%
	Other	575	10%
	Attempted Identity Theft	7	<1%

<sup>1</sup>Percentages are based on the 5,919 victims reporting from Minnesota. Note that CSN identity theft complaints may be coded under multiple theft types.

**MISSISSIPPI**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 20,588**

**Fraud and Other Complaints Count from Mississippi Consumers = 18,210**

*Top 10 Fraud and Other Complaint Categories Reported by Mississippi Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	6,359	35%
2	Impostor Scams	2,290	13%
2	Telephone and Mobile Services	2,290	13%
4	Prizes, Sweepstakes and Lotteries	1,734	10%
5	Banks and Lenders	808	4%
6	Shop-at-Home and Catalog Sales	733	4%
7	Auto-Related Complaints	560	3%
8	Television and Electronic Media	396	2%
9	Credit Bureaus, Information Furnishers and Report Users	283	2%
10	Internet Services	206	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Mississippi consumers (18,210). Note: These figures exclude complaints provided by the Mississippi Office of Attorney General.

**Identity Theft Complaints Count from Mississippi Victims = 2,378**

*Identity Theft Types Reported by Mississippi Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	914	38%
2	Credit Card Fraud	560	24%
3	Phone or Utilities Fraud	351	15%
4	Bank Fraud	231	10%
5	Loan or Lease Fraud	162	7%
6	Government Documents or Benefits Fraud	158	7%
	Other	332	14%
	Attempted Identity Theft	8	<1%

<sup>1</sup>Percentages are based on the 2,378 victims reporting from Mississippi. Note that CSN identity theft complaints may be coded under multiple theft types.

# MISSOURI

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 51,342**

**Fraud and Other Complaints Count from Missouri Consumers = 43,050**

*Top 10 Fraud and Other Complaint Categories Reported by Missouri Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	14,223	33%
2	Impostor Scams	6,375	15%
3	Telephone and Mobile Services	4,366	10%
4	Prizes, Sweepstakes and Lotteries	2,840	7%
5	Banks and Lenders	2,322	5%
6	Auto-Related Complaints	2,260	5%
7	Shop-at-Home and Catalog Sales	1,496	3%
8	Television and Electronic Media	1,129	3%
9	Credit Bureaus, Information Furnishers and Report Users	720	2%
10	Credit Cards	654	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Missouri consumers (43,050).

**Identity Theft Complaints Count from Missouri Victims = 8,292**

*Identity Theft Types Reported by Missouri Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	4,048	49%
2	Credit Card Fraud	1,928	23%
3	Bank Fraud	721	9%
4	Government Documents or Benefits Fraud	555	7%
5	Phone or Utilities Fraud	511	6%
6	Loan or Lease Fraud	469	6%
	Other	900	11%
	Attempted Identity Theft	20	<1%

<sup>1</sup>Percentages are based on the 8,292 victims reporting from Missouri. Note that CSN identity theft complaints may be coded under multiple theft types.

# MONTANA

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 5,311**

**Fraud and Other Complaints Count from Montana Consumers = 4,600**

*Top 10 Fraud and Other Complaint Categories Reported by Montana Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	1,222	27%
2	Prizes, Sweepstakes and Lotteries	695	15%
3	Debt Collection	400	9%
4	Telephone and Mobile Services	385	8%
5	Shop-at-Home and Catalog Sales	279	6%
6	Banks and Lenders	236	5%
7	Auto-Related Complaints	159	3%
8	Foreign Money Offers and Counterfeit Check Scams	107	2%
9	Internet Services	101	2%
10	Television and Electronic Media	88	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Montana consumers (4,600).  
 Note: These figures exclude complaints provided by the Montana Department of Justice.

**Identity Theft Complaints Count from Montana Victims = 711**

*Identity Theft Types Reported by Montana Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	292	41%
2	Credit Card Fraud	226	32%
3	Bank Fraud	70	10%
4	Phone or Utilities Fraud	50	7%
5	Government Documents or Benefits Fraud	37	5%
6	Loan or Lease Fraud	31	4%
	Other	84	12%
	Attempted Identity Theft	2	<1%

<sup>1</sup>Percentages are based on the 711 victims reporting from Montana. Note that CSN identity theft complaints may be coded under multiple theft types.

**NEBRASKA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 9,439**

**Fraud and Other Complaints Count from Nebraska Consumers = 7,855**

*Top 10 Fraud and Other Complaint Categories Reported by Nebraska Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	1,754	22%
2	Debt Collection	1,051	13%
3	Prizes, Sweepstakes and Lotteries	772	10%
4	Telephone and Mobile Services	666	8%
5	Banks and Lenders	499	6%
6	Shop-at-Home and Catalog Sales	382	5%
7	Auto-Related Complaints	355	5%
8	Internet Services	241	3%
9	Television and Electronic Media	202	3%
10	Credit Cards	156	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Nebraska consumers (7,855).

**Identity Theft Complaints Count from Nebraska Victims = 1,584**

*Identity Theft Types Reported by Nebraska Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	718	45%
2	Credit Card Fraud	438	28%
3	Bank Fraud	160	10%
4	Phone or Utilities Fraud	110	7%
5	Loan or Lease Fraud	76	5%
6	Government Documents or Benefits Fraud	67	4%
	Other	190	12%
	Attempted Identity Theft	7	<1%

<sup>1</sup>Percentages are based on the 1,584 victims reporting from Nebraska. Note that CSN identity theft complaints may be coded under multiple theft types.

**NEVADA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 29,629**

**Fraud and Other Complaints Count from Nevada Consumers = 25,636**

*Top 10 Fraud and Other Complaint Categories Reported by Nevada Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	8,461	33%
2	Impostor Scams	3,681	14%
3	Telephone and Mobile Services	3,099	12%
4	Banks and Lenders	1,881	7%
5	Prizes, Sweepstakes and Lotteries	1,087	4%
6	Auto-Related Complaints	965	4%
7	Shop-at-Home and Catalog Sales	891	3%
8	Credit Bureaus, Information Furnishers and Report Users	588	2%
9	Credit Cards	486	2%
10	Television and Electronic Media	348	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Nevada consumers (25,636).  
 Note: These figures exclude complaints provided by the Nevada Office of Attorney General.

**Identity Theft Complaints Count from Nevada Victims = 3,993**

*Identity Theft Types Reported by Nevada Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	1,303	33%
2	Employment- or Tax-Related Fraud	1,120	28%
3	Bank Fraud	524	13%
4	Phone or Utilities Fraud	431	11%
5	Government Documents or Benefits Fraud	418	10%
6	Loan or Lease Fraud	277	7%
	Other	707	18%
	Attempted Identity Theft	18	<1%

<sup>1</sup>Percentages are based on the 3,993 victims reporting from Nevada. Note that CSN identity theft complaints may be coded under multiple theft types.

**NEW HAMPSHIRE**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 8,877**

**Fraud and Other Complaints Count from New Hampshire Consumers = 7,525**

*Top 10 Fraud and Other Complaint Categories Reported by New Hampshire Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	1,592	21%
2	Impostor Scams	1,547	21%
3	Telephone and Mobile Services	694	9%
4	Banks and Lenders	543	7%
5	Prizes, Sweepstakes and Lotteries	448	6%
6	Shop-at-Home and Catalog Sales	435	6%
7	Auto-Related Complaints	385	5%
8	Television and Electronic Media	179	2%
9	Credit Cards	170	2%
10	Internet Services	145	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from New Hampshire consumers (7,525).

**Identity Theft Complaints Count from New Hampshire Victims = 1,352**

*Identity Theft Types Reported by New Hampshire Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	566	42%
2	Credit Card Fraud	434	32%
3	Bank Fraud	172	13%
4	Phone or Utilities Fraud	125	9%
5	Government Documents or Benefits Fraud	57	4%
6	Loan or Lease Fraud	36	3%
	Other	130	10%
	Attempted Identity Theft	2	<1%

<sup>1</sup>Percentages are based on the 1,352 victims reporting from New Hampshire. Note that CSN identity theft complaints may be coded under multiple theft types.

**NEW JERSEY**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 66,928**

**Fraud and Other Complaints Count from New Jersey Consumers = 56,951**

*Top 10 Fraud and Other Complaint Categories Reported by New Jersey Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	14,989	26%
2	Impostor Scams	9,056	16%
3	Telephone and Mobile Services	5,979	10%
4	Banks and Lenders	5,386	9%
5	Shop-at-Home and Catalog Sales	2,551	4%
6	Auto-Related Complaints	2,549	4%
7	Prizes, Sweepstakes and Lotteries	1,936	3%
8	Credit Cards	1,512	3%
9	Credit Bureaus, Information Furnishers and Report Users	1,465	3%
10	Television and Electronic Media	914	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from New Jersey consumers (56,951).

**Identity Theft Complaints Count from New Jersey Victims = 9,977**

*Identity Theft Types Reported by New Jersey Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	3,538	35%
2	Employment- or Tax-Related Fraud	3,045	31%
3	Phone or Utilities Fraud	1,597	16%
4	Bank Fraud	1,034	10%
5	Government Documents or Benefits Fraud	534	5%
6	Loan or Lease Fraud	448	4%
	Other	1,322	13%
	Attempted Identity Theft	34	<1%

<sup>1</sup>Percentages are based on the 9,977 victims reporting from New Jersey. Note that CSN identity theft complaints may be coded under multiple theft types.



## NEW MEXICO

### Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 15,916**

**Fraud and Other Complaints Count from New Mexico Consumers = 13,900**

*Top 10 Fraud and Other Complaint Categories Reported by New Mexico Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	4,089	29%
2	Impostor Scams	2,148	15%
3	Telephone and Mobile Services	1,802	13%
4	Prizes, Sweepstakes and Lotteries	1,025	7%
5	Banks and Lenders	658	5%
6	Credit Bureaus, Information Furnishers and Report Users	623	4%
7	Shop-at-Home and Catalog Sales	521	4%
8	Auto-Related Complaints	445	3%
9	Television and Electronic Media	263	2%
10	Foreign Money Offers and Counterfeit Check Scams	180	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from New Mexico consumers (13,900).

**Identity Theft Complaints Count from New Mexico Victims = 2,016**

*Identity Theft Types Reported by New Mexico Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	756	38%
2	Credit Card Fraud	565	28%
3	Bank Fraud	243	12%
4	Phone or Utilities Fraud	207	10%
5	Government Documents or Benefits Fraud	139	7%
6	Loan or Lease Fraud	137	7%
	Other	320	16%
	Attempted Identity Theft	2	<1%

<sup>1</sup>Percentages are based on the 2,016 victims reporting from New Mexico. Note that CSN identity theft complaints may be coded under multiple theft types.

**NEW YORK**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 132,211**

**Fraud and Other Complaints Count from New York Consumers = 112,006**

*Top 10 Fraud and Other Complaint Categories Reported by New York Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	27,161	24%
2	Impostor Scams	19,657	18%
3	Telephone and Mobile Services	13,676	12%
4	Banks and Lenders	8,883	8%
5	Shop-at-Home and Catalog Sales	5,379	5%
6	Auto-Related Complaints	4,584	4%
7	Prizes, Sweepstakes and Lotteries	4,465	4%
8	Credit Cards	3,390	3%
9	Credit Bureaus, Information Furnishers and Report Users	2,887	3%
10	Internet Services	2,038	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from New York consumers (112,006).

**Identity Theft Complaints Count from New York Victims = 20,205**

*Identity Theft Types Reported by New York Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	7,381	37%
2	Employment- or Tax-Related Fraud	5,516	27%
3	Phone or Utilities Fraud	2,870	14%
4	Bank Fraud	2,476	12%
5	Government Documents or Benefits Fraud	1,260	6%
6	Loan or Lease Fraud	1,172	6%
	Other	2,834	14%
	Attempted Identity Theft	55	<1%

<sup>1</sup>Percentages are based on the 20,205 victims reporting from New York. Note that CSN identity theft complaints may be coded under multiple theft types.

## NORTH CAROLINA Consumer Sentinel Network Complaint Figures *January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 74,805**

**Fraud and Other Complaints Count from North Carolina Consumers = 65,059**

### *Top 10 Fraud and Other Complaint Categories Reported by North Carolina Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	17,029	26%
2	Impostor Scams	10,010	15%
3	Prizes, Sweepstakes and Lotteries	6,159	9%
4	Telephone and Mobile Services	6,125	9%
5	Banks and Lenders	4,147	6%
6	Auto-Related Complaints	3,049	5%
7	Shop-at-Home and Catalog Sales	2,743	4%
8	Television and Electronic Media	1,979	3%
9	Credit Bureaus, Information Furnishers and Report Users	1,431	2%
10	Credit Cards	1,248	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from North Carolina consumers (65,059).  
Note: These figures exclude complaints provided by the North Carolina Department of Justice.

**Identity Theft Complaints Count from North Carolina Victims = 9,746**

### *Identity Theft Types Reported by North Carolina Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	3,285	34%
2	Credit Card Fraud	3,033	31%
3	Phone or Utilities Fraud	1,261	13%
4	Bank Fraud	1,015	10%
5	Government Documents or Benefits Fraud	619	6%
6	Loan or Lease Fraud	565	6%
	Other	1,261	13%
	Attempted Identity Theft	22	<1%

<sup>1</sup>Percentages are based on the 9,746 victims reporting from North Carolina. Note that CSN identity theft complaints may be coded under multiple theft types.

**NORTH DAKOTA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 2,623**

**Fraud and Other Complaints Count from North Dakota Consumers = 2,158**

*Top 10 Fraud and Other Complaint Categories Reported by North Dakota Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	431	20%
2	Prizes, Sweepstakes and Lotteries	294	14%
3	Debt Collection	265	12%
4	Telephone and Mobile Services	179	8%
5	Shop-at-Home and Catalog Sales	168	8%
6	Banks and Lenders	142	7%
7	Auto-Related Complaints	75	3%
8	Television and Electronic Media	55	3%
9	Credit Cards	47	2%
10	Credit Bureaus, Information Furnishers and Report Users	45	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from North Dakota consumers (2,158).

**Identity Theft Complaints Count from North Dakota Victims = 465**

*Identity Theft Types Reported by North Dakota Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	184	40%
2	Credit Card Fraud	151	32%
3	Bank Fraud	42	9%
4	Loan or Lease Fraud	31	7%
5	Government Documents or Benefits Fraud	28	6%
6	Phone or Utilities Fraud	27	6%
	Other	59	13%
	Attempted Identity Theft	2	<1%

<sup>1</sup>Percentages are based on the 465 victims reporting from North Dakota. Note that CSN identity theft complaints may be coded under multiple theft types.

# OHIO

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 88,222**

**Fraud and Other Complaints Count from Ohio Consumers = 77,213**

*Top 10 Fraud and Other Complaint Categories Reported by Ohio Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	26,851	35%
2	Impostor Scams	10,007	13%
3	Telephone and Mobile Services	8,108	11%
4	Prizes, Sweepstakes and Lotteries	4,614	6%
5	Banks and Lenders	4,417	6%
6	Auto-Related Complaints	3,791	5%
7	Shop-at-Home and Catalog Sales	2,866	4%
8	Television and Electronic Media	2,206	3%
9	Credit Cards	1,452	2%
10	Credit Bureaus, Information Furnishers and Report Users	1,148	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Ohio consumers (77,213).  
Note: These figures exclude complaints provided by the Ohio Office of Attorney General.

**Identity Theft Complaints Count from Ohio Victims = 11,009**

*Identity Theft Types Reported by Ohio Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	3,995	36%
2	Credit Card Fraud	3,421	31%
3	Phone or Utilities Fraud	1,578	14%
4	Bank Fraud	1,080	10%
5	Loan or Lease Fraud	609	6%
6	Government Documents or Benefits Fraud	538	5%
	Other	1,258	11%
	Attempted Identity Theft	28	<1%

<sup>1</sup>Percentages are based on the 11,009 victims reporting from Ohio. Note that CSN identity theft complaints may be coded under multiple theft types.

**OKLAHOMA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 23,687**

**Fraud and Other Complaints Count from Oklahoma Consumers = 20,350**

*Top 10 Fraud and Other Complaint Categories Reported by Oklahoma Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	5,712	28%
2	Impostor Scams	3,194	16%
3	Telephone and Mobile Services	2,127	10%
4	Prizes, Sweepstakes and Lotteries	2,054	10%
5	Banks and Lenders	1,070	5%
6	Auto-Related Complaints	835	4%
7	Shop-at-Home and Catalog Sales	764	4%
8	Television and Electronic Media	462	2%
9	Credit Cards	337	2%
10	Internet Services	312	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Oklahoma consumers (20,350).

**Identity Theft Complaints Count from Oklahoma Victims = 3,337**

*Identity Theft Types Reported by Oklahoma Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	1,434	43%
2	Credit Card Fraud	915	27%
3	Bank Fraud	344	10%
4	Phone or Utilities Fraud	278	8%
5	Loan or Lease Fraud	189	6%
6	Government Documents or Benefits Fraud	179	5%
	Other	425	13%
	Attempted Identity Theft	4	<1%

<sup>1</sup>Percentages are based on the 3,337 victims reporting from Oklahoma. Note that CSN identity theft complaints may be coded under multiple theft types.

# OREGON

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 26,697**

**Fraud and Other Complaints Count from Oregon Consumers = 22,385**

*Top 10 Fraud and Other Complaint Categories Reported by Oregon Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	5,363	24%
2	Debt Collection	3,717	17%
3	Telephone and Mobile Services	2,279	10%
4	Prizes, Sweepstakes and Lotteries	1,758	8%
5	Banks and Lenders	1,671	7%
6	Shop-at-Home and Catalog Sales	1,052	5%
7	Auto-Related Complaints	737	3%
8	Television and Electronic Media	520	2%
9	Internet Services	518	2%
10	Credit Cards	510	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Oregon consumers (22,385).  
 Note: These figures exclude complaints provided by the Oregon Department of Justice.

**Identity Theft Complaints Count from Oregon Victims = 4,312**

*Identity Theft Types Reported by Oregon Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	1,571	36%
2	Employment- or Tax-Related Fraud	1,506	35%
3	Bank Fraud	511	12%
4	Phone or Utilities Fraud	356	8%
5	Government Documents or Benefits Fraud	221	5%
6	Loan or Lease Fraud	168	4%
	Other	513	12%
	Attempted Identity Theft	8	<1%

<sup>1</sup>Percentages are based on the 4,312 victims reporting from Oregon. Note that CSN identity theft complaints may be coded under multiple theft types.

**PENNSYLVANIA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 98,300**

**Fraud and Other Complaints Count from Pennsylvania Consumers = 84,270**

*Top 10 Fraud and Other Complaint Categories Reported by Pennsylvania Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	26,115	31%
2	Impostor Scams	13,911	17%
3	Telephone and Mobile Services	9,947	12%
4	Banks and Lenders	5,253	6%
5	Prizes, Sweepstakes and Lotteries	4,361	5%
6	Shop-at-Home and Catalog Sales	3,394	4%
7	Auto-Related Complaints	2,845	3%
8	Television and Electronic Media	1,802	2%
9	Credit Cards	1,638	2%
10	Credit Bureaus, Information Furnishers and Report Users	1,369	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Pennsylvania consumers (84,270).

**Identity Theft Complaints Count from Pennsylvania Victims = 14,030**

*Identity Theft Types Reported by Pennsylvania Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	5,090	36%
2	Employment- or Tax-Related Fraud	4,309	31%
3	Phone or Utilities Fraud	2,321	17%
4	Bank Fraud	1,313	9%
5	Government Documents or Benefits Fraud	658	5%
6	Loan or Lease Fraud	565	4%
	Other	1,775	13%
	Attempted Identity Theft	25	<1%

<sup>1</sup>Percentages are based on the 14,030 victims reporting from Pennsylvania. Note that CSN identity theft complaints may be coded under multiple theft types.



**RHODE ISLAND**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 8,422**

**Fraud and Other Complaints Count from Rhode Island Consumers = 7,206**

*Top 10 Fraud and Other Complaint Categories Reported by Rhode Island Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	3,124	43%
2	Telephone and Mobile Services	929	13%
3	Impostor Scams	822	11%
4	Banks and Lenders	373	5%
5	Prizes, Sweepstakes and Lotteries	313	4%
6	Shop-at-Home and Catalog Sales	256	4%
7	Auto-Related Complaints	228	3%
8	Credit Cards	112	2%
9	Internet Services	91	1%
10	Television and Electronic Media	66	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Rhode Island consumers (7,206).

**Identity Theft Complaints Count from Rhode Island Victims = 1,216**

*Identity Theft Types Reported by Rhode Island Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	413	34%
2	Credit Card Fraud	406	33%
3	Phone or Utilities Fraud	205	17%
4	Bank Fraud	140	12%
5	Loan or Lease Fraud	101	8%
6	Government Documents or Benefits Fraud	47	4%
	Other	138	11%
	Attempted Identity Theft	3	<1%

<sup>1</sup>Percentages are based on the 1,216 victims reporting from Rhode Island. Note that CSN identity theft complaints may be coded under multiple theft types.

**SOUTH CAROLINA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 39,205**

**Fraud and Other Complaints Count from South Carolina Consumers = 34,767**

*Top 10 Fraud and Other Complaint Categories Reported by South Carolina Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	11,399	33%
2	Impostor Scams	4,965	14%
3	Telephone and Mobile Services	3,491	10%
4	Prizes, Sweepstakes and Lotteries	3,284	9%
5	Banks and Lenders	1,943	6%
6	Shop-at-Home and Catalog Sales	1,366	4%
7	Auto-Related Complaints	1,125	3%
8	Credit Bureaus, Information Furnishers and Report Users	734	2%
9	Television and Electronic Media	687	2%
10	Credit Cards	530	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from South Carolina consumers (34,767).  
 Note: These figures exclude complaints provided by the South Carolina Department of Consumer Affairs.

**Identity Theft Complaints Count from South Carolina Victims = 4,438**

*Identity Theft Types Reported by South Carolina Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	1,388	31%
2	Employment- or Tax-Related Fraud	1,373	31%
3	Phone or Utilities Fraud	687	15%
4	Bank Fraud	485	11%
5	Loan or Lease Fraud	320	7%
6	Government Documents or Benefits Fraud	221	5%
	Other	655	15%
	Attempted Identity Theft	19	<1%

<sup>1</sup>Percentages are based on the 4,438 victims reporting from South Carolina. Note that CSN identity theft complaints may be coded under multiple theft types.

**SOUTH DAKOTA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 3,278**

**Fraud and Other Complaints Count from South Dakota Consumers = 2,775**

*Top 10 Fraud and Other Complaint Categories Reported by South Dakota Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	519	19%
2	Telephone and Mobile Services	333	12%
3	Debt Collection	332	12%
4	Prizes, Sweepstakes and Lotteries	312	11%
5	Shop-at-Home and Catalog Sales	188	7%
6	Banks and Lenders	183	7%
7	Auto-Related Complaints	100	4%
8	Television and Electronic Media	73	3%
9	Internet Services	59	2%
10	Credit Bureaus, Information Furnishers and Report Users	53	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from South Dakota consumers (2,775).

**Identity Theft Complaints Count from South Dakota Victims = 503**

*Identity Theft Types Reported by South Dakota Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	164	33%
2	Credit Card Fraud	157	31%
3	Loan or Lease Fraud	71	14%
4	Bank Fraud	50	10%
5	Phone or Utilities Fraud	36	7%
6	Government Documents or Benefits Fraud	17	3%
	Other	58	12%
	Attempted Identity Theft	3	1%

<sup>1</sup>Percentages are based on the 503 victims reporting from South Dakota. Note that CSN identity theft complaints may be coded under multiple theft types.

**TENNESSEE**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 56,754**

**Fraud and Other Complaints Count from Tennessee Consumers = 51,036**

*Top 10 Fraud and Other Complaint Categories Reported by Tennessee Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	18,129	36%
2	Impostor Scams	7,104	14%
3	Telephone and Mobile Services	5,967	12%
4	Prizes, Sweepstakes and Lotteries	3,482	7%
5	Banks and Lenders	2,408	5%
6	Auto-Related Complaints	1,921	4%
7	Shop-at-Home and Catalog Sales	1,780	3%
8	Television and Electronic Media	1,260	2%
9	Credit Bureaus, Information Furnishers and Report Users	797	2%
10	Credit Cards	706	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Tennessee consumers (51,036).  
 Note: These figures exclude complaints provided by the Tennessee Division of Consumer Affairs.

**Identity Theft Complaints Count from Tennessee Victims = 5,718**

*Identity Theft Types Reported by Tennessee Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	1,950	34%
2	Credit Card Fraud	1,673	29%
3	Phone or Utilities Fraud	715	13%
4	Bank Fraud	670	12%
5	Government Documents or Benefits Fraud	386	7%
6	Loan or Lease Fraud	381	7%
	Other	764	13%
	Attempted Identity Theft	13	<1%

<sup>1</sup>Percentages are based on the 5,718 victims reporting from Tennessee. Note that CSN identity theft complaints may be coded under multiple theft types.

**TEXAS**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 298,561**

**Fraud and Other Complaints Count from Texas Consumers = 265,347**

*Top 10 Fraud and Other Complaint Categories Reported by Texas Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	134,375	51%
2	Telephone and Mobile Services	28,339	11%
3	Impostor Scams	24,927	9%
4	Banks and Lenders	9,687	4%
5	Prizes, Sweepstakes and Lotteries	8,800	3%
6	Auto-Related Complaints	7,836	3%
7	Shop-at-Home and Catalog Sales	6,519	2%
8	Credit Bureaus, Information Furnishers and Report Users	5,240	2%
9	Television and Electronic Media	3,619	1%
10	Credit Cards	3,028	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Texas consumers (265,347).

**Identity Theft Complaints Count from Texas Victims = 33,214**

*Identity Theft Types Reported by Texas Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	11,168	34%
2	Credit Card Fraud	9,482	29%
3	Phone or Utilities Fraud	4,042	12%
4	Bank Fraud	3,975	12%
5	Loan or Lease Fraud	3,052	9%
6	Government Documents or Benefits Fraud	2,006	6%
	Other	4,961	15%
	Attempted Identity Theft	72	<1%

<sup>1</sup>Percentages are based on the 33,214 victims reporting from Texas. Note that CSN identity theft complaints may be coded under multiple theft types.

**UTAH**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 15,290**

**Fraud and Other Complaints Count from Utah Consumers = 12,750**

*Top 10 Fraud and Other Complaint Categories Reported by Utah Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	2,806	22%
2	Debt Collection	2,247	18%
3	Telephone and Mobile Services	1,309	10%
4	Prizes, Sweepstakes and Lotteries	939	7%
5	Banks and Lenders	895	7%
6	Shop-at-Home and Catalog Sales	650	5%
7	Auto-Related Complaints	511	4%
8	Credit Cards	300	2%
9	Internet Services	268	2%
10	Television and Electronic Media	252	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Utah consumers (12,750).

**Identity Theft Complaints Count from Utah Victims = 2,540**

*Identity Theft Types Reported by Utah Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	863	34%
2	Credit Card Fraud	784	31%
3	Loan or Lease Fraud	324	13%
4	Bank Fraud	314	12%
5	Phone or Utilities Fraud	191	8%
6	Government Documents or Benefits Fraud	101	4%
	Other	377	15%
	Attempted Identity Theft	4	<1%

<sup>1</sup>Percentages are based on the 2,540 victims reporting from Utah. Note that CSN identity theft complaints may be coded under multiple theft types.

**VERMONT**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 2,919**

**Fraud and Other Complaints Count from Vermont Consumers = 2,532**

*Top 10 Fraud and Other Complaint Categories Reported by Vermont Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	586	23%
2	Prizes, Sweepstakes and Lotteries	231	9%
3	Telephone and Mobile Services	216	9%
4	Debt Collection	214	8%
5	Banks and Lenders	208	8%
6	Shop-at-Home and Catalog Sales	178	7%
7	Auto-Related Complaints	115	5%
8	Credit Cards	79	3%
9	Television and Electronic Media	67	3%
10	Internet Services	63	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Vermont consumers (2,532).

**Identity Theft Complaints Count from Vermont Victims = 387**

*Identity Theft Types Reported by Vermont Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	145	37%
2	Employment- or Tax-Related Fraud	134	35%
3	Bank Fraud	44	11%
4	Phone or Utilities Fraud	37	10%
5	Loan or Lease Fraud	18	5%
6	Government Documents or Benefits Fraud	16	4%
	Other	43	11%
	Attempted Identity Theft	-	-

<sup>1</sup>Percentages are based on the 387 victims reporting from Vermont. Note that CSN identity theft complaints may be coded under multiple theft types.

**VIRGINIA**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 67,763**

**Fraud and Other Complaints Count from Virginia Consumers = 58,991**

*Top 10 Fraud and Other Complaint Categories Reported by Virginia Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	16,111	27%
2	Impostor Scams	10,475	18%
3	Telephone and Mobile Services	5,491	9%
4	Banks and Lenders	4,276	7%
5	Prizes, Sweepstakes and Lotteries	2,968	5%
6	Shop-at-Home and Catalog Sales	2,476	4%
7	Auto-Related Complaints	2,433	4%
8	Credit Bureaus, Information Furnishers and Report Users	1,565	3%
9	Credit Cards	1,207	2%
10	Television and Electronic Media	1,203	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Virginia consumers (58,991).

**Identity Theft Complaints Count from Virginia Victims = 8,772**

*Identity Theft Types Reported by Virginia Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	3,249	37%
2	Credit Card Fraud	2,526	29%
3	Phone or Utilities Fraud	1,103	13%
4	Bank Fraud	1,088	12%
5	Loan or Lease Fraud	384	4%
6	Government Documents or Benefits Fraud	308	4%
	Other	1,144	13%
	Attempted Identity Theft	18	<1%

<sup>1</sup>Percentages are based on the 8,772 victims reporting from Virginia. Note that CSN identity theft complaints may be coded under multiple theft types.



**WASHINGTON**  
**Consumer Sentinel Network Complaint Figures**  
*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 48,733**

**Fraud and Other Complaints Count from Washington Consumers = 40,423**

*Top 10 Fraud and Other Complaint Categories Reported by Washington Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	9,783	24%
2	Debt Collection	6,463	16%
3	Telephone and Mobile Services	4,234	10%
4	Banks and Lenders	3,042	8%
5	Prizes, Sweepstakes and Lotteries	1,994	5%
6	Shop-at-Home and Catalog Sales	1,923	5%
7	Auto-Related Complaints	1,593	4%
8	Internet Services	1,213	3%
9	Television and Electronic Media	961	2%
10	Credit Cards	871	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Washington consumers (40,423).  
 Note: These figures exclude complaints provided by the Washington Office of Attorney General.

**Identity Theft Complaints Count from Washington Victims = 8,310**

*Identity Theft Types Reported by Washington Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Credit Card Fraud	3,421	41%
2	Employment- or Tax-Related Fraud	2,478	30%
3	Bank Fraud	1,052	13%
4	Phone or Utilities Fraud	696	8%
5	Government Documents or Benefits Fraud	452	5%
6	Loan or Lease Fraud	356	4%
	Other	1,098	13%
	Attempted Identity Theft	19	<1%

<sup>1</sup>Percentages are based on the 8,310 victims reporting from Washington. Note that CSN identity theft complaints may be coded under multiple theft types.

## WEST VIRGINIA

### Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 11,041**

**Fraud and Other Complaints Count from West Virginia Consumers = 9,948**

*Top 10 Fraud and Other Complaint Categories Reported by West Virginia Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	3,441	35%
2	Prizes, Sweepstakes and Lotteries	1,268	13%
3	Debt Collection	812	8%
4	Telephone and Mobile Services	599	6%
5	Shop-at-Home and Catalog Sales	439	4%
6	Banks and Lenders	384	4%
7	Television and Electronic Media	324	3%
8	Auto-Related Complaints	311	3%
9	Internet Services	144	1%
10	Foreign Money Offers and Counterfeit Check Scams	143	1%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from West Virginia consumers (9,948).

**Identity Theft Complaints Count from West Virginia Victims = 1,093**

*Identity Theft Types Reported by West Virginia Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	369	34%
2	Credit Card Fraud	309	28%
3	Phone or Utilities Fraud	193	18%
4	Bank Fraud	98	9%
5	Government Documents or Benefits Fraud	48	4%
6	Loan or Lease Fraud	42	4%
	Other	143	13%
	Attempted Identity Theft	5	<1%

<sup>1</sup>Percentages are based on the 1,093 victims reporting from West Virginia. Note that CSN identity theft complaints may be coded under multiple theft types.

# WISCONSIN

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 31,975**

**Fraud and Other Complaints Count from Wisconsin Consumers = 26,921**

*Top 10 Fraud and Other Complaint Categories Reported by Wisconsin Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Debt Collection	6,247	23%
2	Impostor Scams	4,868	18%
3	Telephone and Mobile Services	2,936	11%
4	Banks and Lenders	1,732	6%
5	Prizes, Sweepstakes and Lotteries	1,701	6%
6	Shop-at-Home and Catalog Sales	1,419	5%
7	Auto-Related Complaints	1,136	4%
8	Television and Electronic Media	693	3%
9	Credit Cards	590	2%
10	Internet Services	580	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Wisconsin consumers (26,921).  
 Note: These figures exclude complaints provided by the Wisconsin Department of Agriculture, Trade and Consumer Protection.

**Identity Theft Complaints Count from Wisconsin Victims = 5,054**

*Identity Theft Types Reported by Wisconsin Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	2,104	42%
2	Credit Card Fraud	1,515	30%
3	Bank Fraud	464	9%
4	Phone or Utilities Fraud	436	9%
5	Loan or Lease Fraud	318	6%
6	Government Documents or Benefits Fraud	225	4%
	Other	560	11%
	Attempted Identity Theft	12	<1%

<sup>1</sup>Percentages are based on the 5,054 victims reporting from Wisconsin. Note that CSN identity theft complaints may be coded under multiple theft types.

# WYOMING

## Consumer Sentinel Network Complaint Figures

*January 1 - December 31, 2016*

**Total Number of Identity Theft, Fraud and Other Consumer Complaints = 2,874**

### Fraud and Other Complaints Count from Wyoming Consumers = 2,437

#### *Top 10 Fraud and Other Complaint Categories Reported by Wyoming Consumers*

Rank	Top Categories	Complaints	Percentage <sup>1</sup>
1	Impostor Scams	489	20%
2	Prizes, Sweepstakes and Lotteries	315	13%
3	Debt Collection	291	12%
4	Telephone and Mobile Services	216	9%
5	Banks and Lenders	155	6%
6	Shop-at-Home and Catalog Sales	153	6%
7	Auto-Related Complaints	92	4%
8	Television and Electronic Media	68	3%
9	Internet Services	64	3%
10	Foreign Money Offers and Counterfeit Check Scams	55	2%

<sup>1</sup>Percentages are based on the total number of CSN fraud and other complaints from Wyoming consumers (2,437).

### Identity Theft Complaints Count from Wyoming Victims = 437

#### *Identity Theft Types Reported by Wyoming Victims*

Rank	Identity Theft Type	Complaints	Percentage <sup>1</sup>
1	Employment- or Tax-Related Fraud	162	37%
2	Credit Card Fraud	124	28%
3	Bank Fraud	49	11%
4	Phone or Utilities Fraud	40	9%
5	Loan or Lease Fraud	33	8%
6	Government Documents or Benefits Fraud	21	5%
	Other	55	13%
	Attempted Identity Theft	1	<1%

<sup>1</sup>Percentages are based on the 437 victims reporting from Wyoming. Note that CSN identity theft complaints may be coded under multiple theft types.



## Appendix A1: The Consumer Sentinel Network



The Consumer Sentinel Network is a free, online database of consumer complaints available only to law enforcement. It includes complaints about identity theft, fraud, financial transactions, debt collection, and credit reports, among other subjects. The Consumer Sentinel Network is based on the premise that sharing information can make law enforcement even more effective. To that end, the Consumer Sentinel Network provides law enforcement members with access to consumer complaints provided directly to the FTC, as well as to complaints shared by other data contributors.

[www.FTC.gov/Sentinel](http://www.FTC.gov/Sentinel)



IdentityTheft.gov makes it easier for victims to report identity theft and to recover from it. When a consumer uses IdentityTheft.gov to report a problem, the site asks specific questions about the consumer's situation, and then uses the information to build a personal recovery plan. IdentityTheft.gov is integrated with the FTC's consumer complaint-gathering system. When consumers use IdentityTheft.gov to report a problem, the site makes information about the crime available to Consumer Sentinel Network law enforcement members. The complaint data becomes part of the Identity Theft Data Clearinghouse, the sole national repository of consumer complaints about identity theft.

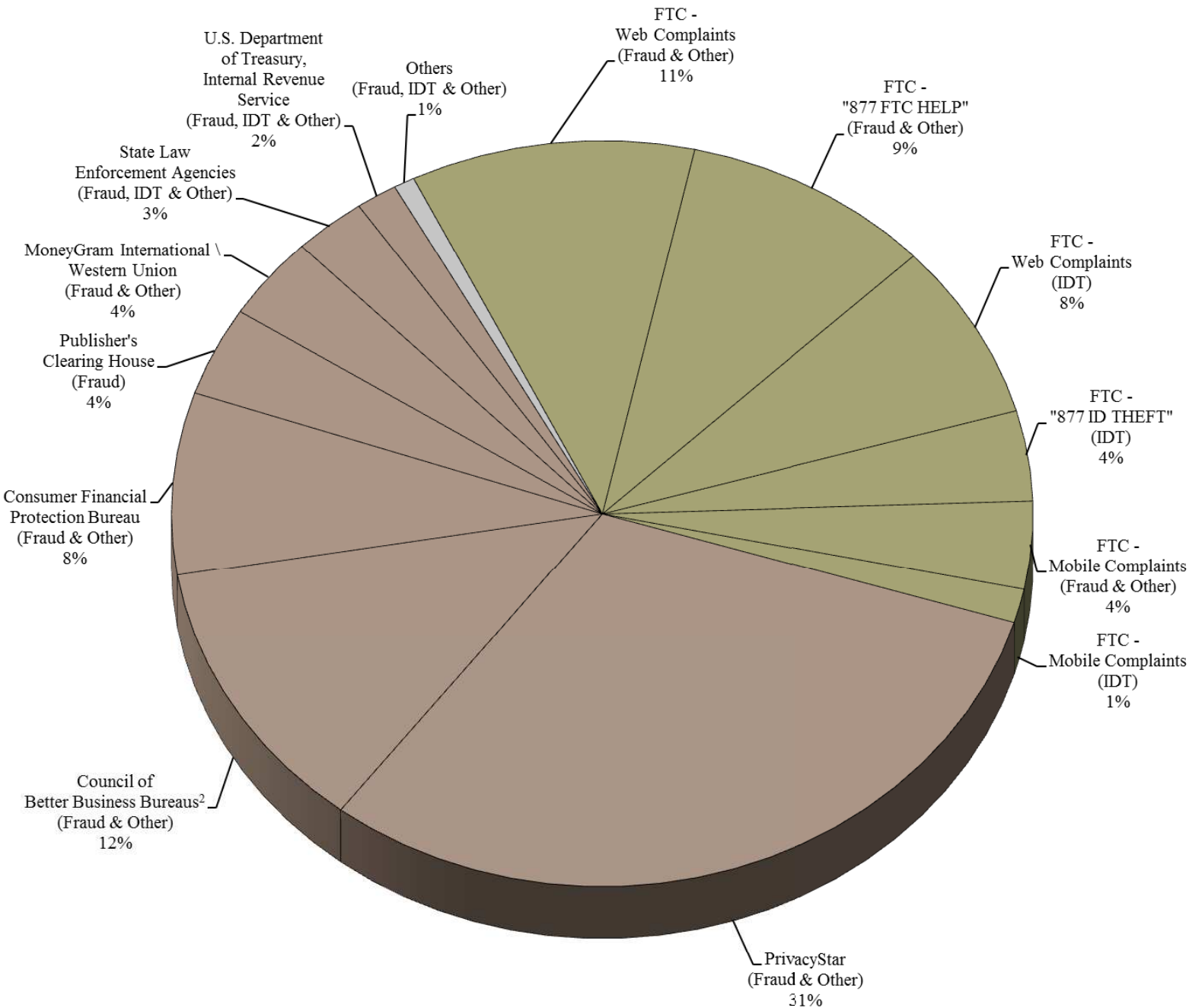
[www.IdentityTheft.gov](http://www.IdentityTheft.gov)



Econsumer.gov was created in April 2001 to gather and share cross-border e-commerce complaints, to respond to the challenges of multinational Internet fraud, and to improve consumer confidence in e-commerce. Today, consumer protection agencies in 36 countries participate in econsumer.gov. Through econsumer.gov, consumers can file cross-border consumer complaints online and learn other steps to take to combat fraud. The website is available in English, French, German, Japanese, Korean, Polish, Spanish, and Turkish. Using the existing Consumer Sentinel Network, the incoming complaints are accessible to certified foreign law enforcement agencies.

[www.econsumer.gov](http://www.econsumer.gov)

## Appendix A2: Consumer Sentinel Network Major Data Contributors<sup>1</sup> January 1 – December 31, 2016



<sup>1</sup>Percentages are based on the total number of Consumer Sentinel Network complaints (3,050,374) received between January 1 and December 31, 2016. The type of complaints provided by the organization is indicated in parentheses.

<sup>2</sup>For a list of Better Business Bureaus contributing to the Consumer Sentinel Network, see Appendix A4.

## Appendix A3: Consumer Sentinel Network Data Contributor Details

January 1 – December 31, 2016

Data Contributors	CY - 2014		CY - 2015		CY - 2016	
	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>
FTC - Web Complaints (Fraud & Other)	210,073	8%	280,467	9%	325,304	11%
FTC - "877 FTC HELP" (Fraud & Other)	267,733	10%	283,044	9%	287,375	9%
FTC - Web Complaints (IDT)	96,873	4%	188,576	6%	234,766	8%
FTC - "877 ID THEFT"	229,826	9%	284,806	9%	119,192	4%
FTC - Mobile Complaints (Fraud & Other)	38,516	1%	76,678	2%	115,984	4%
FTC - Mobile Complaints (IDT) <sup>2</sup>	-	-	-	-	44,982	1%
PrivacyStar	540,198	21%	964,186	31%	934,579	31%
Council of Better Business Bureaus <sup>3</sup>	413,788	16%	406,721	13%	365,219	12%
Consumer Financial Protection Bureau	218,774	8%	232,750	7%	240,633	8%
Publisher's Clearing House	72,733	3%	111,713	4%	117,546	4%
MoneyGram International \ Western Union <sup>4</sup>	70,067	3%	118,118	4%	110,058	4%
<i>MoneyGram International</i>	41,027	2%	82,438	3%	74,320	2%
<i>Western Union</i>	29,040	1%	35,680	1%	35,738	1%
State Law Enforcement Agencies	84,156	3%	88,892	3%	83,231	3%
<i>Ohio Attorney General</i>	15,290	1%	18,847	1%	16,230	1%
<i>North Carolina Department of Justice</i>	8,650	<1%	15,070	<1%	12,773	<1%
<i>Washington Attorney General</i>	11,275	<1%	10,825	<1%	10,220	<1%
<i>California Attorney General</i>	9,718	<1%	6,477	<1%	9,534	<1%
<i>Maine Attorney General</i>	6,755	<1%	7,042	<1%	7,385	<1%
<i>Wisconsin Department of Agriculture, Trade and Consumer Protection</i>	-	-	-	-	5,419	<1%
<i>Indiana Attorney General</i>	4,670	<1%	4,832	<1%	4,800	<1%
<i>Massachusetts Attorney General</i>	7,641	<1%	9,429	<1%	4,005	<1%
<i>Michigan Attorney General</i>	4,042	<1%	3,834	<1%	3,233	<1%
<i>Oregon Department of Justice</i>	4,498	<1%	2,514	<1%	2,507	<1%
<i>Iowa Attorney General</i>	1,832	<1%	1,899	<1%	2,030	<1%
<i>South Carolina Department of Consumer Affairs</i>	2,446	<1%	2,291	<1%	1,762	<1%
<i>Colorado Attorney General</i>	1,237	<1%	1,096	<1%	868	<1%
<i>Tennessee Division of Consumer Affairs</i>	2,841	<1%	1,952	<1%	790	<1%
<i>Idaho Attorney General</i>	660	<1%	601	<1%	425	<1%
<i>Nevada Attorney General</i>	423	<1%	661	<1%	343	<1%
<i>Alaska Attorney General</i>	262	<1%	382	<1%	319	<1%
<i>Montana Department of Justice</i>	668	<1%	529	<1%	235	<1%
<i>Hawaii Office of Consumer Protection</i>	641	<1%	330	<1%	208	<1%
<i>Mississippi Attorney General</i>	482	<1%	240	<1%	122	<1%
<i>Louisiana Attorney General</i>	125	<1%	41	<1%	23	<1%
U.S. Department of the Treasury, Internal Revenue Service	22,136	1%	64,043	2%	47,480	2%
Others	368,824	14%	40,809	1%	24,025	1%
<i>U.S. Department of Education</i>	217	<1%	176	<1%	7,762	<1%
<i>National Consumers League</i>	9,470	<1%	10,506	<1%	6,632	<1%
<i>Scam Detector</i>	-	-	930	<1%	3,288	<1%
<i>Green Dot</i>	106,353	4%	9,752	<1%	1,908	<1%
<i>U.S. Department of Veterans Affairs</i>	1,583	<1%	2,064	<1%	869	<1%
<i>Lawyers' Committee for Civil Rights</i>	5,000	<1%	3,184	<1%	668	<1%
<i>Los Angeles County Department of Consumer Affairs</i>	931	<1%	814	<1%	607	<1%
<i>Financial Fraud Enforcement Task Force</i>	671	<1%	708	<1%	456	<1%
<i>Dataguard Energy Privacy Program</i>	-	-	2	<1%	419	<1%
<i>Canada Competition Bureau</i>	1,750	<1%	1,252	<1%	350	<1%
<i>Iowa Clinton County Sheriff's Office</i>	154	<1%	348	<1%	327	<1%
<i>Nevada Department of Business and Industry</i>	402	<1%	315	<1%	325	<1%
<i>Xerox Corporation</i>	12	<1%	121	<1%	133	<1%
<i>Other Data Contributors</i>	974	<1%	529	<1%	281	<1%
<i>Canadian Anti-Fraud Centre<sup>5</sup></i>	11,385	<1%	10,108	<1%	-	-
<i>Identity Theft Assistance Center<sup>5</sup></i>	4,885	<1%	-	-	-	-
<i>Internet Crime Complaint Center<sup>5</sup></i>	225,037	9%	-	-	-	-

<sup>1</sup>Percentages are based on the total number of CSN complaints: CY-2014 = 2,633,697; CY-2015 = 3,140,803; and CY-2016 = 3,050,374.

<sup>2</sup>FTC - Mobile Complaints (IDT) was activated in CY-2016 when IdentityTheft.gov began accepting complaints via mobile devices.

<sup>3</sup>For a list of Better Business Bureaus contributing to the Consumer Sentinel Network, see Appendix A4.

<sup>4</sup>MoneyGram International provides the FTC certain types of complaints that Western Union does not, such as complaints from consumers outside the United States and information about additional transactions that MoneyGram has linked to a consumer fraud complaint after investigating the transaction and contacting the sender.

<sup>5</sup>Canadian Anti-Fraud Centre stopped contributing complaints in CY-2016; Identity Theft Assistance Center and Internet Crime Complaint Center stopped contributing complaints in CY-2015.

## Appendix A4: Consumer Sentinel Network Better Business Bureau Data Contributors *January 1 – December 31, 2016*

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Alabama, Birmingham	Kentucky, Louisville	Ohio, Youngstown
Alabama, Huntsville	Louisiana, Baton Rouge	Oklahoma, Oklahoma City
Alberta, Calgary (Canada)	Louisiana, Lafayette (Acadiana)	Oklahoma, Tulsa
Alberta, Edmonton (Canada)	Louisiana, Lake Charles	Ontario, London (Canada)
Arizona, Phoenix	Louisiana, Monroe	Ontario, Ottawa (Canada)
Arizona, Tucson	Louisiana, New Orleans	Pennsylvania, Pittsburgh
Arkansas, Little Rock	Louisiana, Shreveport	Saskatchewan, Regina (Canada)
British Columbia, Vancouver (Canada)	Manitoba, Winnipeg (Canada)	South Carolina, Columbia
British Columbia, Victoria (Canada)	Maryland, Baltimore	South Carolina, Greenville
California, Fresno	Massachusetts, Boston	South Carolina, Myrtle Beach
California, Oakland	Massachusetts, Worcester	Tennessee, Chattanooga
California, Sacramento	Michigan, Detroit (Eastern)	Tennessee, Knoxville
California, San Diego	Michigan, Grand Rapids	Tennessee, Memphis
California, San Jose (Silicon Valley)	Minnesota, Saint Paul	Tennessee, Nashville
California, Santa Barbara (Tri-Counties)	Mississippi, Jackson	Texas, Abilene
Colorado, Colorado Springs	Missouri, Kansas City	Texas, Amarillo
Colorado, Denver	Missouri, Saint Louis	Texas, Austin
Colorado, Fort Collins	Missouri, Springfield	Texas, Beaumont
Colorado, Mexico City	Nebraska, Omaha	Texas, Brazos Valley (Bryan)
Connecticut, Wallingford	Nevada, Las Vegas	Texas, Dallas
Delaware, Wilmington	Nevada, Reno	Texas, El Paso
District of Columbia, Washington	New Hampshire, Concord	Texas, Fort Worth
Florida, Clearwater	New Jersey, Trenton	Texas, Houston
Florida, Jacksonville (Northeast Florida)	New Mexico, Albuquerque	Texas, Lubbock (South Plains)
Florida, Orlando	New York, Buffalo	Texas, San Angelo
Florida, Pensacola	New York, New York City	Texas, Tyler
Florida, West Palm Beach	North Carolina, Asheville	Texas, Wichita Falls
Georgia, Atlanta, Athens and Northeast Georgia	North Carolina, Charlotte	Utah, Salt Lake City
Georgia, Columbus	North Carolina, Greensboro	Virginia, Norfolk
Georgia, Macon	North Carolina, Raleigh	Virginia, Richmond
Hawaii, Honolulu	North Carolina, Winston-Salem	Virginia, Roanoke
Idaho, Boise	Nova Scotia, Halifax (Canada)	Washington, DuPont
Illinois, Chicago	Ohio, Akron	Washington, Spokane
Illinois, Peoria	Ohio, Canton	Wisconsin, Milwaukee
Indiana, Evansville	Ohio, Cincinnati	
Indiana, Fort Wayne	Ohio, Cleveland	
Indiana, Indianapolis	Ohio, Columbus	
Iowa, Des Moines	Ohio, Dayton	
Kentucky, Lexington	Ohio, Toledo	



## Appendix B1: Consumer Sentinel Network Complaint Category Descriptions by Complaint Type

Fraud Complaint Categories
<b>Advance Payments for Credit Services:</b> The promise of a loan or credit card that requires you to pay a fee first; worthless credit card loss protection and insurance programs; the promise that accurate negative information can be removed from your credit file for a fee; services offering to recover government refunds or unclaimed funds; etc.
<b>Business and Job Opportunities:</b> Complaints about franchise or business opportunities: promotion of distributing goods and services, provided by the promoter, with assistance in the form of locations, accounts or customers. Also, complaints about work-at-home plans: an offer a consumer may receive or seek out to work directly from home (e.g. stuffing envelopes or processing medical claims), as well as complaints about multi-level marketing schemes, employment agencies or job counseling, overseas work, inventions or idea promotions.
<b>Buyers' Clubs:</b> Complaints involving free trials or discounts on products and services; a buyers' club membership becomes a fraud when consumers are billed for "memberships" they did not agree to purchase. Frequently, consumers are offered a free trial offer and are automatically enrolled and charged fees once the free trial period is over.
<b>Charitable Solicitations:</b> Misleading pitches for donations to benefit local service organizations; solicitations for bogus charity or relief organizations; etc.
<b>Foreign Money Offers and Counterfeit Check Scams:</b> Letters or e-mails offering the "opportunity" to share in a percentage of millions of dollars that a self-proclaimed government official is trying to transfer illegally out of a foreign country in return for money, bank account numbers or other identifying information from the victim; fraudulent schemes involving foreign lotteries, mystery shoppers or Internet purchases\classified ads in which a counterfeit check overpayment is received along with a request to wire back the difference immediately after check deposit, leaving the victim responsible for the funds withdrawn; etc.
<b>Grants:</b> Deceptive practices by businesses or individuals marketing either government grant opportunities or financial aid assistance services; problems with student loan processors, debt collectors collecting on defaulted student loans, diploma mills and other unaccredited educational institutions; etc.
<b>Health Care:</b> Fraudulent, misleading or deceptive claims for vision correction procedures; dietary supplements; weight loss products or services; impotency treatments; health spas and equipments; infertility services; sunscreens; HIV test kits; medical discount plans; as well as complaints about over-the-counter or prescription drugs; other medical products, supplies or treatments; etc.
<b>Impostor Scams:</b> Complaints about scammers claiming to be friends, family, a romantic interest, a computer technician, companies or government agencies to induce people to send money or divulge personal information. Complaints include the following: scammers posing as friends or relatives stranded in foreign countries without money; scammers claiming to be working for or affiliated with a government agency; scammers claiming to be a computer technician offering unnecessary software services; and scammers claiming to be affiliated with a private entity (e.g. a charity or company).
<b>Internet Auction:</b> Non-delivery or late delivery of goods; delivery of goods that are less valuable than advertised; failure to disclose all the relevant information about the product or terms of the sale; etc.
<b>Internet Services:</b> Problems with trial offers from Internet Service Providers ("ISPs"); difficulty canceling an ISP account; issues with Internet entertainment services, Internet gaming and social networking services; undisclosed charges; website design and hosting services; spyware, adware and malware issues; as well as general complaints about information or functionality related to websites; etc.
<b>Investment-Related Complaints:</b> Investment opportunities in day trading; gold and gems; art; rare coins; other investment products; as well as complaints about companies that offer advice or seminars on investments; etc.
<b>Magazines and Books:</b> Pitches for "free," "pre-paid," or "special" magazine or book subscription deals; etc.
<b>Mortgage Foreclosure Relief and Debt Management:</b> Complaints about mortgage lenders, brokers and other entities making false promises to save consumers' homes from foreclosure; mortgage refinancing, mortgage term modifications and debt management issues; credit organizations charging excessive fees, making false promises to provide free services, pay creditors or reduce interest rates.
<b>Office Supplies and Services:</b> Fraudulent or deceptive offers for toner, copier paper, maintenance supplies, equipment maintenance contracts; classified advertising and yellow page invoice scams; website cramming schemes; etc.
<b>Prizes, Sweepstakes and Lotteries:</b> Promotions for "free" prizes for a fee; foreign lotteries and sweepstakes offered through the phone, fax, e-mail or mail; etc.
<b>Shop-at-Home and Catalog Sales:</b> Problems, such as undisclosed costs, failure to deliver on time, non-delivery and refusal to honor a guarantee, with purchases made via the Internet (not including auction sales), telephone or mail.
<b>Tax Preparers:</b> Complaints about companies that engage in "skimming" consumer tax refunds or charging inflated fees while promising substantial refunds. Also, companies aiding consumers in willfully and intentionally falsifying information on a tax return to limit the amount of tax liability. Complaints include entities pretending to be tax preparers or the IRS in order to obtain funds or information from consumers.
<b>Telephone and Mobile Services:</b> Complaints about advertising related to mobile plans, rates or coverage areas; unsolicited mobile text messages; problems with mobile applications or downloads; other mobile device problems; charges for calls to "toll-free" numbers; unauthorized charges, such as charges for calls consumers did not make; unauthorized switching of consumers' phone service provider; misleading pre-paid phone card offers; as well as complaints about VoIP services; unsolicited faxes; etc.
<b>Travel, Vacations and Timeshare Plans:</b> Deceptive offers for "free" or low-cost vacations; cut-rate student travel packages; misleading timeshare offers; etc.

## Appendix B1: Consumer Sentinel Network Complaint Category Descriptions by Complaint Type

<b>Identity Theft Complaint Category</b>
<b>Identity Theft:</b> When someone appropriates your personal identifying information (like your Social Security number or credit card account number) to commit fraud or theft.

<b>Other Complaint Categories</b>
<b>Auto-Related Complaints:</b> Misleading or deceptive claims regarding auto prices, financing, leasing or warranties; repair/maintenance issues with newly purchased used or new cars, including dissatisfaction with service provided by auto mechanics; price fixing and price gouging concerns against gas stations and oil companies; etc.
<b>Banks and Lenders:</b> Deceptive or predatory mortgage lending practices; problems with modification of mortgage terms; miscellaneous customer service and account issues with bank or credit union products, including payday loans, student loans, auto title loans, fees and overdraft charges; other finance company lending products, services and practices; etc.
<b>Computer Equipment and Software:</b> Problems with computer software, hardware and computer equipment purchases; unwanted or unauthorized software installations and downloads; etc.
<b>Credit Bureaus, Information Furnishers and Report Users:</b> Credit Reporting Agency (CRA) or furnisher provides inaccurate information or fails to reinvestigate disputed information; CRA provides inadequate phone help; difficulties ordering free annual credit reports; impermissible access to inquiry on credit reports; etc.
<b>Credit Cards:</b> Account or billing issues, including interest rate changes, late fees, credit disputes and overcharges; fraudulent credit card offers/phishing attempts; etc.
<b>Debt Collection:</b> Debt collector calls repeatedly or continuously, falsely represents the amount or status of debt, fails to send written notice of debt, falsely threatens suit, uses profane language, fails to identify self as debt collector and/or violates other provisions of the Fair Debt Collection Practices Act.
<b>Education:</b> Complaints about trade or vocational school services, including issues related to accreditation, billing and collection, or institutional advertising claims related to usefulness of the degree or job prospects after graduation. Also, complaints about traditional colleges and universities.
<b>Funeral Services:</b> Complaints about the quality, services, price, or price disclosures of funeral service providers.
<b>Home Repair, Improvement and Products:</b> Defective furniture or appliances; service or warranty-related issues; furniture or appliance delivery problems, including receiving wrong or incomplete products; problems with home repair services and contractors; issues with home protection devices or services; as well as complaints about general housing-related issues; etc.
<b>Television and Electronic Media:</b> Problems with TV reception, installation, billing and promotions for cable/satellite providers; miscellaneous problems with music/DVD/video game purchases; as well as complaints about television programming or advertisements.



## Appendix B2: Consumer Sentinel Network Complaint Categories<sup>1</sup>

### *Calendar Years 2014 through 2016*

Category	CY - 2014		CY - 2015		CY - 2016	
	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>	Complaints	Percentages <sup>1</sup>
Advance Payments for Credit Services	38,870	1.48%	25,317	0.81%	17,904	0.59%
Auto-Related Complaints	95,039	3.61%	103,768	3.30%	94,673	3.10%
Banks and Lenders	134,933	5.12%	137,946	4.39%	143,987	4.72%
Business and Job Opportunities	21,051	0.80%	17,717	0.56%	14,484	0.47%
Buyers' Clubs	1,420	0.05%	1,540	0.05%	752	0.02%
Charitable Solicitations	2,747	0.10%	2,944	0.09%	2,970	0.10%
Computer Equipment and Software	13,269	0.50%	8,861	0.28%	9,312	0.31%
Credit Bureaus, Information Furnishers and Report Users	39,416	1.50%	44,177	1.41%	49,679	1.63%
Credit Cards	33,001	1.25%	39,407	1.25%	42,003	1.38%
Debt Collection	284,064	10.79%	902,013	28.72%	859,090	28.16%
Education	6,052	0.23%	7,614	0.24%	8,815	0.29%
Foreign Money Offers and Counterfeit Check Scams	21,458	0.81%	25,341	0.81%	26,428	0.87%
Funeral Services	1,229	0.05%	1,222	0.04%	1,212	0.04%
Grants	8,128	0.31%	4,239	0.13%	4,969	0.16%
Health Care	40,971	1.56%	36,813	1.17%	25,791	0.85%
Home Repair, Improvement and Products	8,376	0.32%	8,571	0.27%	6,103	0.20%
Identity Theft	332,647	12.63%	490,226	15.61%	399,225	13.09%
Impostor Scams	282,688	10.73%	356,546	11.35%	406,578	13.33%
Internet Auction	19,790	0.75%	2,569	0.08%	2,077	0.07%
Internet Services	48,546	1.84%	44,788	1.43%	40,086	1.31%
Investment-Related Complaints	11,218	0.43%	27,746	0.88%	21,604	0.71%
Magazines and Books	12,555	0.48%	9,521	0.30%	7,113	0.23%
Mortgage Foreclosure Relief and Debt Management	12,971	0.49%	10,620	0.34%	7,693	0.25%
Office Supplies and Services	12,891	0.49%	10,807	0.34%	7,977	0.26%
Prizes, Sweepstakes and Lotteries	103,840	3.94%	140,519	4.47%	141,643	4.64%
Shop-at-Home and Catalog Sales	73,363	2.79%	101,206	3.22%	109,831	3.60%
Tax Preparers	6,431	0.24%	3,477	0.11%	3,899	0.13%
Telephone and Mobile Services	174,587	6.63%	277,900	8.85%	292,155	9.58%
Television and Electronic Media	51,612	1.96%	53,668	1.71%	49,546	1.62%
Travel, Vacations and Timeshare Plans	27,811	1.06%	25,287	0.81%	17,244	0.57%

<sup>1</sup>Percentages are based on the total number of CSN complaints for each calendar year: CY-2014 = 2,633,697; CY-2015 = 3,140,803; CY-2016 = 3,050,374. Note that counts and percentages may not add up to the total in each category because CSN complaints may have multiple product service codes.

## Appendix B3: Consumer Sentinel Network Complaint Category Details<sup>1</sup> Calendar Years 2014 through 2016

### Advance Payments for Credit Services

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Advance-Fee Loans, Credit Arrangers	34,656	1.32%	20,614	0.66%	14,558	0.48%
Credit Card Loss Protection	373	0.01%	274	0.01%	221	0.01%
Credit Repair	2,272	0.09%	1,897	0.06%	1,576	0.05%
Recovery\Refund Companies	1,569	0.06%	2,533	0.08%	1,551	0.05%
<b>Count\Percentage:</b>	<b>38,870</b>	<b>1.48%</b>	<b>25,317</b>	<b>0.81%</b>	<b>17,904</b>	<b>0.59%</b>

### Auto-Related Complaints

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Auto: Financing	5,573	0.21%	7,334	0.23%	8,025	0.26%
Auto: Gas	1,314	0.05%	246	0.01%	154	0.01%
Auto: Parts & Repairs	5,452	0.21%	6,172	0.20%	4,328	0.14%
Auto: Renting & Leasing	11,698	0.44%	13,698	0.44%	11,870	0.39%
Auto: Sales – New	38,297	1.45%	41,914	1.33%	37,976	1.24%
Auto: Sales – Used	29,547	1.12%	30,411	0.97%	28,316	0.93%
Auto: Warranty Plans & Services	4,591	0.17%	5,336	0.17%	5,399	0.18%
<b>Count\Percentage:</b>	<b>95,039</b>	<b>3.61%</b>	<b>103,768</b>	<b>3.30%</b>	<b>94,673</b>	<b>3.10%</b>

### Banks and Lenders

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Banks, Savings & Loans, and Credit Unions	40,852	1.55%	44,412	1.41%	46,241	1.52%
Lending: Auto Title Loans	490	0.02%	872	0.03%	670	0.02%
Lending: Banks & Credit Unions	1,733	0.07%	654	0.02%	660	0.02%
Lending: Finance Company	7,704	0.29%	8,081	0.26%	8,290	0.27%
Lending: Mortgage	58,618	2.23%	58,431	1.86%	53,771	1.76%
Lending: Other Institutions	7,893	0.30%	7,894	0.25%	11,162	0.37%
Lending: Payday Loans	10,598	0.40%	9,464	0.30%	6,749	0.22%
Lending: Student Loans	7,162	0.27%	8,210	0.26%	16,536	0.54%
<b>Count\Percentage:</b>	<b>134,933</b>	<b>5.12%</b>	<b>137,946</b>	<b>4.39%</b>	<b>143,987</b>	<b>4.72%</b>

### Business and Job Opportunities

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Business Opportunities\Work-At-Home Plans	10,144	0.39%	8,566	0.27%	7,248	0.24%
Employ Agencies\Job Counsel\Overseas Work	8,715	0.33%	6,825	0.22%	5,011	0.16%
Franchises\Distributorships	391	0.01%	376	0.01%	359	0.01%
Inventions\Idea Promotions	556	0.02%	608	0.02%	537	0.02%
Multi-Level Mktg\Pyramids\Chain Letters	1,790	0.07%	1,725	0.05%	1,613	0.05%
<b>Count\Percentage:</b>	<b>21,051</b>	<b>0.80%</b>	<b>17,717</b>	<b>0.56%</b>	<b>14,484</b>	<b>0.47%</b>

### Buyers' Clubs

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Buyers Clubs (not travel or lottery)	1,420	0.05%	1,540	0.05%	752	0.02%
<b>Count\Percentage:</b>	<b>1,420</b>	<b>0.05%</b>	<b>1,540</b>	<b>0.05%</b>	<b>752</b>	<b>0.02%</b>

### Charitable Solicitations

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Charitable Solicitations	2,747	0.10%	2,944	0.09%	2,970	0.10%
<b>Count\Percentage:</b>	<b>2,747</b>	<b>0.10%</b>	<b>2,944</b>	<b>0.09%</b>	<b>2,970</b>	<b>0.10%</b>

<sup>1</sup>Percentages are based on the total number of CSN complaints for each calendar year: CY-2014 = 2,633,697; CY-2015 = 3,140,803; CY-2016 = 3,050,374. Note that counts and percentages may not add up to the total in each category because CSN complaints may have multiple product service codes.

## Appendix B3: Consumer Sentinel Network Complaint Category Details<sup>1</sup> Calendar Years 2014 through 2016

### Computer Equipment and Software

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Computers: Equipment\Software	13,269	0.50%	8,861	0.28%	9,312	0.31%
<b>Count\Percentage:</b>	<b>13,269</b>	<b>0.50%</b>	<b>8,861</b>	<b>0.28%</b>	<b>9,312</b>	<b>0.31%</b>

### Credit Bureaus, Information Furnishers and Report Users

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Credit Bureaus	38,904	1.48%	43,539	1.39%	49,127	1.61%
Credit Information Furnishers	1,166	0.04%	1,297	0.04%	962	0.03%
Credit Report Users	184	0.01%	203	0.01%	207	0.01%
<b>Count\Percentage:</b>	<b>39,416</b>	<b>1.50%</b>	<b>44,177</b>	<b>1.41%</b>	<b>49,679</b>	<b>1.63%</b>

### Credit Cards

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Credit Cards	33,001	1.25%	39,407	1.25%	42,003	1.38%
<b>Count\Percentage:</b>	<b>33,001</b>	<b>1.25%</b>	<b>39,407</b>	<b>1.25%</b>	<b>42,003</b>	<b>1.38%</b>

### Debt Collection

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Creditor Debt Collection	1,354	0.05%	2,561	0.08%	2,146	0.07%
Third Party Debt Collection	282,731	10.74%	899,466	28.64%	856,952	28.09%
<b>Count\Percentage:</b>	<b>284,064</b>	<b>10.79%</b>	<b>902,013</b>	<b>28.72%</b>	<b>859,090</b>	<b>28.16%</b>

### Education

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Education: Colleges and Universities	2,496	0.09%	4,591	0.15%	6,218	0.20%
Education: Trade\Vocational Schools	3,614	0.14%	3,090	0.10%	2,692	0.09%
<b>Count\Percentage:</b>	<b>6,052</b>	<b>0.23%</b>	<b>7,614</b>	<b>0.24%</b>	<b>8,815</b>	<b>0.29%</b>

### Foreign Money Offers and Counterfeit Check Scams

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Counterfeit Check Scams	12,781	0.49%	14,439	0.46%	16,090	0.53%
Foreign Money Offers	8,678	0.33%	10,904	0.35%	10,341	0.34%
<b>Count\Percentage:</b>	<b>21,458</b>	<b>0.81%</b>	<b>25,341</b>	<b>0.81%</b>	<b>26,428</b>	<b>0.87%</b>

### Funeral Services

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Funeral Services	1,229	0.05%	1,222	0.04%	1,212	0.04%
<b>Count\Percentage:</b>	<b>1,229</b>	<b>0.05%</b>	<b>1,222</b>	<b>0.04%</b>	<b>1,212</b>	<b>0.04%</b>

### Grants

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Grants: Non-Educational	6,375	0.24%	3,109	0.10%	4,046	0.13%
Scholarships\Educational Grants	1,754	0.07%	1,130	0.04%	923	0.03%
<b>Count\Percentage:</b>	<b>8,128</b>	<b>0.31%</b>	<b>4,239</b>	<b>0.13%</b>	<b>4,969</b>	<b>0.16%</b>

<sup>1</sup>Percentages are based on the total number of CSN complaints for each calendar year: CY-2014 = 2,633,697; CY-2015 = 3,140,803; CY-2016 = 3,050,374. Note that counts and percentages may not add up to the total in each category because CSN complaints may have multiple product service codes.

## Appendix B3: Consumer Sentinel Network Complaint Category Details<sup>1</sup> Calendar Years 2014 through 2016

### Health Care

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Health Care: Diet Products\Centers\Plans	20,641	0.78%	16,974	0.54%	7,766	0.25%
Health Care: Dietary Supplements\Herbal Remedies	3,516	0.13%	2,761	0.09%	2,388	0.08%
Health Care: Drugs-OTC\Prescription	941	0.04%	966	0.03%	875	0.03%
Health Care: Eye Care	3,190	0.12%	3,350	0.11%	2,363	0.08%
Health Care: Medical Discount Plans\Cards\Insurance	3,170	0.12%	3,317	0.11%	3,369	0.11%
Health Care: Other Medical Treatments	2,456	0.09%	2,638	0.08%	2,473	0.08%
Health Care: Other Products\Supplies	7,112	0.27%	6,862	0.22%	6,611	0.22%
<b>Count\Percentage:</b>	<b>40,971</b>	<b>1.56%</b>	<b>36,813</b>	<b>1.17%</b>	<b>25,791</b>	<b>0.85%</b>

### Home Repair, Improvement and Products

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Home Appliances	1,685	0.06%	1,644	0.05%	1,488	0.05%
Home Furnishings	1,004	0.04%	1,194	0.04%	841	0.03%
Home Protection Devices	837	0.03%	997	0.03%	686	0.02%
Home Repair	1,886	0.07%	2,138	0.07%	1,543	0.05%
Housing	2,997	0.11%	2,613	0.08%	1,553	0.05%
<b>Count\Percentage:</b>	<b>8,376</b>	<b>0.32%</b>	<b>8,571</b>	<b>0.27%</b>	<b>6,103</b>	<b>0.20%</b>

### Identity Theft

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Identity Theft	332,647	12.63%	490,226	15.61%	399,225	13.09%
<b>Count\Percentage:</b>	<b>332,647</b>	<b>12.63%</b>	<b>490,226</b>	<b>15.61%</b>	<b>399,225</b>	<b>13.09%</b>

### Impostor Scams

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Impostor: Business	102,868	3.91%	69,871	2.22%	64,351	2.11%
Impostor: Family\Friend	14,527	0.55%	10,867	0.35%	14,898	0.49%
Impostor: Government	160,837	6.11%	229,144	7.30%	272,837	8.94%
Romance Scams	5,241	0.20%	8,498	0.27%	11,149	0.37%
Tech Support Scams	134	0.01%	40,004	1.27%	45,319	1.49%
<b>Count\Percentage:</b>	<b>282,688</b>	<b>10.73%</b>	<b>356,546</b>	<b>11.35%</b>	<b>406,578</b>	<b>13.33%</b>

### Internet Auction

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Internet Auction	19,790	0.75%	2,569	0.08%	2,077	0.07%
<b>Count\Percentage:</b>	<b>19,790</b>	<b>0.75%</b>	<b>2,569</b>	<b>0.08%</b>	<b>2,077</b>	<b>0.07%</b>

### Internet Services

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Internet Access Services	7,087	0.27%	7,565	0.24%	6,991	0.23%
Internet Gaming	3,121	0.12%	3,621	0.12%	2,835	0.09%
Internet Information Services	27,691	1.05%	25,745	0.82%	22,189	0.73%
Internet Web Site Design\Promotion	3,963	0.15%	3,705	0.12%	3,179	0.10%
Social Networking Service	1,273	0.05%	1,345	0.04%	3,642	0.12%
Spyware\Adware\Malware	5,445	0.21%	2,827	0.09%	1,266	0.04%
<b>Count\Percentage:</b>	<b>48,546</b>	<b>1.84%</b>	<b>44,788</b>	<b>1.43%</b>	<b>40,086</b>	<b>1.31%</b>

<sup>1</sup>Percentages are based on the total number of CSN complaints for each calendar year: CY-2014 = 2,633,697; CY-2015 = 3,140,803; CY-2016 = 3,050,374. Note that counts and percentages may not add up to the total in each category because CSN complaints may have multiple product service codes.

## Appendix B3: Consumer Sentinel Network Complaint Category Details<sup>1</sup> Calendar Years 2014 through 2016

### Investment-Related Complaints

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Invest: Advice, Seminars	5,530	0.21%	7,872	0.25%	6,882	0.23%
Invest: Art\Gems\Rare Coins	587	0.02%	522	0.02%	514	0.02%
Invest: Other (note in comments)	4,197	0.16%	18,129	0.58%	13,276	0.44%
Invest: Stocks\Commodity Futures Trading	908	0.03%	1,224	0.04%	933	0.03%
<b>Count\Percentage:</b>	<b>11,218</b>	<b>0.43%</b>	<b>27,746</b>	<b>0.88%</b>	<b>21,604</b>	<b>0.71%</b>

### Magazines and Books

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Books	3,014	0.11%	2,358	0.08%	1,521	0.05%
Magazines	9,838	0.37%	7,383	0.24%	5,789	0.19%
<b>Count\Percentage:</b>	<b>12,555</b>	<b>0.48%</b>	<b>9,521</b>	<b>0.30%</b>	<b>7,113</b>	<b>0.23%</b>

### Mortgage Foreclosure Relief and Debt Management

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Debt Management\Credit Counseling	5,144	0.20%	5,762	0.18%	5,596	0.18%
Mortgage Modification\Foreclosure Relief	7,829	0.30%	4,858	0.15%	2,098	0.07%
<b>Count\Percentage:</b>	<b>12,971</b>	<b>0.49%</b>	<b>10,620</b>	<b>0.34%</b>	<b>7,693</b>	<b>0.25%</b>

### Office Supplies and Services

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Office Supplies and Services	4,300	0.16%	3,716	0.12%	2,878	0.09%
Office: Ad Space\Directory Listings	8,592	0.33%	7,091	0.23%	5,100	0.17%
<b>Count\Percentage:</b>	<b>12,891</b>	<b>0.49%</b>	<b>10,807</b>	<b>0.34%</b>	<b>7,977</b>	<b>0.26%</b>

### Prizes, Sweepstakes and Lotteries

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Prizes\Sweepstakes\Lotteries	103,840	3.94%	140,519	4.47%	141,643	4.64%
<b>Count\Percentage:</b>	<b>103,840</b>	<b>3.94%</b>	<b>140,519</b>	<b>4.47%</b>	<b>141,643</b>	<b>4.64%</b>

### Shop-at-Home and Catalog Sales

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Shop-at-Home\Catalog Sales	73,363	2.79%	101,206	3.22%	109,831	3.60%
<b>Count\Percentage:</b>	<b>73,363</b>	<b>2.79%</b>	<b>101,206</b>	<b>3.22%</b>	<b>109,831</b>	<b>3.60%</b>

### Tax Preparers

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Tax Preparers	6,431	0.24%	3,477	0.11%	3,899	0.13%
<b>Count\Percentage:</b>	<b>6,431</b>	<b>0.24%</b>	<b>3,477</b>	<b>0.11%</b>	<b>3,899</b>	<b>0.13%</b>

<sup>1</sup>Percentages are based on the total number of CSN complaints for each calendar year: CY-2014 = 2,633,697; CY-2015 = 3,140,803; CY-2016 = 3,050,374. Note that counts and percentages may not add up to the total in each category because CSN complaints may have multiple product service codes.

## Appendix B3: Consumer Sentinel Network Complaint Category Details<sup>1</sup> Calendar Years 2014 through 2016

### Telephone and Mobile Services

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Mobile: Applications\Other Downloads	1,508	0.06%	1,333	0.04%	1,330	0.04%
Mobile: Carrier Rates\Plans	6,429	0.24%	6,803	0.22%	5,033	0.16%
Mobile: Other	49,408	1.88%	47,600	1.52%	43,694	1.43%
Mobile: Text Messages	106,452	4.04%	206,867	6.59%	227,747	7.47%
Mobile: Unauthorized Charges or Debits	1,678	0.06%	1,928	0.06%	1,237	0.04%
Telephone: Carrier Switching	482	0.02%	467	0.01%	461	0.02%
Telephone: Other	8,283	0.31%	12,810	0.41%	12,583	0.41%
Telephone: Prepaid Phone Cards	2,406	0.09%	1,951	0.06%	1,738	0.06%
Telephone: Rates\Advertising	-	-	-	-	59	<0.01%
Telephone: Unauthorized Charges or Debits	900	0.03%	921	0.03%	641	0.02%
Telephone: VoIP Services	875	0.03%	795	0.03%	669	0.02%
<b>Count\Percentage:</b>	<b>174,587</b>	<b>6.63%</b>	<b>277,900</b>	<b>8.85%</b>	<b>292,155</b>	<b>9.58%</b>

### Television and Electronic Media

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
DVD\Video\Film	141	0.01%	125	<0.01%	172	0.01%
Music: All Formats	325	0.01%	190	0.01%	141	<0.01%
Television (Programming and Advertisements)	1,979	0.08%	1,339	0.04%	1,426	0.05%
Television: Satellite & Cable	46,661	1.77%	49,578	1.58%	45,520	1.49%
Video Games	2,509	0.10%	2,440	0.08%	2,290	0.08%
<b>Count\Percentage:</b>	<b>51,612</b>	<b>1.96%</b>	<b>53,668</b>	<b>1.71%</b>	<b>49,546</b>	<b>1.62%</b>

### Travel, Vacations and Timeshare Plans

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Timeshare Resales	2,827	0.11%	2,082	0.07%	2,190	0.07%
Timeshare Sales	6,658	0.25%	5,794	0.18%	6,456	0.21%
Travel\Vacations	18,366	0.70%	17,431	0.55%	8,626	0.28%
<b>Count\Percentage:</b>	<b>27,811</b>	<b>1.06%</b>	<b>25,287</b>	<b>0.81%</b>	<b>17,244</b>	<b>0.57%</b>

<sup>1</sup>Percentages are based on the total number of CSN complaints for each calendar year: CY-2014 = 2,633,697; CY-2015 = 3,140,803; CY-2016 = 3,050,374. Note that counts and percentages may not add up to the total in each category because CSN complaints may have multiple product service codes.



## Appendix B3: Consumer Sentinel Network Complaint Category Details<sup>1</sup>

### Calendar Years 2014 through 2016

#### Miscellaneous Complaints

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Children's Products	1,479	0.06%	1,486	0.05%	1,029	0.03%
Food	799	0.03%	744	0.02%	558	0.02%
Garments, Wool, Leather Goods & Textiles	328	0.01%	337	0.01%	249	0.01%
Health Care Provider Billing	648	0.02%	838	0.03%	1,057	0.03%
Immigration Services	1,199	0.05%	994	0.03%	1,109	0.04%
Insurance (Other than Medical)	1,910	0.07%	2,040	0.06%	1,296	0.04%
Jewelry\Watches	496	0.02%	403	0.01%	230	0.01%
Leasing: Business	527	0.02%	354	0.01%	304	0.01%
Modeling Agencies\Services	613	0.02%	394	0.01%	322	0.01%
Personal Care Products	399	0.02%	440	0.01%	409	0.01%
Property\Inheritance Tracers	785	0.03%	1,169	0.04%	94	<0.01%
Real Estate (not Timeshares)	5,018	0.19%	609	0.02%	536	0.02%
Tobacco Products	1,076	0.04%	648	0.02%	275	0.01%
Utilities	1,892	0.07%	2,319	0.07%	1,278	0.04%

#### Unspecified Complaints

Product Service	CY - 2014	Percentage <sup>1</sup>	CY - 2015	Percentage <sup>1</sup>	CY - 2016	Percentage <sup>1</sup>
Other (Note in Comments)	334,235	12.69%	130,134	4.14%	147,229	4.83%
Telemarketing Practices	364,211	13.83%	87,137	2.77%	73,691	2.42%
Unauthorized Debits or Charges for Unknown Products	1,575	0.06%	1,796	0.06%	1,258	0.04%
Unsolicited Email	9,191	0.35%	12,720	0.40%	14,930	0.49%

<sup>1</sup>Percentages are based on the total number of CSN complaints for each calendar year: CY-2014 = 2,633,697; CY-2015 = 3,140,803; CY-2016 = 3,050,374. Note that counts and percentages may not add up to the total in each category because CSN complaints may have multiple product service codes.

## Appendix C: Consumer Sentinel Network Fraud Complaints & Amount Paid Reported by State and the District of Columbia *January 1 – December 31, 2016*

State Name	Total Fraud Complaints	Total Amount Paid Reported	Complaints Reporting Amount Paid	Percentages Reporting Amount Paid	Average Amount Paid <sup>1</sup>
Alabama	18,647	\$7,397,696	8,285	44%	\$893
Alaska	1,906	\$1,554,823	1,009	53%	\$1,541
Arizona	24,578	\$15,679,620	13,894	57%	\$1,129
Arkansas	9,150	\$4,923,144	4,377	48%	\$1,125
California	125,382	\$81,128,992	60,195	48%	\$1,348
Colorado	18,400	\$9,157,919	10,288	56%	\$890
Connecticut	10,733	\$5,748,627	6,100	57%	\$942
Delaware	3,619	\$1,680,226	1,932	53%	\$870
District of Columbia	4,130	\$944,553	1,797	44%	\$526
Florida	85,762	\$41,554,777	38,555	45%	\$1,078
Georgia	40,372	\$16,251,771	17,118	42%	\$949
Hawaii	3,960	\$2,090,749	2,099	53%	\$996
Idaho	4,991	\$3,212,978	2,941	59%	\$1,092
Illinois	35,673	\$16,384,715	18,422	52%	\$889
Indiana	19,605	\$9,854,756	10,352	53%	\$952
Iowa	6,863	\$4,277,489	3,749	55%	\$1,141
Kansas	8,893	\$5,436,870	5,016	56%	\$1,084
Kentucky	13,334	\$6,306,947	7,196	54%	\$876
Louisiana	15,334	\$7,012,734	7,190	47%	\$975
Maine	3,524	\$1,502,724	2,043	58%	\$736
Maryland	23,952	\$10,708,912	12,806	53%	\$836
Massachusetts	20,197	\$10,300,926	11,048	55%	\$932
Michigan	35,582	\$11,748,148	14,191	40%	\$828
Minnesota	15,674	\$8,958,108	8,976	57%	\$998
Mississippi	9,081	\$5,862,612	4,409	49%	\$1,330
Missouri	20,098	\$7,724,706	10,048	50%	\$769
Montana	3,337	\$2,046,132	2,013	60%	\$1,016
Nebraska	5,110	\$2,977,668	2,894	57%	\$1,029
Nevada	11,847	\$7,812,433	6,128	52%	\$1,275
New Hampshire	4,160	\$1,929,560	2,362	57%	\$817
New Jersey	26,773	\$14,422,161	14,666	55%	\$983
New Mexico	7,071	\$4,694,529	3,586	51%	\$1,309
New York	58,018	\$36,034,651	31,654	55%	\$1,138
North Carolina	33,525	\$14,202,712	16,850	50%	\$843
North Dakota	1,415	\$758,346	735	52%	\$1,032
Ohio	34,529	\$15,997,966	16,801	49%	\$952
Oklahoma	10,834	\$5,548,525	5,530	51%	\$1,003
Oregon	13,677	\$6,520,264	7,667	56%	\$850
Pennsylvania	41,728	\$20,746,277	21,604	52%	\$960
Rhode Island	3,028	\$1,302,582	1,439	48%	\$905
South Carolina	17,122	\$7,583,755	8,654	51%	\$876
South Dakota	1,859	\$1,216,769	973	52%	\$1,251
Tennessee	24,164	\$10,929,685	12,123	50%	\$902
Texas	91,058	\$99,920,415	43,353	48%	\$2,305
Utah	7,702	\$5,915,353	4,406	57%	\$1,343
Vermont	1,675	\$645,288	957	57%	\$674
Virginia	29,495	\$14,802,696	16,086	55%	\$920
Washington	24,208	\$13,755,871	13,576	56%	\$1,013
West Virginia	7,463	\$2,763,826	5,165	69%	\$535
Wisconsin	14,931	\$7,688,987	7,973	53%	\$964
Wyoming	1,649	\$1,045,114	906	55%	\$1,154

<sup>1</sup>Average amount paid is based on the total number of fraud complaints where amount paid was reported by consumers from the respective states. The amount paid is based on complaints reporting values from \$0 to \$999,999.

Note: This appendix excludes state-specific data contributors' complaints.

## Appendix D1: Fraud and Other Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup>

*January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Abilene, TX Metropolitan Statistical Area	499	294.3	328
Akron, OH Metropolitan Statistical Area	3,006	426.8	106
Albany, GA Metropolitan Statistical Area	548	356.9	225
Albany, OR Metropolitan Statistical Area	593	491.9	38
Albany-Schenectady-Troy, NY Metropolitan Statistical Area	3,480	394.6	155
Albuquerque, NM Metropolitan Statistical Area	3,954	435.8	86
Alexandria, LA Metropolitan Statistical Area	576	372.9	200
Allentown-Bethlehem-Easton, PA-NJ Metropolitan Statistical Area	3,400	408.5	134
Altoona, PA Metropolitan Statistical Area	587	467.4	53
Amarillo, TX Metropolitan Statistical Area	977	372.8	201
Anchorage, AK Metropolitan Statistical Area	1,391	347.9	248
Ann Arbor, MI Metropolitan Statistical Area	1,390	387.3	171
Anniston-Oxford-Jacksonville, AL Metropolitan Statistical Area	574	496.5	31
Appleton, WI Metropolitan Statistical Area	754	323.6	284
Asheville, NC Metropolitan Statistical Area	2,247	502.9	26
Athens-Clarke County, GA Metropolitan Statistical Area	646	317.9	295
Atlanta-Sandy Springs-Roswell, GA Metropolitan Statistical Area	30,370	531.8	16
Atlantic City-Hammonton, NJ Metropolitan Statistical Area	1,186	432.5	93
Auburn-Opelika, AL Metropolitan Statistical Area	574	365.6	211
Augusta-Richmond County, GA-SC Metropolitan Statistical Area	2,455	416.0	119
Augusta-Waterville, ME Micropolitan Statistical Area	380	316.7	299
Austin-Round Rock, TX Metropolitan Statistical Area	9,309	465.2	57
Bakersfield, CA Metropolitan Statistical Area	2,929	332.0	273
Baltimore-Columbia-Towson, MD Metropolitan Statistical Area	14,915	533.2	14
Bangor, ME Metropolitan Statistical Area	685	448.6	72
Barnstable Town, MA Metropolitan Statistical Area	785	366.3	210
Baton Rouge, LA Metropolitan Statistical Area	3,296	396.9	149
Battle Creek, MI Metropolitan Statistical Area	445	331.3	274
Bay City, MI Metropolitan Statistical Area	260	246.1	370
Beaumont-Port Arthur, TX Metropolitan Statistical Area	1,427	349.4	244
Beckley, WV Metropolitan Statistical Area	609	497.1	30
Bellingham, WA Metropolitan Statistical Area	870	409.8	130
Bend-Redmond, OR Metropolitan Statistical Area	623	355.5	228
Billings, MT Metropolitan Statistical Area	632	375.6	193
Binghamton, NY Metropolitan Statistical Area	865	351.6	236
Birmingham-Hoover, AL Metropolitan Statistical Area	5,679	495.7	32
Bismarck, ND Metropolitan Statistical Area	299	230.9	372
Blacksburg-Christiansburg-Radford, VA Metropolitan Statistical Area	570	313.6	306
Bloomington, IL Metropolitan Statistical Area	683	360.6	217
Bloomington, IN Metropolitan Statistical Area	556	335.8	268
Bluefield, WV-VA Micropolitan Statistical Area	471	452.6	68
Boise City, ID Metropolitan Statistical Area	2,833	418.5	115
Boston-Cambridge-Newton, MA-NH Metropolitan Statistical Area	16,964	355.3	229
Boulder, CO Metropolitan Statistical Area	1,276	399.5	145
Bowling Green, KY Metropolitan Statistical Area	752	446.5	76
Bozeman, MT Micropolitan Statistical Area	380	377.2	191
Bremerton-Silverdale, WA Metropolitan Statistical Area	1,148	441.3	80
Bridgeport-Stamford-Norwalk, CT Metropolitan Statistical Area	3,478	366.9	208

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of fraud and other complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

Note: In calculating the State and Metropolitan Areas rankings, we excluded state-specific data contributors' complaints.

## Appendix D1: Fraud and Other Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup>

*January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Brownsville-Harlingen, TX Metropolitan Statistical Area	746	176.7	377
Brunswick, GA Metropolitan Statistical Area	474	408.6	133
Buffalo-Cheektowaga-Niagara Falls, NY Metropolitan Statistical Area	4,675	411.8	128
Burlington, NC Metropolitan Statistical Area	634	400.6	143
Burlington-South Burlington, VT Metropolitan Statistical Area	707	325.7	280
California-Lexington Park, MD Metropolitan Statistical Area	415	372.5	202
Canton-Massillon, OH Metropolitan Statistical Area	1,543	382.9	178
Cape Coral-Fort Myers, FL Metropolitan Statistical Area	3,574	509.1	25
Carbondale-Marion, IL Metropolitan Statistical Area	458	361.1	216
Cedar Rapids, IA Metropolitan Statistical Area	763	286.8	342
Chambersburg-Waynesboro, PA Metropolitan Statistical Area	463	301.4	319
Champaign-Urbana, IL Metropolitan Statistical Area	764	319.7	290
Charleston, WV Metropolitan Statistical Area	1,433	649.6	5
Charleston-North Charleston, SC Metropolitan Statistical Area	3,046	409.1	131
Charlotte-Concord-Gastonia, NC-SC Metropolitan Statistical Area	11,716	482.9	43
Charlottesville, VA Metropolitan Statistical Area	866	377.3	190
Chattanooga, TN-GA Metropolitan Statistical Area	2,457	448.5	73
Chicago-Naperville-Elgin, IL-IN-WI Metropolitan Statistical Area	38,174	399.7	144
Chico, CA Metropolitan Statistical Area	790	350.5	241
Cincinnati, OH-KY-IN Metropolitan Statistical Area	8,942	414.4	122
Claremont-Lebanon, NH-VT Micropolitan Statistical Area	761	350.8	240
Clarksville, TN-KY Metropolitan Statistical Area	1,240	441.2	81
Cleveland, TN Metropolitan Statistical Area	434	359.1	221
Cleveland-Elyria, OH Metropolitan Statistical Area	9,368	454.6	65
Coeur d'Alene, ID Metropolitan Statistical Area	723	480.9	44
College Station-Bryan, TX Metropolitan Statistical Area	655	262.9	361
Colorado Springs, CO Metropolitan Statistical Area	3,436	492.4	36
Columbia, MO Metropolitan Statistical Area	684	390.9	166
Columbia, SC Metropolitan Statistical Area	3,812	470.6	50
Columbus, GA-AL Metropolitan Statistical Area	1,460	465.3	56
Columbus, OH Metropolitan Statistical Area	8,524	421.6	113
Concord, NH Micropolitan Statistical Area	572	386.5	173
Cookeville, TN Micropolitan Statistical Area	424	391.9	163
Corpus Christi, TX Metropolitan Statistical Area	1,303	288.0	339
Crestview-Fort Walton Beach-Destin, FL Metropolitan Statistical Area	1,230	469.2	51
Dallas-Fort Worth-Arlington, TX Metropolitan Statistical Area	33,708	474.6	48
Dalton, GA Metropolitan Statistical Area	401	278.9	351
Danville, VA Micropolitan Statistical Area	391	375.0	196
Daphne-Fairhope-Foley, AL Metropolitan Statistical Area	808	396.6	150
Davenport-Moline-Rock Island, IA-IL Metropolitan Statistical Area	1,171	305.3	314
Dayton, OH Metropolitan Statistical Area	3,230	403.3	137
Decatur, AL Metropolitan Statistical Area	442	289.5	337
Decatur, IL Metropolitan Statistical Area	315	293.6	330
Deltona-Daytona Beach-Ormond Beach, FL Metropolitan Statistical Area	3,190	511.8	23
Denver-Aurora-Lakewood, CO Metropolitan Statistical Area	14,043	499.0	29
Des Moines-West Des Moines, IA Metropolitan Statistical Area	2,194	352.2	234
Detroit-Warren-Dearborn, MI Metropolitan Statistical Area	16,150	375.4	195
Dothan, AL Metropolitan Statistical Area	464	313.2	307

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of fraud and other complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

Note: In calculating the State and Metropolitan Areas rankings, we excluded state-specific data contributors' complaints.

## Appendix D1: Fraud and Other Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup>

*January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Dover, DE Metropolitan Statistical Area	899	518.1	21
Duluth, MN-WI Metropolitan Statistical Area	1,030	368.4	206
Dunn, NC Micropolitan Statistical Area	478	373.0	199
Durham-Chapel Hill, NC Metropolitan Statistical Area	2,204	398.9	147
East Stroudsburg, PA Metropolitan Statistical Area	861	517.4	22
Eau Claire, WI Metropolitan Statistical Area	426	257.2	364
El Centro, CA Metropolitan Statistical Area	381	211.4	376
El Paso, TX Metropolitan Statistical Area	2,323	276.9	352
Elizabethtown-Fort Knox, KY Metropolitan Statistical Area	629	423.3	109
Elkhart-Goshen, IN Metropolitan Statistical Area	520	255.6	366
Erie, PA Metropolitan Statistical Area	1,065	383.0	177
Eugene, OR Metropolitan Statistical Area	1,434	395.2	153
Eureka-Arcata-Fortuna, CA Micropolitan Statistical Area	529	389.8	167
Evansville, IN-KY Metropolitan Statistical Area	1,115	353.2	231
Fargo, ND-MN Metropolitan Statistical Area	634	271.1	355
Farmington, NM Metropolitan Statistical Area	340	286.3	344
Fayetteville, NC Metropolitan Statistical Area	1,759	467.2	54
Fayetteville-Springdale-Rogers, AR-MO Metropolitan Statistical Area	1,627	316.8	298
Flagstaff, AZ Metropolitan Statistical Area	440	316.3	301
Flint, MI Metropolitan Statistical Area	1,616	393.3	158
Florence, SC Metropolitan Statistical Area	705	341.5	258
Florence-Muscle Shoals, AL Metropolitan Statistical Area	477	324.6	282
Fond du Lac, WI Metropolitan Statistical Area	322	315.8	302
Fort Collins, CO Metropolitan Statistical Area	1,319	395.4	152
Fort Smith, AR-OK Metropolitan Statistical Area	876	312.6	308
Fort Wayne, IN Metropolitan Statistical Area	1,690	393.2	159
Fresno, CA Metropolitan Statistical Area	3,390	347.7	249
Gadsden, AL Metropolitan Statistical Area	406	394.0	156
Gainesville, FL Metropolitan Statistical Area	1,543	556.7	9
Gainesville, GA Metropolitan Statistical Area	579	299.2	321
Gettysburg, PA Metropolitan Statistical Area	323	315.8	303
Glens Falls, NY Metropolitan Statistical Area	432	340.4	260
Goldensboro, NC Metropolitan Statistical Area	354	285.2	345
Grand Forks, ND-MN Metropolitan Statistical Area	243	237.2	371
Grand Junction, CO Metropolitan Statistical Area	470	316.5	300
Grand Rapids-Wyoming, MI Metropolitan Statistical Area	2,984	287.3	341
Greeley, CO Metropolitan Statistical Area	1,083	379.8	184
Green Bay, WI Metropolitan Statistical Area	1,013	320.0	289
Greensboro-High Point, NC Metropolitan Statistical Area	3,236	430.2	100
Greenville, NC Metropolitan Statistical Area	649	369.1	204
Greenville-Anderson-Mauldin, SC Metropolitan Statistical Area	3,774	431.4	95
Gulfport-Biloxi-Pascagoula, MS Metropolitan Statistical Area	1,396	358.6	223
Hagerstown-Martinsburg, MD-WV Metropolitan Statistical Area	1,210	462.7	61
Hammond, LA Metropolitan Statistical Area	444	344.8	255
Hanford-Corcoran, CA Metropolitan Statistical Area	442	292.8	332
Harrisburg-Carlisle, PA Metropolitan Statistical Area	2,417	427.8	105
Harrisonburg, VA Metropolitan Statistical Area	354	270.0	356
Hartford-West Hartford-East Hartford, CT Metropolitan Statistical Area	4,691	387.3	172

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of fraud and other complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

Note: In calculating the State and Metropolitan Areas rankings, we excluded state-specific data contributors' complaints.

## Appendix D1: Fraud and Other Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup>

*January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Hattiesburg, MS Metropolitan Statistical Area	477	320.5	287
Hickory-Lenoir-Morganton, NC Metropolitan Statistical Area	1,304	359.7	220
Hilo, HI Micropolitan Statistical Area	881	448.5	74
Hilton Head Island-Bluffton-Beaufort, SC Metropolitan Statistical Area	876	422.3	111
Holland, MI Micropolitan Statistical Area	262	228.6	373
Homosassa Springs, FL Metropolitan Statistical Area	1,925	1,364.7	1
Houma-Thibodaux, LA Metropolitan Statistical Area	611	287.8	340
Houston-The Woodlands-Sugar Land, TX Metropolitan Statistical Area	26,766	402.1	139
Huntington-Ashland, WV-KY-OH Metropolitan Statistical Area	1,424	393.8	157
Huntsville, AL Metropolitan Statistical Area	1,844	414.6	121
Idaho Falls, ID Metropolitan Statistical Area	445	318.4	293
Indianapolis-Carmel-Anderson, IN Metropolitan Statistical Area	8,389	421.8	112
Iowa City, IA Metropolitan Statistical Area	490	294.3	329
Ithaca, NY Metropolitan Statistical Area	374	356.4	226
Jackson, MI Metropolitan Statistical Area	506	317.3	296
Jackson, MS Metropolitan Statistical Area	2,206	381.1	181
Jackson, TN Metropolitan Statistical Area	464	357.8	224
Jacksonville, FL Metropolitan Statistical Area	8,026	553.7	10
Jacksonville, NC Metropolitan Statistical Area	937	502.9	27
Jamestown-Dunkirk-Fredonia, NY Micropolitan Statistical Area	389	297.4	324
Janesville-Beloit, WI Metropolitan Statistical Area	545	337.6	263
Jefferson City, MO Metropolitan Statistical Area	475	314.3	305
Johnson City, TN Metropolitan Statistical Area	780	388.7	168
Johnstown, PA Metropolitan Statistical Area	530	388.5	169
Jonesboro, AR Metropolitan Statistical Area	383	298.3	322
Joplin, MO Metropolitan Statistical Area	515	290.6	335
Kahului-Wailuku-Lahaina, HI Metropolitan Statistical Area	579	351.5	237
Kalamazoo-Portage, MI Metropolitan Statistical Area	1,139	339.7	261
Kankakee, IL Metropolitan Statistical Area	313	282.3	347
Kansas City, MO-KS Metropolitan Statistical Area	9,125	437.1	85
Kennewick-Richland, WA Metropolitan Statistical Area	823	294.9	327
Killeen-Temple, TX Metropolitan Statistical Area	1,922	445.9	77
Kingsport-Bristol-Bristol, TN-VA Metropolitan Statistical Area	1,014	330.2	275
Kingston, NY Metropolitan Statistical Area	901	500.2	28
Knoxville, TN Metropolitan Statistical Area	3,892	451.8	70
La Crosse-Onalaska, WI-MN Metropolitan Statistical Area	345	251.9	367
Lafayette, LA Metropolitan Statistical Area	1,431	291.8	334
Lafayette-West Lafayette, IN Metropolitan Statistical Area	651	303.7	316
Lake Charles, LA Metropolitan Statistical Area	674	327.8	277
Lake Havasu City-Kingman, AZ Metropolitan Statistical Area	996	486.5	40
Lakeland-Winter Haven, FL Metropolitan Statistical Area	2,826	434.7	89
Lancaster, PA Metropolitan Statistical Area	1,631	303.9	315
Lansing-East Lansing, MI Metropolitan Statistical Area	1,540	326.1	278
Laredo, TX Metropolitan Statistical Area	1,379	511.3	24
Las Cruces, NM Metropolitan Statistical Area	919	428.8	102
Las Vegas-Henderson-Paradise, NV Metropolitan Statistical Area	11,330	535.7	13
Lawrence, KS Metropolitan Statistical Area	474	401.5	142
Lawton, OK Metropolitan Statistical Area	499	382.0	179

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of fraud and other complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

Note: In calculating the State and Metropolitan Areas rankings, we excluded state-specific data contributors' complaints.

## Appendix D1: Fraud and Other Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup>

*January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Lebanon, PA Metropolitan Statistical Area	452	329.8	276
Lewiston-Auburn, ME Metropolitan Statistical Area	358	333.9	269
Lexington-Fayette, KY Metropolitan Statistical Area	1,924	384.4	175
Lima, OH Metropolitan Statistical Area	305	292.1	333
Lincoln, NE Metropolitan Statistical Area	1,075	332.2	272
Little Rock-North Little Rock-Conway, AR Metropolitan Statistical Area	2,948	402.9	138
Logan, UT-ID Metropolitan Statistical Area	352	263.0	360
London, KY Micropolitan Statistical Area	344	268.8	358
Longview, TX Metropolitan Statistical Area	758	348.1	247
Longview, WA Metropolitan Statistical Area	367	354.7	230
Los Angeles-Long Beach-Anaheim, CA Metropolitan Statistical Area	50,874	381.4	180
Louisville/Jefferson County, KY-IN Metropolitan Statistical Area	5,898	461.4	63
Lubbock, TX Metropolitan Statistical Area	1,634	525.1	19
Lumberton, NC Micropolitan Statistical Area	411	306.3	313
Lynchburg, VA Metropolitan Statistical Area	1,021	392.8	161
Macon, GA Metropolitan Statistical Area	893	388.1	170
Madera, CA Metropolitan Statistical Area	386	249.0	368
Madison, WI Metropolitan Statistical Area	2,264	353.0	233
Manchester-Nashua, NH Metropolitan Statistical Area	1,763	433.5	92
Mansfield, OH Metropolitan Statistical Area	426	350.0	242
McAllen-Edinburg-Mission, TX Metropolitan Statistical Area	1,310	155.5	379
Medford, OR Metropolitan Statistical Area	911	428.6	103
Memphis, TN-MS-AR Metropolitan Statistical Area	6,529	485.7	42
Merced, CA Metropolitan Statistical Area	661	246.2	369
Meridian, MS Micropolitan Statistical Area	352	336.8	266
Miami-Fort Lauderdale-West Palm Beach, FL Metropolitan Statistical Area	29,742	494.7	33
Michigan City-La Porte, IN Metropolitan Statistical Area	459	413.9	125
Midland, TX Metropolitan Statistical Area	478	286.7	343
Milwaukee-Waukesha-West Allis, WI Metropolitan Statistical Area	5,787	367.3	207
Minneapolis-St. Paul-Bloomington, MN-WI Metropolitan Statistical Area	14,600	414.2	124
Missoula, MT Metropolitan Statistical Area	608	532.5	15
Mobile, AL Metropolitan Statistical Area	1,770	426.1	107
Modesto, CA Metropolitan Statistical Area	1,559	289.6	336
Monroe, LA Metropolitan Statistical Area	709	395.6	151
Monroe, MI Metropolitan Statistical Area	523	349.7	243
Montgomery, AL Metropolitan Statistical Area	1,628	435.5	88
Morgantown, WV Metropolitan Statistical Area	510	369.1	205
Morristown, TN Metropolitan Statistical Area	372	318.9	291
Mount Vernon-Anacortes, WA Metropolitan Statistical Area	463	380.0	183
Muncie, IN Metropolitan Statistical Area	364	311.5	310
Muskegon, MI Metropolitan Statistical Area	499	288.8	338
Myrtle Beach-Conway-North Myrtle Beach, SC-NC Metropolitan Statistical Area	2,561	592.9	7
Napa, CA Metropolitan Statistical Area	607	426.1	108
Naples-Immokalee-Marco Island, FL Metropolitan Statistical Area	1,283	359.1	222
Nashville-Davidson--Murfreesboro--Franklin, TN Metropolitan Statistical Area	8,743	477.7	46
New Bern, NC Metropolitan Statistical Area	523	414.3	123
New Haven-Milford, CT Metropolitan Statistical Area	3,321	386.4	174
New Orleans-Metairie, LA Metropolitan Statistical Area	5,448	431.4	96

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of fraud and other complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

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## Appendix D1: Fraud and Other Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup>

*January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
New York-Newark-Jersey City, NY-NJ-PA Metropolitan Statistical Area	81,058	401.6	141
Niles-Benton Harbor, MI Metropolitan Statistical Area	550	355.7	227
North Port-Sarasota-Bradenton, FL Metropolitan Statistical Area	3,649	474.6	49
Norwich-New London, CT Metropolitan Statistical Area	1,179	433.7	91
Ocala, FL Metropolitan Statistical Area	1,605	467.6	52
Odessa, TX Metropolitan Statistical Area	472	296.0	326
Ogden-Clearfield, UT Metropolitan Statistical Area	2,218	345.0	251
Ogdensburg-Massena, NY Micropolitan Statistical Area	312	281.1	348
Oklahoma City, OK Metropolitan Statistical Area	4,980	366.6	209
Olympia-Tumwater, WA Metropolitan Statistical Area	1,250	463.8	58
Omaha-Council Bluffs, NE-IA Metropolitan Statistical Area	3,616	395.1	154
Orlando-Kissimmee-Sanford, FL Metropolitan Statistical Area	11,736	491.6	39
Oshkosh-Neenah, WI Metropolitan Statistical Area	504	297.3	325
Ottawa-Peru, IL Micropolitan Statistical Area	449	298.2	323
Owensboro, KY Metropolitan Statistical Area	328	279.2	350
Oxnard-Thousand Oaks-Ventura, CA Metropolitan Statistical Area	3,673	431.8	94
Palm Bay-Melbourne-Titusville, FL Metropolitan Statistical Area	3,125	550.1	11
Panama City, FL Metropolitan Statistical Area	822	416.2	118
Pensacola-Ferry Pass-Brent, FL Metropolitan Statistical Area	2,288	478.6	45
Peoria, IL Metropolitan Statistical Area	1,402	370.9	203
Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metropolitan Statistical Area	26,891	443.0	79
Phoenix-Mesa-Scottsdale, AZ Metropolitan Statistical Area	22,603	494.1	34
Pittsburgh, PA Metropolitan Statistical Area	10,886	462.6	62
Pittsfield, MA Metropolitan Statistical Area	461	360.6	218
Port St. Lucie, FL Metropolitan Statistical Area	2,108	463.5	60
Portland-South Portland, ME Metropolitan Statistical Area	1,774	337.1	264
Portland-Vancouver-Hillsboro, OR-WA Metropolitan Statistical Area	10,446	437.2	84
Pottsville, PA Micropolitan Statistical Area	628	434.3	90
Prescott, AZ Metropolitan Statistical Area	1,565	704.1	3
Providence-Warwick, RI-MA Metropolitan Statistical Area	4,965	307.8	312
Provo-Orem, UT Metropolitan Statistical Area	1,577	269.2	357
Pueblo, CO Metropolitan Statistical Area	850	519.6	20
Punta Gorda, FL Metropolitan Statistical Area	841	485.8	41
Racine, WI Metropolitan Statistical Area	673	345.0	252
Raleigh, NC Metropolitan Statistical Area	5,454	428.2	104
Rapid City, SD Metropolitan Statistical Area	525	364.2	212
Reading, PA Metropolitan Statistical Area	1,458	351.1	239
Redding, CA Metropolitan Statistical Area	741	412.7	127
Reno, NV Metropolitan Statistical Area	2,038	452.0	69
Richmond, VA Metropolitan Statistical Area	6,751	531.0	17
Richmond-Berea, KY Micropolitan Statistical Area	316	301.6	318
Riverside-San Bernardino-Ontario, CA Metropolitan Statistical Area	16,796	374.1	197
Roanoke, VA Metropolitan Statistical Area	1,187	377.4	189
Rochester, MN Metropolitan Statistical Area	581	271.7	354
Rochester, NY Metropolitan Statistical Area	4,406	407.2	135
Rockford, IL Metropolitan Statistical Area	1,227	360.2	219
Rocky Mount, NC Metropolitan Statistical Area	579	391.0	165
Roseburg, OR Micropolitan Statistical Area	473	439.2	82

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of fraud and other complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

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## Appendix D1: Fraud and Other Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup> *January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Sacramento--Roseville--Arden-Arcade, CA Metropolitan Statistical Area	10,587	465.5	55
Saginaw, MI Metropolitan Statistical Area	546	282.5	346
Salem, OH Micropolitan Statistical Area	381	363.5	213
Salem, OR Metropolitan Statistical Area	1,378	336.0	267
Salinas, CA Metropolitan Statistical Area	1,139	262.5	362
Salisbury, MD-DE Metropolitan Statistical Area	1,601	405.0	136
Salt Lake City, UT Metropolitan Statistical Area	4,132	353.1	232
San Angelo, TX Metropolitan Statistical Area	381	318.4	294
San Antonio-New Braunfels, TX Metropolitan Statistical Area	9,063	380.1	182
San Diego-Carlsbad, CA Metropolitan Statistical Area	13,707	415.4	120
San Francisco-Oakland-Hayward, CA Metropolitan Statistical Area	19,688	422.8	110
San Jose-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area	7,177	363.1	214
San Luis Obispo-Paso Robles-Arroyo Grande, CA Metropolitan Statistical Area	1,063	377.8	188
Santa Cruz-Watsonville, CA Metropolitan Statistical Area	879	320.6	286
Santa Fe, NM Metropolitan Statistical Area	1,080	726.4	2
Santa Maria-Santa Barbara, CA Metropolitan Statistical Area	1,404	315.7	304
Santa Rosa, CA Metropolitan Statistical Area	1,964	391.1	164
Savannah, GA Metropolitan Statistical Area	1,719	453.3	67
Scranton--Wilkes-Barre--Hazleton, PA Metropolitan Statistical Area	2,228	399.2	146
Seattle-Tacoma-Bellevue, WA Metropolitan Statistical Area	16,092	431.0	98
Sebastian-Vero Beach, FL Metropolitan Statistical Area	728	492.2	37
Sheboygan, WI Metropolitan Statistical Area	350	302.8	317
Sherman-Denison, TX Metropolitan Statistical Area	529	421.6	114
Show Low, AZ Micropolitan Statistical Area	349	322.3	285
Shreveport-Bossier City, LA Metropolitan Statistical Area	1,703	383.8	176
Sierra Vista-Douglas, AZ Metropolitan Statistical Area	685	541.8	12
Sioux City, IA-NE-SD Metropolitan Statistical Area	475	281.0	349
Sioux Falls, SD Metropolitan Statistical Area	689	273.6	353
South Bend-Mishawaka, IN-MI Metropolitan Statistical Area	993	310.2	311
Spartanburg, SC Metropolitan Statistical Area	1,276	392.5	162
Spokane-Spokane Valley, WA Metropolitan Statistical Area	3,551	648.2	6
Springfield, IL Metropolitan Statistical Area	799	378.4	186
Springfield, MA Metropolitan Statistical Area	2,051	324.5	283
Springfield, MO Metropolitan Statistical Area	1,518	332.6	271
Springfield, OH Metropolitan Statistical Area	540	397.2	148
St. Cloud, MN Metropolitan Statistical Area	500	257.2	365
St. George, UT Metropolitan Statistical Area	519	333.5	270
St. Joseph, MO-KS Metropolitan Statistical Area	434	342.1	257
St. Louis, MO-IL Metropolitan Statistical Area	13,375	475.7	47
State College, PA Metropolitan Statistical Area	428	266.5	359
Staunton-Waynesboro, VA Metropolitan Statistical Area	419	348.5	245
Stockton-Lodi, CA Metropolitan Statistical Area	2,364	325.6	281
Sumter, SC Metropolitan Statistical Area	444	413.1	126
Syracuse, NY Metropolitan Statistical Area	2,597	393.2	160
Tallahassee, FL Metropolitan Statistical Area	1,627	430.5	99
Tampa-St. Petersburg-Clearwater, FL Metropolitan Statistical Area	15,774	530.2	18
Terre Haute, IN Metropolitan Statistical Area	502	293.5	331
Texarkana, TX-AR Metropolitan Statistical Area	679	453.4	66

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of fraud and other complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

Note: In calculating the State and Metropolitan Areas rankings, we excluded state-specific data contributors' complaints.

## Appendix D1: Fraud and Other Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup>

*January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
The Villages, FL Metropolitan Statistical Area	518	435.7	87
Toledo, OH Metropolitan Statistical Area	2,042	337.0	265
Topeka, KS Metropolitan Statistical Area	1,155	494.0	35
Torrington, CT Micropolitan Statistical Area	755	411.2	129
Traverse City, MI Micropolitan Statistical Area	446	300.7	320
Trenton, NJ Metropolitan Statistical Area	1,551	417.6	117
Tucson, AZ Metropolitan Statistical Area	4,537	449.2	71
Tullahoma-Manchester, TN Micropolitan Statistical Area	352	344.9	254
Tulsa, OK Metropolitan Statistical Area	3,669	374.0	198
Tupelo, MS Micropolitan Statistical Area	622	444.9	78
Tuscaloosa, AL Metropolitan Statistical Area	911	379.7	185
Twin Falls, ID Micropolitan Statistical Area	337	320.4	288
Tyler, TX Metropolitan Statistical Area	961	431.1	97
Urban Honolulu, HI Metropolitan Statistical Area	3,446	345.0	253
Utica-Rome, NY Metropolitan Statistical Area	938	317.3	297
Valdosta, GA Metropolitan Statistical Area	574	401.7	140
Vallejo-Fairfield, CA Metropolitan Statistical Area	2,022	463.7	59
Vineland-Bridgeton, NJ Metropolitan Statistical Area	539	345.8	250
Virginia Beach-Norfolk-Newport News, VA-NC Metropolitan Statistical Area	7,944	460.6	64
Visalia-Porterville, CA Metropolitan Statistical Area	1,012	220.1	375
Waco, TX Metropolitan Statistical Area	897	341.3	259
Warner Robins, GA Metropolitan Statistical Area	823	437.4	83
Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Statistical Area	35,570	583.3	8
Waterloo-Cedar Falls, IA Metropolitan Statistical Area	442	259.1	363
Watertown-Fort Drum, NY Metropolitan Statistical Area	414	351.9	235
Wausau, WI Metropolitan Statistical Area	461	339.3	262
Weirton-Steubenville, WV-OH Metropolitan Statistical Area	810	672.1	4
Wenatchee, WA Metropolitan Statistical Area	363	312.5	309
Wheeling, WV-OH Metropolitan Statistical Area	470	325.9	279
Whitewater-Elkhorn, WI Micropolitan Statistical Area	353	343.4	256
Wichita Falls, TX Metropolitan Statistical Area	630	417.8	116
Wichita, KS Metropolitan Statistical Area	2,265	351.4	238
Williamsport, PA Metropolitan Statistical Area	439	378.3	187
Wilmington, NC Metropolitan Statistical Area	1,244	447.5	75
Winchester, VA-WV Metropolitan Statistical Area	547	408.7	132
Winston-Salem, NC Metropolitan Statistical Area	2,483	376.6	192
Wooster, OH Micropolitan Statistical Area	499	429.9	101
Worcester, MA-CT Metropolitan Statistical Area	3,259	348.4	246
Yakima, WA Metropolitan Statistical Area	436	175.2	378
York-Hanover, PA Metropolitan Statistical Area	1,606	362.6	215
Youngstown-Warren-Boardman, OH-PA Metropolitan Statistical Area	2,065	375.5	194
Yuba City, CA Metropolitan Statistical Area	545	318.8	292
Yuma, AZ Metropolitan Statistical Area	453	221.8	374

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of fraud and other complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

Note: In calculating the State and Metropolitan Areas rankings, we excluded state-specific data contributors' complaints.

## Appendix D2: Identity Theft Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup> *January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Abilene, TX Metropolitan Statistical Area	123	72.5	275
Akron, OH Metropolitan Statistical Area	717	101.8	133
Albany, GA Metropolitan Statistical Area	150	97.7	145
Albany, OR Metropolitan Statistical Area	116	96.2	154
Albany-Schenectady-Troy, NY Metropolitan Statistical Area	785	89.0	189
Albuquerque, NM Metropolitan Statistical Area	1,206	132.9	48
Alexandria, LA Metropolitan Statistical Area	81	52.4	368
Allentown-Bethlehem-Easton, PA-NJ Metropolitan Statistical Area	887	106.6	115
Altoona, PA Metropolitan Statistical Area	89	70.9	282
Amarillo, TX Metropolitan Statistical Area	209	79.8	245
Anchorage, AK Metropolitan Statistical Area	510	127.6	60
Ann Arbor, MI Metropolitan Statistical Area	1,206	336.0	1
Anniston-Oxford-Jacksonville, AL Metropolitan Statistical Area	74	64.0	322
Appleton, WI Metropolitan Statistical Area	191	82.0	231
Asheville, NC Metropolitan Statistical Area	369	82.6	228
Athens-Clarke County, GA Metropolitan Statistical Area	155	76.3	256
Atlanta-Sandy Springs-Roswell, GA Metropolitan Statistical Area	9,187	160.9	13
Atlantic City-Hammonton, NJ Metropolitan Statistical Area	281	102.5	132
Auburn-Opelika, AL Metropolitan Statistical Area	108	68.8	293
Augusta-Richmond County, GA-SC Metropolitan Statistical Area	504	85.4	215
Augusta-Waterville, ME Micropolitan Statistical Area	87	72.5	276
Austin-Round Rock, TX Metropolitan Statistical Area	2,931	146.5	24
Bakersfield, CA Metropolitan Statistical Area	1,255	142.3	34
Baltimore-Columbia-Towson, MD Metropolitan Statistical Area	3,972	142.0	35
Bangor, ME Metropolitan Statistical Area	102	66.8	303
Barnstable Town, MA Metropolitan Statistical Area	196	91.4	173
Baton Rouge, LA Metropolitan Statistical Area	558	67.2	302
Battle Creek, MI Metropolitan Statistical Area	183	136.2	43
Bay City, MI Metropolitan Statistical Area	133	125.9	67
Beaumont-Port Arthur, TX Metropolitan Statistical Area	376	92.1	172
Beckley, WV Metropolitan Statistical Area	96	78.4	248
Bellingham, WA Metropolitan Statistical Area	186	87.6	199
Bend-Redmond, OR Metropolitan Statistical Area	134	76.5	254
Billings, MT Metropolitan Statistical Area	125	74.3	268
Binghamton, NY Metropolitan Statistical Area	123	50.0	371
Birmingham-Hoover, AL Metropolitan Statistical Area	1,002	87.5	200
Bismarck, ND Metropolitan Statistical Area	82	63.3	325
Blacksburg-Christiansburg-Radford, VA Metropolitan Statistical Area	99	54.5	360
Bloomington, IL Metropolitan Statistical Area	192	101.4	136
Bloomington, IN Metropolitan Statistical Area	150	90.6	177
Bluefield, WV-VA Micropolitan Statistical Area	52	50.0	372
Boise City, ID Metropolitan Statistical Area	710	104.9	119
Boston-Cambridge-Newton, MA-NH Metropolitan Statistical Area	5,521	115.6	94
Boulder, CO Metropolitan Statistical Area	408	127.8	59
Bowling Green, KY Metropolitan Statistical Area	98	58.2	344
Bozeman, MT Micropolitan Statistical Area	131	130.0	54
Bremerton-Silverdale, WA Metropolitan Statistical Area	247	95.0	162
Bridgeport-Stamford-Norwalk, CT Metropolitan Statistical Area	1,474	155.5	16

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of identity theft complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

## Appendix D2: Identity Theft Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup> *January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Brownsville-Harlingen, TX Metropolitan Statistical Area	369	87.4	201
Brunswick, GA Metropolitan Statistical Area	113	97.4	147
Buffalo-Cheektowaga-Niagara Falls, NY Metropolitan Statistical Area	807	71.1	281
Burlington, NC Metropolitan Statistical Area	149	94.1	166
Burlington-South Burlington, VT Metropolitan Statistical Area	145	66.8	304
California-Lexington Park, MD Metropolitan Statistical Area	151	135.5	45
Canton-Massillon, OH Metropolitan Statistical Area	356	88.3	193
Cape Coral-Fort Myers, FL Metropolitan Statistical Area	1,067	152.0	19
Carbondale-Marion, IL Metropolitan Statistical Area	96	75.7	260
Cedar Rapids, IA Metropolitan Statistical Area	216	81.2	237
Chambersburg-Waynesboro, PA Metropolitan Statistical Area	92	59.9	340
Champaign-Urbana, IL Metropolitan Statistical Area	225	94.1	167
Charleston, WV Metropolitan Statistical Area	134	60.7	334
Charleston-North Charleston, SC Metropolitan Statistical Area	732	98.3	143
Charlotte-Concord-Gastonia, NC-SC Metropolitan Statistical Area	2,842	117.1	87
Charlottesville, VA Metropolitan Statistical Area	192	83.7	221
Chattanooga, TN-GA Metropolitan Statistical Area	444	81.1	239
Chicago-Naperville-Elgin, IL-IN-WI Metropolitan Statistical Area	14,555	152.4	18
Chico, CA Metropolitan Statistical Area	226	100.3	139
Cincinnati, OH-KY-IN Metropolitan Statistical Area	2,183	101.2	138
Claremont-Lebanon, NH-VT Micropolitan Statistical Area	156	71.9	278
Clarksville, TN-KY Metropolitan Statistical Area	201	71.5	279
Cleveland, TN Metropolitan Statistical Area	59	48.8	375
Cleveland-Elyria, OH Metropolitan Statistical Area	2,486	120.6	79
Coeur d'Alene, ID Metropolitan Statistical Area	119	79.2	246
College Station-Bryan, TX Metropolitan Statistical Area	195	78.3	249
Colorado Springs, CO Metropolitan Statistical Area	795	113.9	98
Columbia, MO Metropolitan Statistical Area	187	106.9	114
Columbia, SC Metropolitan Statistical Area	725	89.5	186
Columbus, GA-AL Metropolitan Statistical Area	325	103.6	126
Columbus, OH Metropolitan Statistical Area	2,081	102.9	131
Concord, NH Micropolitan Statistical Area	179	121.0	78
Cookeville, TN Micropolitan Statistical Area	62	57.3	347
Corpus Christi, TX Metropolitan Statistical Area	425	93.9	168
Crestview-Fort Walton Beach-Destin, FL Metropolitan Statistical Area	304	116.0	93
Dallas-Fort Worth-Arlington, TX Metropolitan Statistical Area	10,590	149.1	21
Dalton, GA Metropolitan Statistical Area	90	62.6	327
Danville, VA Micropolitan Statistical Area	69	66.2	310
Daphne-Fairhope-Foley, AL Metropolitan Statistical Area	192	94.3	163
Davenport-Moline-Rock Island, IA-IL Metropolitan Statistical Area	269	70.1	286
Dayton, OH Metropolitan Statistical Area	781	97.5	146
Decatur, AL Metropolitan Statistical Area	72	47.2	376
Decatur, IL Metropolitan Statistical Area	71	66.2	311
Deltona-Daytona Beach-Ormond Beach, FL Metropolitan Statistical Area	780	125.1	68
Denver-Aurora-Lakewood, CO Metropolitan Statistical Area	3,415	121.3	76
Des Moines-West Des Moines, IA Metropolitan Statistical Area	566	90.9	175
Detroit-Warren-Dearborn, MI Metropolitan Statistical Area	9,238	214.7	3
Dothan, AL Metropolitan Statistical Area	153	103.3	130

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of identity theft complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

## Appendix D2: Identity Theft Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup> *January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Dover, DE Metropolitan Statistical Area	222	127.9	58
Duluth, MN-WI Metropolitan Statistical Area	225	80.5	243
Dunn, NC Micropolitan Statistical Area	96	74.9	264
Durham-Chapel Hill, NC Metropolitan Statistical Area	699	126.5	65
East Stroudsburg, PA Metropolitan Statistical Area	107	64.3	321
Eau Claire, WI Metropolitan Statistical Area	126	76.1	257
El Centro, CA Metropolitan Statistical Area	163	90.5	179
El Paso, TX Metropolitan Statistical Area	790	94.2	165
Elizabethtown-Fort Knox, KY Metropolitan Statistical Area	86	57.9	345
Elkhart-Goshen, IN Metropolitan Statistical Area	115	56.5	352
Erie, PA Metropolitan Statistical Area	226	81.3	235
Eugene, OR Metropolitan Statistical Area	416	114.6	97
Eureka-Arcata-Fortuna, CA Micropolitan Statistical Area	102	75.2	262
Evansville, IN-KY Metropolitan Statistical Area	172	54.5	361
Fargo, ND-MN Metropolitan Statistical Area	173	74.0	270
Farmington, NM Metropolitan Statistical Area	63	53.1	366
Fayetteville, NC Metropolitan Statistical Area	390	103.6	127
Fayetteville-Springdale-Rogers, AR-MO Metropolitan Statistical Area	370	72.0	277
Flagstaff, AZ Metropolitan Statistical Area	121	87.0	204
Flint, MI Metropolitan Statistical Area	668	162.6	12
Florence, SC Metropolitan Statistical Area	157	76.0	258
Florence-Muscle Shoals, AL Metropolitan Statistical Area	79	53.8	364
Fond du Lac, WI Metropolitan Statistical Area	60	58.8	342
Fort Collins, CO Metropolitan Statistical Area	423	126.8	61
Fort Smith, AR-OK Metropolitan Statistical Area	178	63.5	324
Fort Wayne, IN Metropolitan Statistical Area	363	84.5	219
Fresno, CA Metropolitan Statistical Area	1,446	148.3	22
Gadsden, AL Metropolitan Statistical Area	54	52.4	369
Gainesville, FL Metropolitan Statistical Area	421	151.9	20
Gainesville, GA Metropolitan Statistical Area	141	72.9	274
Gettysburg, PA Metropolitan Statistical Area	58	56.7	351
Glens Falls, NY Metropolitan Statistical Area	78	61.5	331
Goldsboro, NC Metropolitan Statistical Area	88	70.9	283
Grand Forks, ND-MN Metropolitan Statistical Area	90	87.8	197
Grand Junction, CO Metropolitan Statistical Area	99	66.7	306
Grand Rapids-Wyoming, MI Metropolitan Statistical Area	1,657	159.5	14
Greeley, CO Metropolitan Statistical Area	351	123.1	74
Green Bay, WI Metropolitan Statistical Area	243	76.8	252
Greensboro-High Point, NC Metropolitan Statistical Area	721	95.9	156
Greenville, NC Metropolitan Statistical Area	144	81.9	233
Greenville-Anderson-Mauldin, SC Metropolitan Statistical Area	957	109.4	106
Gulfport-Biloxi-Pascagoula, MS Metropolitan Statistical Area	303	77.8	250
Hagerstown-Martinsburg, MD-WV Metropolitan Statistical Area	198	75.7	261
Hammond, LA Metropolitan Statistical Area	87	67.6	301
Hanford-Corcoran, CA Metropolitan Statistical Area	128	84.8	217
Harrisburg-Carlisle, PA Metropolitan Statistical Area	493	87.3	202
Harrisonburg, VA Metropolitan Statistical Area	116	88.5	192
Hartford-West Hartford-East Hartford, CT Metropolitan Statistical Area	1,729	142.7	33

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of identity theft complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

## Appendix D2: Identity Theft Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup> *January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Hattiesburg, MS Metropolitan Statistical Area	110	73.9	272
Hickory-Lenoir-Morganton, NC Metropolitan Statistical Area	246	67.9	299
Hilo, HI Micropolitan Statistical Area	106	54.0	363
Hilton Head Island-Bluffton-Beaufort, SC Metropolitan Statistical Area	247	119.1	81
Holland, MI Micropolitan Statistical Area	136	118.6	83
Homosassa Springs, FL Metropolitan Statistical Area	165	117.0	88
Houma-Thibodaux, LA Metropolitan Statistical Area	161	75.8	259
Houston-The Woodlands-Sugar Land, TX Metropolitan Statistical Area	9,284	139.5	37
Huntington-Ashland, WV-KY-OH Metropolitan Statistical Area	180	49.8	373
Huntsville, AL Metropolitan Statistical Area	424	95.3	160
Idaho Falls, ID Metropolitan Statistical Area	98	70.1	287
Indianapolis-Camel-Anderson, IN Metropolitan Statistical Area	1,905	95.8	157
Iowa City, IA Metropolitan Statistical Area	241	144.7	26
Ithaca, NY Metropolitan Statistical Area	91	86.7	207
Jackson, MI Metropolitan Statistical Area	217	136.1	44
Jackson, MS Metropolitan Statistical Area	537	92.8	171
Jackson, TN Metropolitan Statistical Area	78	60.1	339
Jacksonville, FL Metropolitan Statistical Area	2,259	155.8	15
Jacksonville, NC Metropolitan Statistical Area	138	74.1	269
Jamestown-Dunkirk-Fredonia, NY Micropolitan Statistical Area	61	46.6	378
Janesville-Beloit, WI Metropolitan Statistical Area	111	68.8	294
Jefferson City, MO Metropolitan Statistical Area	158	104.5	122
Johnson City, TN Metropolitan Statistical Area	115	57.3	348
Johnstown, PA Metropolitan Statistical Area	120	88.0	195
Jonesboro, AR Metropolitan Statistical Area	91	70.9	284
Joplin, MO Metropolitan Statistical Area	112	63.2	326
Kahului-Wailuku-Lahaina, HI Metropolitan Statistical Area	110	66.8	305
Kalamazoo-Portage, MI Metropolitan Statistical Area	495	147.6	23
Kankakee, IL Metropolitan Statistical Area	109	98.3	144
Kansas City, MO-KS Metropolitan Statistical Area	2,370	113.5	100
Kennewick-Richland, WA Metropolitan Statistical Area	173	62.0	329
Killeen-Temple, TX Metropolitan Statistical Area	471	109.3	108
Kingsport-Bristol-Bristol, TN-VA Metropolitan Statistical Area	152	49.5	374
Kingston, NY Metropolitan Statistical Area	156	86.6	208
Knoxville, TN Metropolitan Statistical Area	695	80.7	241
La Crosse-Onalaska, WI-MN Metropolitan Statistical Area	93	67.9	300
Lafayette, LA Metropolitan Statistical Area	303	61.8	330
Lafayette-West Lafayette, IN Metropolitan Statistical Area	130	60.6	335
Lake Charles, LA Metropolitan Statistical Area	134	65.2	317
Lake Havasu City-Kingman, AZ Metropolitan Statistical Area	178	86.9	205
Lakeland-Winter Haven, FL Metropolitan Statistical Area	823	126.6	64
Lancaster, PA Metropolitan Statistical Area	487	90.8	176
Lansing-East Lansing, MI Metropolitan Statistical Area	801	169.6	10
Laredo, TX Metropolitan Statistical Area	295	109.4	107
Las Cruces, NM Metropolitan Statistical Area	153	71.4	280
Las Vegas-Henderson-Paradise, NV Metropolitan Statistical Area	3,075	145.4	25
Lawrence, KS Metropolitan Statistical Area	127	107.6	112
Lawton, OK Metropolitan Statistical Area	109	83.4	224

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of identity theft complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

## Appendix D2: Identity Theft Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup> *January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Lebanon, PA Metropolitan Statistical Area	114	83.2	227
Lewiston-Auburn, ME Metropolitan Statistical Area	73	68.1	296
Lexington-Fayette, KY Metropolitan Statistical Area	445	88.9	190
Lima, OH Metropolitan Statistical Area	68	65.1	318
Lincoln, NE Metropolitan Statistical Area	274	84.7	218
Little Rock-North Little Rock-Conway, AR Metropolitan Statistical Area	864	118.1	84
Logan, UT-ID Metropolitan Statistical Area	74	55.3	356
London, KY Micropolitan Statistical Area	66	51.6	370
Longview, TX Metropolitan Statistical Area	132	60.6	336
Longview, WA Metropolitan Statistical Area	72	69.6	291
Los Angeles-Long Beach-Anaheim, CA Metropolitan Statistical Area	19,236	144.2	30
Louisville/Jefferson County, KY-IN Metropolitan Statistical Area	1,122	87.8	198
Lubbock, TX Metropolitan Statistical Area	234	75.2	263
Lumberton, NC Micropolitan Statistical Area	87	64.8	319
Lynchburg, VA Metropolitan Statistical Area	248	95.4	159
Macon, GA Metropolitan Statistical Area	224	97.4	148
Madera, CA Metropolitan Statistical Area	183	118.1	85
Madison, WI Metropolitan Statistical Area	671	104.6	120
Manchester-Nashua, NH Metropolitan Statistical Area	461	113.4	102
Mansfield, OH Metropolitan Statistical Area	81	66.6	307
McAllen-Edinburg-Mission, TX Metropolitan Statistical Area	722	85.7	214
Medford, OR Metropolitan Statistical Area	184	86.6	209
Memphis, TN-MS-AR Metropolitan Statistical Area	1,682	125.1	69
Merced, CA Metropolitan Statistical Area	243	90.5	180
Meridian, MS Micropolitan Statistical Area	85	81.3	236
Miami-Fort Lauderdale-West Palm Beach, FL Metropolitan Statistical Area	13,457	223.8	2
Michigan City-La Porte, IN Metropolitan Statistical Area	67	60.4	337
Midland, TX Metropolitan Statistical Area	156	93.6	170
Milwaukee-Waukesha-West Allis, WI Metropolitan Statistical Area	1,834	116.4	90
Minneapolis-St. Paul-Bloomington, MN-WI Metropolitan Statistical Area	4,660	132.2	49
Missoula, MT Metropolitan Statistical Area	98	85.8	213
Mobile, AL Metropolitan Statistical Area	340	81.8	234
Modesto, CA Metropolitan Statistical Area	613	113.9	99
Monroe, LA Metropolitan Statistical Area	119	66.4	309
Monroe, MI Metropolitan Statistical Area	208	139.1	39
Montgomery, AL Metropolitan Statistical Area	434	116.1	92
Morgantown, WV Metropolitan Statistical Area	116	84.0	220
Morristown, TN Metropolitan Statistical Area	54	46.3	379
Mount Vernon-Anacortes, WA Metropolitan Statistical Area	118	96.8	150
Muncie, IN Metropolitan Statistical Area	64	54.8	358
Muskegon, MI Metropolitan Statistical Area	140	81.0	240
Myrtle Beach-Conway-North Myrtle Beach, SC-NC Metropolitan Statistical Area	357	82.6	229
Napa, CA Metropolitan Statistical Area	184	129.2	55
Naples-Immokalee-Marco Island, FL Metropolitan Statistical Area	672	188.1	5
Nashville-Davidson--Murfreesboro--Franklin, TN Metropolitan Statistical Area	1,778	97.1	149
New Bern, NC Metropolitan Statistical Area	76	60.2	338
New Haven-Milford, CT Metropolitan Statistical Area	1,101	128.1	57
New Orleans-Metairie, LA Metropolitan Statistical Area	1,119	88.6	191

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of identity theft complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

## Appendix D2: Identity Theft Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup> *January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
New York-Newark-Jersey City, NY-NJ-PA Metropolitan Statistical Area	23,501	116.4	91
Niles-Benton Harbor, MI Metropolitan Statistical Area	270	174.6	9
North Port-Sarasota-Bradenton, FL Metropolitan Statistical Area	1,011	131.5	51
Norwich-New London, CT Metropolitan Statistical Area	292	107.4	113
Ocala, FL Metropolitan Statistical Area	359	104.6	121
Odessa, TX Metropolitan Statistical Area	118	74.0	271
Ogden-Clearfield, UT Metropolitan Statistical Area	547	85.1	216
Ogdensburg-Massena, NY Micropolitan Statistical Area	63	56.8	350
Oklahoma City, OK Metropolitan Statistical Area	1,342	98.8	142
Olympia-Tumwater, WA Metropolitan Statistical Area	327	121.3	77
Omaha-Council Bluffs, NE-IA Metropolitan Statistical Area	885	96.7	151
Orlando-Kissimmee-Sanford, FL Metropolitan Statistical Area	4,201	176.0	8
Oshkosh-Neenah, WI Metropolitan Statistical Area	146	86.1	211
Ottawa-Peru, IL Micropolitan Statistical Area	92	61.1	333
Owensboro, KY Metropolitan Statistical Area	63	53.6	365
Oxnard-Thousand Oaks-Ventura, CA Metropolitan Statistical Area	976	114.8	96
Palm Bay-Melbourne-Titusville, FL Metropolitan Statistical Area	816	143.6	32
Panama City, FL Metropolitan Statistical Area	191	96.7	152
Pensacola-Ferry Pass-Brent, FL Metropolitan Statistical Area	507	106.1	117
Peoria, IL Metropolitan Statistical Area	338	89.4	187
Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metropolitan Statistical Area	8,462	139.4	38
Phoenix-Mesa-Scottsdale, AZ Metropolitan Statistical Area	6,397	139.8	36
Pittsburgh, PA Metropolitan Statistical Area	3,075	130.7	52
Pittsfield, MA Metropolitan Statistical Area	72	56.3	353
Port St. Lucie, FL Metropolitan Statistical Area	657	144.4	29
Portland-South Portland, ME Metropolitan Statistical Area	627	119.1	82
Portland-Vancouver-Hillsboro, OR-WA Metropolitan Statistical Area	2,948	123.4	73
Pottsville, PA Micropolitan Statistical Area	81	56.0	354
Prescott, AZ Metropolitan Statistical Area	213	95.8	158
Providence-Warwick, RI-MA Metropolitan Statistical Area	1,682	104.3	123
Provo-Orem, UT Metropolitan Statistical Area	415	70.8	285
Pueblo, CO Metropolitan Statistical Area	204	124.7	71
Punta Gorda, FL Metropolitan Statistical Area	238	137.5	42
Racine, WI Metropolitan Statistical Area	183	93.8	169
Raleigh, NC Metropolitan Statistical Area	1,664	130.7	53
Rapid City, SD Metropolitan Statistical Area	98	68.0	297
Reading, PA Metropolitan Statistical Area	441	106.2	116
Redding, CA Metropolitan Statistical Area	158	88.0	196
Reno, NV Metropolitan Statistical Area	604	134.0	46
Richmond, VA Metropolitan Statistical Area	1,389	109.3	109
Richmond-Berea, KY Micropolitan Statistical Area	80	76.4	255
Riverside-San Bernardino-Ontario, CA Metropolitan Statistical Area	5,686	126.7	62
Roanoke, VA Metropolitan Statistical Area	234	74.4	267
Rochester, MN Metropolitan Statistical Area	223	104.3	124
Rochester, NY Metropolitan Statistical Area	937	86.6	210
Rockford, IL Metropolitan Statistical Area	337	98.9	141
Rocky Mount, NC Metropolitan Statistical Area	124	83.7	222
Roseburg, OR Micropolitan Statistical Area	67	62.2	328

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of identity theft complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).



## Appendix D2: Identity Theft Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup> *January 1 – December 31, 2016*

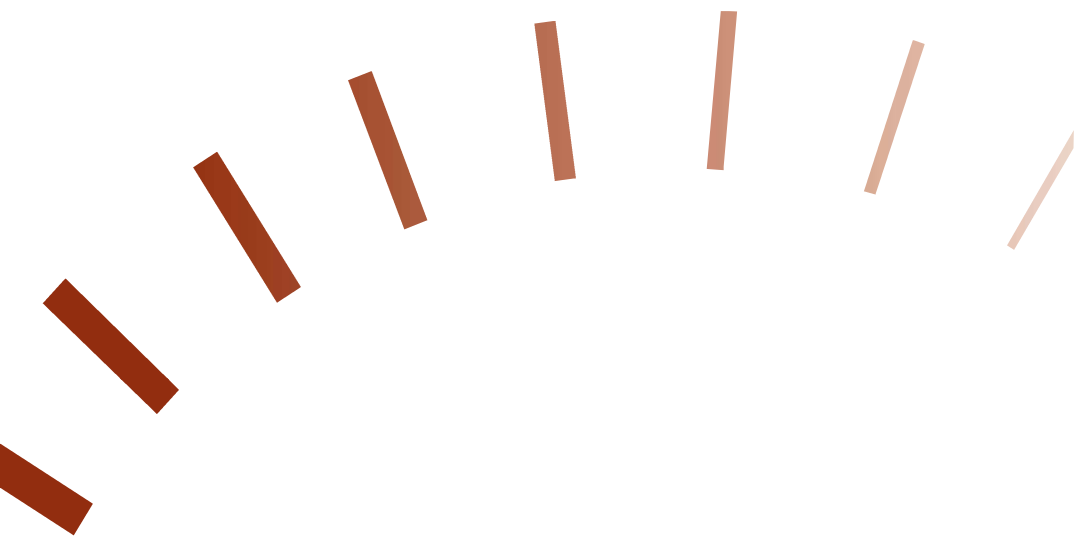
Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
Sacramento--Roseville--Arden-Arcade, CA Metropolitan Statistical Area	3,158	138.9	40
Saginaw, MI Metropolitan Statistical Area	245	126.7	63
Salem, OH Micropolitan Statistical Area	83	79.2	247
Salem, OR Metropolitan Statistical Area	343	83.6	223
Salinas, CA Metropolitan Statistical Area	298	68.7	295
Salisbury, MD-DE Metropolitan Statistical Area	358	90.6	178
Salt Lake City, UT Metropolitan Statistical Area	1,216	103.9	125
San Angelo, TX Metropolitan Statistical Area	108	90.3	182
San Antonio-New Braunfels, TX Metropolitan Statistical Area	2,815	118.1	86
San Diego-Carlsbad, CA Metropolitan Statistical Area	4,418	133.9	47
San Francisco-Oakland-Hayward, CA Metropolitan Statistical Area	8,533	183.3	7
San Jose-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area	3,288	166.3	11
San Luis Obispo-Paso Robles-Arroyo Grande, CA Metropolitan Statistical Area	325	115.5	95
Santa Cruz-Watsonville, CA Metropolitan Statistical Area	354	129.1	56
Santa Fe, NM Metropolitan Statistical Area	161	108.3	111
Santa Maria-Santa Barbara, CA Metropolitan Statistical Area	467	105.0	118
Santa Rosa, CA Metropolitan Statistical Area	564	112.3	103
Savannah, GA Metropolitan Statistical Area	384	101.3	137
Scranton--Wilkes-Barre--Hazleton, PA Metropolitan Statistical Area	453	81.2	238
Seattle-Tacoma-Bellevue, WA Metropolitan Statistical Area	5,155	138.1	41
Sebastian-Vero Beach, FL Metropolitan Statistical Area	173	117.0	89
Sheboygan, WI Metropolitan Statistical Area	102	88.3	194
Sherman-Denison, TX Metropolitan Statistical Area	108	86.1	212
Show Low, AZ Micropolitan Statistical Area	60	55.4	355
Shreveport-Bossier City, LA Metropolitan Statistical Area	331	74.6	266
Sierra Vista-Douglas, AZ Metropolitan Statistical Area	114	90.2	183
Sioux City, IA-NE-SD Metropolitan Statistical Area	89	52.6	367
Sioux Falls, SD Metropolitan Statistical Area	207	82.2	230
South Bend-Mishawaka, IN-MI Metropolitan Statistical Area	258	80.6	242
Spartanburg, SC Metropolitan Statistical Area	251	77.2	251
Spokane-Spokane Valley, WA Metropolitan Statistical Area	545	99.5	140
Springfield, IL Metropolitan Statistical Area	235	111.3	104
Springfield, MA Metropolitan Statistical Area	596	94.3	164
Springfield, MO Metropolitan Statistical Area	416	91.1	174
Springfield, OH Metropolitan Statistical Area	100	73.6	273
St. Cloud, MN Metropolitan Statistical Area	106	54.5	362
St. George, UT Metropolitan Statistical Area	86	55.3	357
St. Joseph, MO-KS Metropolitan Statistical Area	83	65.4	315
St. Louis, MO-IL Metropolitan Statistical Area	5,792	206.0	4
State College, PA Metropolitan Statistical Area	106	66.0	313
Staunton-Waynesboro, VA Metropolitan Statistical Area	90	74.9	265
Stockton-Lodi, CA Metropolitan Statistical Area	1,050	144.6	28
Sumter, SC Metropolitan Statistical Area	122	113.5	101
Syracuse, NY Metropolitan Statistical Area	422	63.9	323
Tallahassee, FL Metropolitan Statistical Area	699	185.0	6
Tampa-St. Petersburg-Clearwater, FL Metropolitan Statistical Area	4,607	154.8	17
Terre Haute, IN Metropolitan Statistical Area	118	69.0	292
Texarkana, TX-AR Metropolitan Statistical Area	105	70.1	288

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of identity theft complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).

## Appendix D2: Identity Theft Consumer Complaints by Largest Metropolitan Areas (in alphabetical order)<sup>1</sup> *January 1 – December 31, 2016*

Metropolitan Area	Complaints Per		
	Complaints	100,000 Population <sup>1</sup>	Rank
The Villages, FL Metropolitan Statistical Area	132	111.0	105
Toledo, OH Metropolitan Statistical Area	627	103.5	128
Topeka, KS Metropolitan Statistical Area	238	101.8	134
Torrington, CT Micropolitan Statistical Area	229	124.7	72
Traverse City, MI Micropolitan Statistical Area	187	126.1	66
Trenton, NJ Metropolitan Statistical Area	453	122.0	75
Tucson, AZ Metropolitan Statistical Area	1,329	131.6	50
Tulahoma-Manchester, TN Micropolitan Statistical Area	92	90.2	184
Tulsa, OK Metropolitan Statistical Area	1,068	108.9	110
Tupelo, MS Micropolitan Statistical Area	98	70.1	289
Tuscaloosa, AL Metropolitan Statistical Area	193	80.4	244
Twin Falls, ID Micropolitan Statistical Area	62	58.9	341
Tyler, TX Metropolitan Statistical Area	186	83.4	225
Urban Honolulu, HI Metropolitan Statistical Area	545	54.6	359
Utica-Rome, NY Metropolitan Statistical Area	138	46.7	377
Valdosta, GA Metropolitan Statistical Area	119	83.3	226
Vallejo-Fairfield, CA Metropolitan Statistical Area	631	144.7	27
Vineland-Bridgeton, NJ Metropolitan Statistical Area	195	125.1	70
Virginia Beach-Norfolk-Newport News, VA-NC Metropolitan Statistical Area	2,070	120.0	80
Visalia-Porterville, CA Metropolitan Statistical Area	413	89.8	185
Waco, TX Metropolitan Statistical Area	228	86.8	206
Warner Robins, GA Metropolitan Statistical Area	191	101.5	135
Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Statistical Area	8,765	143.7	31
Waterloo-Cedar Falls, IA Metropolitan Statistical Area	100	58.6	343
Watertown-Fort Drum, NY Metropolitan Statistical Area	72	61.2	332
Wausau, WI Metropolitan Statistical Area	89	65.5	314
Weirton-Steubenville, WV-OH Metropolitan Statistical Area	82	68.0	298
Wenatchee, WA Metropolitan Statistical Area	76	65.4	316
Wheeling, WV-OH Metropolitan Statistical Area	93	64.5	320
Whitewater-Elkhorn, WI Micropolitan Statistical Area	59	57.4	346
Wichita Falls, TX Metropolitan Statistical Area	86	57.0	349
Wichita, KS Metropolitan Statistical Area	614	95.3	161
Williamsport, PA Metropolitan Statistical Area	81	69.8	290
Wilmington, NC Metropolitan Statistical Area	267	96.1	155
Winchester, VA-WV Metropolitan Statistical Area	89	66.5	308
Winston-Salem, NC Metropolitan Statistical Area	682	103.4	129
Wooster, OH Micropolitan Statistical Area	89	76.7	253
Worcester, MA-CT Metropolitan Statistical Area	902	96.4	153
Yakima, WA Metropolitan Statistical Area	225	90.4	181
York-Hanover, PA Metropolitan Statistical Area	396	89.4	188
Youngstown-Warren-Boardman, OH-PA Metropolitan Statistical Area	451	82.0	232
Yuba City, CA Metropolitan Statistical Area	149	87.2	203
Yuma, AZ Metropolitan Statistical Area	135	66.1	312

<sup>1</sup>This chart illustrates Metropolitan Areas (Metropolitan and Micropolitan Statistical Areas) with a population of one hundred thousand or more. Ranking is based on the number of identity theft complaints per 100,000 inhabitants for each Metropolitan Area. Metropolitan Areas presented here are those defined by the Office of Management and Budget as of February 2013 and per 100,000 unit of population estimates are based on the 2015 U.S. Census population estimates (Table GCT-PEPANNRES-Geography-United States: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015 - United States -- Metropolitan and Micropolitan Statistical Area; and for Puerto Rico).



# APPENDIX B

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15 The People of the State of California

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
17 CITY AND COUNTY OF SAN FRANCISCO  
18 UNLIMITED JURISDICTION

19 THE PEOPLE OF THE STATE OF  
CALIFORNIA,

20 Plaintiff,

21 vs.

22 UBER TECHNOLOGIES, INC., a Delaware  
Corporation; RASIER, LLC, a Delaware  
23 Limited Liability Company; RASIER-CA,  
LLC, a Delaware Limited Liability Company;  
24 and DOES 1 through 100, inclusive,

25 Defendants.  
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**ELECTRONICALLY  
FILED**

*Superior Court of California,  
County of San Francisco*

**08/18/2015  
Clerk of the Court**

BY:WILLIAM TRUPEK

**Deputy Clerk**

Case No. CGC-14-543120

FIRST AMENDED COMPLAINT FOR  
PERMANENT INJUNCTION, CIVIL  
PENALTIES, RESTITUTION AND  
OTHER EQUITABLE RELIEF

Business & Professions Code  
Sections 17200 *et seq.* & 17500 *et seq.*

1 The District Attorneys for the City and County of San Francisco and the County of Los  
2 Angeles, acting to protect the general public within the State of California from untrue and  
3 misleading representations and unlawful and fraudulent business practices, bring this suit in the  
4 name of the People of the State of California. The People hereby allege the following on  
5 information and belief:

#### 6 PARTIES AND VENUE

7 1. The authority of the District Attorneys for the City and County of San Francisco and  
8 the County of Los Angeles to bring this action is derived from the statutory law of the State of  
9 California, specifically Business and Professions Code sections 17200 *et seq.* and 17500 *et seq.*

10 2. Defendant UBER TECHNOLOGIES, INC. is a Delaware corporation with its  
11 headquarters and primary place of business located in the City and County of San Francisco at  
12 1455 Market Street, San Francisco, CA 94103.

13 3. Defendant RASIER, LLC is a Delaware limited liability company with its  
14 headquarters and primary place of business located in the City and County of San Francisco at  
15 1455 Market Street, San Francisco, CA 94103. It is a subsidiary of UBER TECHNOLOGIES,  
16 INC. and licenses technology from defendant UBER TECHNOLOGIES, INC.

17 4. Defendant RASIER-CA, LLC is a Delaware limited liability company with its  
18 headquarters and primary place of business located in the City and County of San Francisco at  
19 1455 Market Street, San Francisco, CA 94103. It is a subsidiary of UBER TECHNOLOGIES,  
20 INC. RASIER-CA, LLC has obtained a Class P Transportation Network Company Permit from  
21 the California Public Utilities Commission (“CPUC”).

22 5. The true names and capacities, whether individual, corporate, associate, or otherwise,  
23 of the defendants sued herein under the fictitious names of DOES 1 through 100, inclusive, are  
24 unknown to Plaintiff, who therefore sues said defendants by such fictitious names. Each  
25 fictitiously named defendant is responsible in some manner for the violations of law herein  
26 alleged. Plaintiff will amend its complaint to show the true names and capacities of such  
27 defendants, as well as the manner in which each fictitious defendant is responsible for the

1 violations of law herein alleged, when these facts are ascertained.

2           6. At all relevant times, each defendant has committed the acts, caused others to commit  
3 the acts, ratified the commission of the acts, or permitted others to commit the acts alleged in this  
4 complaint and has made, caused, ratified, or permitted others to make, the untrue or misleading  
5 statements alleged in this complaint. Whenever reference is made in this complaint to any act of  
6 defendants, such allegation shall mean that each defendant acted individually and jointly with the  
7 other defendants. UBER TECHNOLOGIES, INC., RASIER, LLC, and RASIER-CA, LLC shall  
8 be referred to collectively as “Uber,” and the term “defendants” wherever used in this complaint  
9 shall mean all named defendants.

10           7. Whenever in this complaint reference is made to any act of any corporate  
11 defendant, such allegation shall be deemed to mean that such corporate defendant did the acts  
12 alleged in the complaint through its officers, directors, agent, employees, and/or  
13 representatives while they were acting within the actual or ostensible scope of their authority.

14           8. Defendants at all times mentioned herein have transacted business within the City and  
15 County of San Francisco, the County of Los Angeles and throughout the State of California. Each  
16 of the violations of law herein described has been committed in whole or in part within and/or  
17 from the City and County of San Francisco. The unlawful business practices alleged herein were  
18 conceived, reviewed, approved and otherwise controlled from Uber’s headquarters in San  
19 Francisco. The misrepresentations and omissions alleged herein were developed in and otherwise  
20 emanated from San Francisco, and they were contained on, among other places, Uber’s website  
21 and smartphone application, which are maintained in San Francisco. When passengers throughout  
22 the State of California used Uber’s services those transactions, including but not limited to the  
23 calculation of the fares, the billing and the payment for those services, were processed on Uber’s  
24 servers in San Francisco. In addition, many of the violations of law herein described occurred, in  
25 part, in each county in California in which Uber does business, including but not limited to the  
26 County of Los Angeles.

27 ///





1 parties, and public and private property.

2 12. Through this civil enforcement action, Plaintiff seeks to address Uber’s flagrant and  
3 unlawful business practices, including its practice of: (1) making untrue or misleading  
4 representations regarding the measures it takes to ensure customer safety in order to induce people  
5 to get into a stranger’s car; (2) using the Uber App to calculate fares based upon a measurement of  
6 time and distance without first obtaining the statutorily required approval of the California state  
7 agency charged with ensuring that measuring technology is accurate, reliable, and does not  
8 facilitate fraud; (3) conducting operations at California airports without obtaining authorization  
9 from the airport authorities; (4) charging a fraudulent and misleading “Airport Fee Toll” to its  
10 customers who travel to California airports; and (5) charging a fraudulent and misleading \$1.00  
11 “Safe Rides Fee” to its UberX customers. Plaintiff seeks injunctive relief designed to prevent  
12 Uber from engaging in these and similar unlawful acts and practices in the future; civil penalties in  
13 an amount sufficient to deter Uber as well as others who seek to replicate its model from flouting  
14 the law in a bid to grab market share; full restitution for all California consumers who paid any  
15 amount designated as an “Airport Fee Toll” which was not in fact charged by or paid to an airport  
16 authority; and full restitution for all California consumers who paid any amount designated as a  
17 “Safe Rides Fee” prior to November 1, 2014.

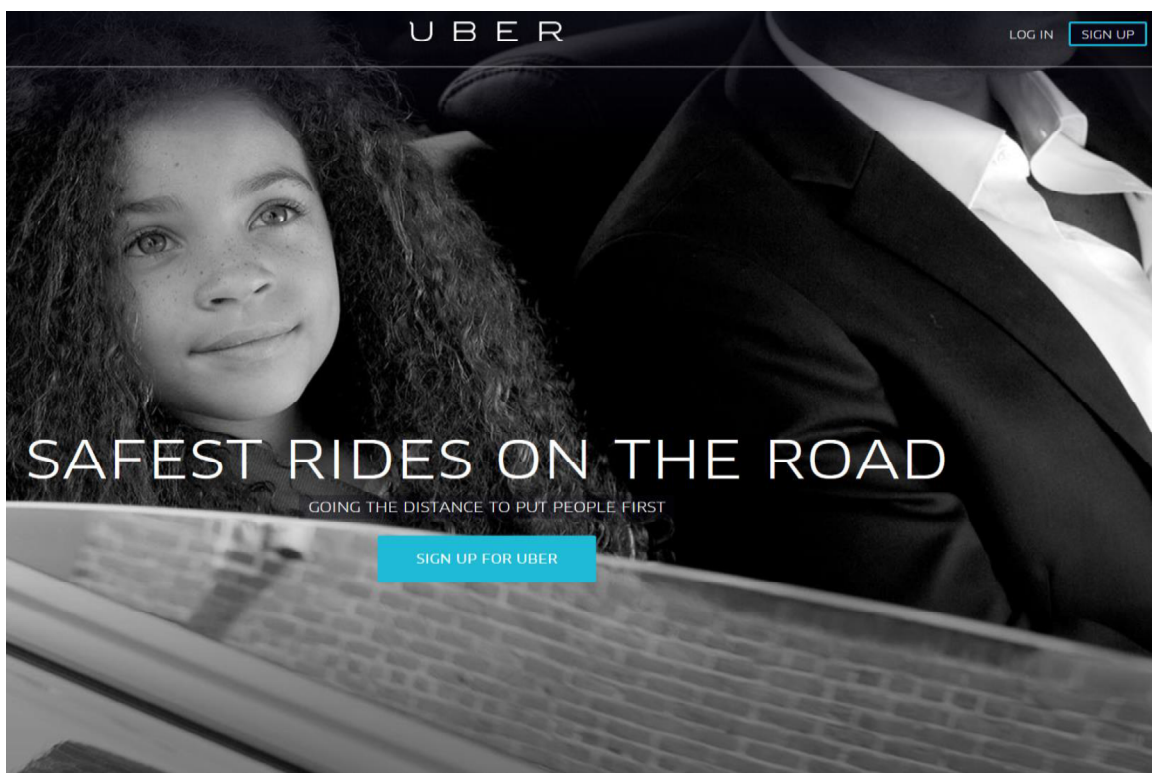
18 GENERAL ALLEGATIONS

19 UBER’S REPRESENTATIONS ABOUT SAFETY MEASURES

20 13. Uber’s business model depends upon convincing its customers it is safe to get into a  
21 stranger’s car despite its admission in its terms and conditions through at least April 7, 2015, that  
22 its customers “may be exposed to situations involving third party providers that are potentially  
23 unsafe, offensive, harmful to minors, or otherwise objectionable.” In a successful effort to do so,  
24 Uber makes a number of representations on its webpages, in communications with customers, and  
25 in the media designed to create the impression that Uber does everything it can to ensure its  
26 customers’ safety. The representations about safety contain true statements, false statements of  
27 fact, and statements that are misleading, either on their own, or when viewed in the context of the

1 rest of Uber’s safety representations. Uber’s false and misleading statements are so woven into the  
2 fabric of Uber’s safety narrative that they render Uber’s entire safety message misleading. Viewed  
3 separately or together, the representations are likely to mislead consumers into believing that Uber  
4 does everything it can to ensure their safety and that Uber’s background check process will capture  
5 all of the criminal history of an applicant that would result in that person being disqualified from  
6 driving a for-hire vehicle, whether under the criteria from Uber’s regulator imposed by law, or  
7 under Uber’s own disqualification criteria, or under the most stringent criteria applied by taxi  
8 regulators in any city.

9 14. Under the tagline “SAFEST RIDE ON THE ROAD – Going the Distance to Put  
10 People First” on the prominent “Safety” webpage (www.uber.com/safety) Uber represented,  
11 through the first week of June, 2015, that, “Wherever you are around the world, Uber is committed  
12 to connecting you to the safest ride on the road.” Uber created the “Safety” page in April 2014  
13 following a spate of bad press across the country concerning the criminal histories of Uber drivers.



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Wherever you are around the world, Uber is committed to connecting you to the safest ride on the road. That means setting the strictest safety standards possible, then working hard to improve them every day. The specifics vary depending on what local governments allow, but within each city we operate, we aim to go above and beyond local requirements to ensure your comfort and security - what we're doing in the US is an example of our standards around the world.

1           15. Uber expanded on this theme, explaining below the picture of a young girl riding in  
2 an Uber car, “That means setting the strictest safety standards possible, then working hard to  
3 improve them every day. The specifics vary, depending upon what local governments allow, but  
4 within each city we operate, we aim to go above and beyond local requirements to ensure your  
5 comfort and security – and what we’re doing in the US is an example of our standards around the  
6 world.”

7           16. On the same page ([www.uber.com/safety](http://www.uber.com/safety)) under the tagline, “RIDER SAFETY,”  
8 Uber introduced the centerpiece of its advertising about customer safety under the heading  
9 “BACKGROUND CHECKS YOU CAN TRUST.” Through the end of October, 2014, Uber  
10 represented to its customers, “Every ridesharing and livery driver is thoroughly screened through a  
11 rigorous process we’ve developed using industry-leading standards. This includes a three-step  
12 criminal background screening for the U.S. — with county, federal and multi-state checks that go  
13 back as far as the law allows — and ongoing reviews of drivers’ motor vehicle records throughout  
14 their time on Uber.”

## RIDER SAFETY

17 From the moment you request a ride to the moment you arrive, the Uber experience has been designed from the ground up with  
18 your safety in mind.



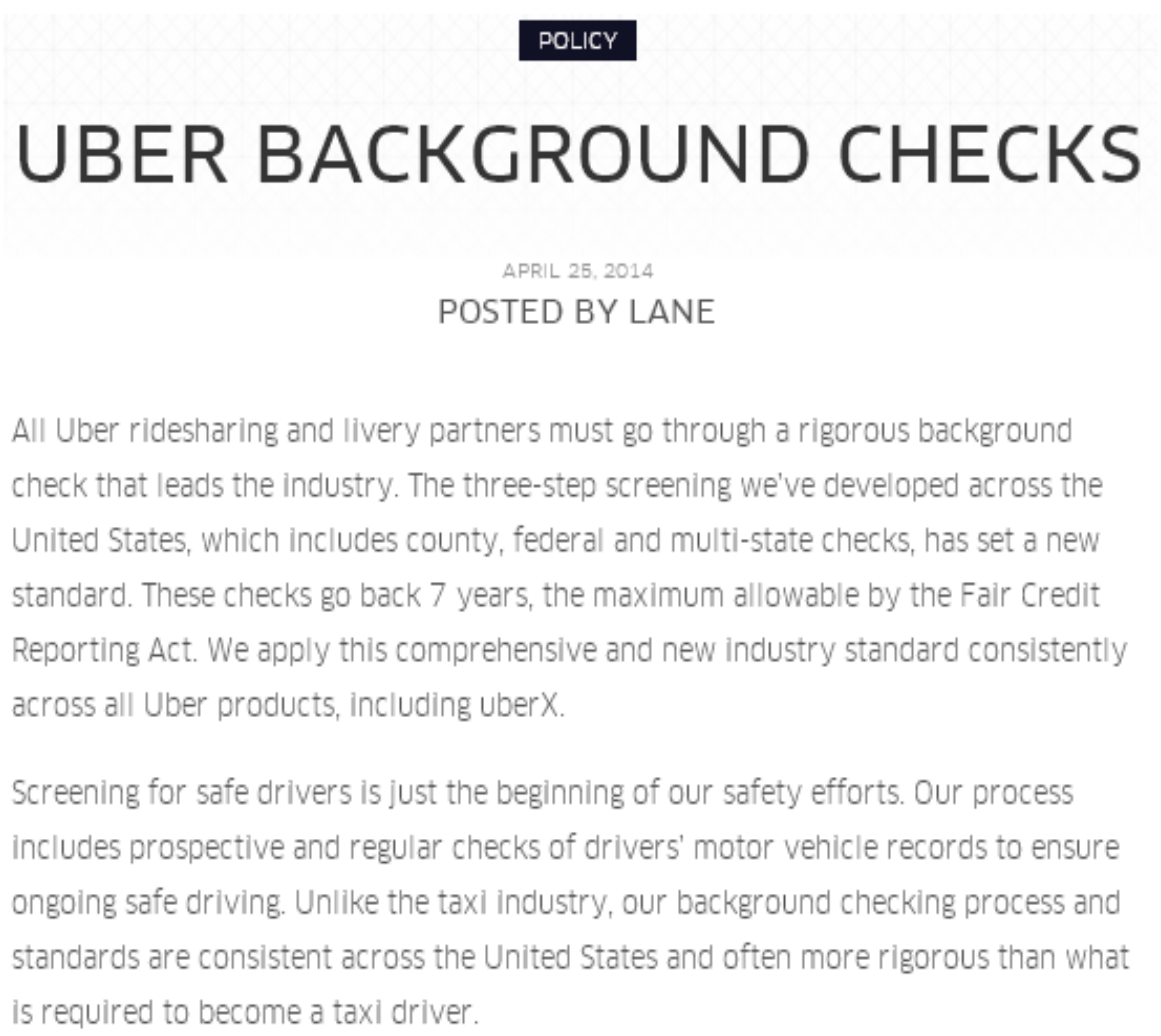
### BACKGROUND CHECKS YOU CAN TRUST

Every ridesharing and livery driver is thoroughly screened through a rigorous process we’ve developed using industry-leading standards. This includes a three-step criminal background screening for the U.S. – with county, federal and multi-state checks that go back as far as the law allows – and ongoing reviews of drivers’ motor vehicle records throughout their time on Uber.

[READ MORE](#)

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17. The “read more” link on the “BACKGROUND CHECKS YOU CAN TRUST” segment of Uber’s “Safety” page connected readers to an entry dated April 25, 2014 on the Uber blog (formerly at <http://blog.uber.com/driverscreening>) in which Lane Kasselmann, Uber’s Head of Communications for the Americas, expanded further on Uber’s theme. The Kasselmann blog entry that Uber published through at least December 10, 2014 stated that, “All Uber ridesharing and livery partners must go through a rigorous background check that leads the industry. . . .Screening for safe drivers is just the beginning of our safety efforts. Our process includes prospective and regular checks of drivers’ motor vehicle records to ensure ongoing safe driving. Unlike the taxi industry, our background checking process and standards are consistent across the United States and often more rigorous than what is required to become a taxi driver.”



1 18. Kasselmann’s blog entry dated April 25, 2014 also represented to the public that:

2 **All drivers are screened against:**

- 3
- 4 • County courthouse records going back 7 years for every county of residence
  - 5 • Federal courthouse records going back 7 years
  - 6 • Multi-State Criminal Database going back 7 years
  - 7 • National Sex Offender Registry screen
  - 8 • Social Security Trace (lifetime)
  - 9 • Motor Vehicle Records (historical and ongoing)

10 **Criteria for drivers to pass through Uber’s screening, going back seven years:**

- 11
- 12 • No DUI or other drug related driving violations or severe infractions\*
  - 13 • No Hit and Runs
  - 14 • No fatal accidents
  - 15 • No history of reckless driving
  - 16 • No violent crimes
  - 17 • No sexual offenses
  - 18 • No gun related violations
  - 19 • No resisting/evading arrest
  - 20 • No driving without insurance or suspended license charge in the past 3 years

21 \*CA requires no DUI in the past 10 years

22 19. Kasselmann’s blog entry ended, “Uber works hard to ensure that we are connecting  
23 riders with the safest rides on the road. The current efforts we are undertaking to protect riders,  
24 drivers and cities are just the beginning. We’ll continue innovating, refining, and working  
25 diligently to ensure we’re doing everything we can to make Uber the safest experience on the  
26 road.”

27 20. Uber reinforced the message about its efforts to ensure customer safety and the  
quality of its background checks when it charged UberX customers a \$1.00 “Safe Rides Fee,”  
which is separately itemized on the electronic receipt sent to each customer.

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**\$26.09**

Thanks for choosing Uber.



10:49  
Pickup Location

11:04  
Airport Access Road, San Francisco International Airport (SFO), San Francisco, CA

CAR	MILES	TRIP TIME
uberX	11.48	00:15:17

FARE BREAKDOWN

Base Fare	2.20
Distance	14.92
Time	3.97
<b>Subtotal</b>	<b>\$21.09</b>
SFO Airport Fee Toll (?)	<b>4.00</b>
Safe Rides Fee (?)	<b>1.00</b>
<b>CHARGED</b>	<b>\$26.09</b>
Personal	

21. Beginning with Uber’s April 2014 introduction of the “Safe Rides Fee” through the end of October, 2014, a question mark next to the words “Safe Rides Fee” contained a hyperlink that connected the customer to the following explanation stating that the fee is used to support, among other things, “an industry-leading background check process.”

## What Is The Safe Rides Fee?

From the beginning, we’ve always been committed to connecting you with the safest rides on the road. The Safe Rides Fee is a small fee added to uberX fares on behalf of drivers in cities with uberX ridesharing. This Safe Rides Fee supports continued efforts to ensure the safest possible platform for Uber riders and drivers, including an industry-leading background check process, regular motor vehicle checks, driver safety education, development of safety features in the app, and more. For complete pricing transparency, you’ll see this as a separate line item on every uberX receipt.

In the U.S., the Safe Rides Fee is always \$1 USD. In Canada, it is \$1 CAD.

1           22. In March of 2015, news reports came out about Uber drivers being prosecuted for  
2 raping their customers in Paris, France and Santa Clara, California. Also in March of 2015, Uber  
3 came out with a new advertising campaign, which appears to have been designed to respond to  
4 these reports and to reassure its customers once again that it is safe to get into an Uber. In an email  
5 to California customers on or about March 26, 2015, entitled “Safety By Design,” Uber told its  
6 customers that, “From before the start of your trip until after it's finished, safety is built into every  
7 step of the Uber experience. Look under the hood and see how.” Uber then represented to its  
8 customers that “Uber prohibits drug or alcohol offenses, severe traffic violations, and sexual  
9 offenses.”



#### **BACKGROUND CHECKS**

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15 Drivers pass federal, multi-state, and county background checks before driving.



#### **EXTENSIVE SCREENING**

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21 Uber prohibits drug or alcohol offenses, severe traffic violations, and sexual offenses.

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23           23. Unlike Uber’s Kasselmann blog post setting forth the time limitations on how old a  
24 conviction can be in order to disqualify an applicant (e.g., conviction for sex offense must be  
25 within 7 years), in this email Uber set forth no time limitation whatsoever, sending the clear and  
26 unequivocal message directly to the inbox of its customers that they can rest assured that they will  
27 not be getting into the car with a person who has committed “drug or alcohol offenses, severe

1 traffic violations,” or “sexual offenses” no matter how old the convictions. In order to reinforce  
2 Uber’s message that its “extensive screening” is robust enough to prevent the possibility that the  
3 customer will get into an Uber car driven by a sex offender, Uber’s March 26, 2015 “Safety By  
4 Design” email included a link to a video of a pregnant woman taking a ride alone with a male Uber  
5 driver while telling the audience all of the reasons she feels safe riding with Uber.



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17 24. Uber eliminated the “read more” hyperlink connecting the Rider Safety Page to the  
18 Kasselman Blog sometime during the second or third week of June, 2015. Uber’s elimination of  
19 the “read more” link created a new misleading impression. The “Background Checks” description  
20 now simply reads:

21 Every ridesharing and livery driver in the U.S. is thoroughly screened through a  
22 process that includes court, federal, and multi-state criminal background  
23 checks that go back as far as the driver’s state’s law allows, and ongoing  
24 reviews of drivers’ motor vehicle records throughout their time driving with  
25 Uber.

26 25. The statement fails to explain any disqualification criteria, leading consumers to  
27 believe that Uber eliminates drivers who have any kind of criminal convictions. The lack of any  
specific time limits in the statement also amplifies the impression that Uber’s background checks  
go as far back as legally possible.



1           26. Systemic failures in Uber’s background check process came to light through the  
2 discovery process in this enforcement action, including the fact that in Los Angeles alone,  
3 registered sex offenders, a kidnapper, identity thieves, burglars, and a convicted murderer had  
4 passed Uber’s “industry leading” background check. They were discovered to be driving for Uber  
5 only after being cited for an illegal airport ride or street hail. Following these revelations, Uber  
6 removed the Kasselmann blog from its website altogether and replaced it with a new blog entry  
7 written by Joe Sullivan, Uber’s new “Chief Security Officer” in the portion of the Uber website  
8 dubbed the “Newsroom.”

9           27. Sullivan’s blog entry (“the Sullivan blog”), dated July 2, 2015, states that Uber’s  
10 background check process consists of running an applicant’s name and address through databases  
11 identified as “the National Sex Offender Registry, National Criminal Search, and several different  
12 databases used to flag suspected terrorists.” The blog goes on to explain that if the database search  
13 identifies a criminal record, then Uber’s background check provider will send someone to the  
14 relevant local courthouse to gather the records. Gathering records at the courthouse, Sullivan  
15 claims, “helps ensure the records match the identity of the potential driver.”

16           28. In addition to listing the National Sex Offender Registry as one of the databases Uber  
17 drivers are screened against, the Sullivan blog further represents that Uber’s background check  
18 process results in, “Disqualification if potential driver appears on the National Sex Offender  
19 Registry . . . .”

20           29. On July 16, 2015, Uber reposted the Sullivan blog’s content to the Uber “Newsroom”  
21 under the heading “Details on Safety.” According to the post, Uber added this content to the  
22 “Newsroom” with the intent that “anyone can easily” see Joe Sullivan’s description of Uber’s  
23 “approach to safety in California.” While Uber made some modifications to the language used in  
24 the Sullivan blog, its content remained virtually unchanged.

25           30. The disqualification criteria listed in the Sullivan blog also changed certain  
26 representations that Uber had made in the past. Uber had previously represented that it  
27 disqualified drivers in California with convictions for driving under the influence going back ten

1 years, but the Sullivan blog represented that Uber’s background check process only looked back  
2 seven years for such convictions. The Sullivan blog also added disqualification criteria that were  
3 missing from Uber’s earlier representations, including convictions for fraud, theft-related offenses,  
4 and any other felony conviction.

5 31. Uber had previously backed away from other of the representations it had made on  
6 the Safety Page. In September of 2014, after the District Attorneys notified Uber that representing  
7 its background check process as “industry-leading” is false and misleading, Uber changed the  
8 words “industry-leading” under the heading “BACKGROUND CHECKS YOU CAN TRUST” to  
9 “constantly improving.” In October of 2014, Uber changed the description of the background  
10 check hyperlinked to the “Safe Rides Fee” on every UberX receipt by replacing the words  
11 “industry-leading” with “Federal, state, and local.” Sometime in December, 2014, following the  
12 filing of this enforcement action, Uber dropped the claim that its background check “leads the  
13 industry” from the first sentence of the Kasselmann blog. Three months later, on or about March  
14 26, 2015, Uber eliminated its claim to be the “Safest Ride on the Road” and modified the banner  
15 over the picture of the little girl on its Safety Page to read, “Safety By Design,” and then “Safe  
16 Rides Safer Cities – Putting People First.” Uber dropped its claim to be “setting the strictest safety  
17 standards possible, then working hard to improve them every day.” Uber also stopped claiming to  
18 have “BACKGROUND CHECKS YOU CAN TRUST.”

19 32. Although Uber backed away from some of its representations, Uber’s safety  
20 representations continue to be misleading. Since the debut of Uber’s “Safety Page” in April of  
21 2014, Uber has strengthened the impression that it does everything it can to ensure its customers’  
22 safety by incorporating specific misrepresentations of fact into the very impressive sounding  
23 laundry-list of process descriptions and disqualification criteria that Uber communicates to the  
24 public, both in the statements made by Uber on its web-pages described above, and in statements  
25 made by Uber’s spokespeople that are discussed in the succeeding paragraphs. These  
26 misrepresentations include, but are not limited to Uber’s representations that:

27 ///

- 1 • “All Uber ridesharing and livery partners must go through a rigorous background check that leads the industry;”
- 2 • The Safe Rides Fee supports an “industry-leading” background check
- 3 process;”
- 4 • Uber has “Background Checks that Exceed any Local or National
- 5 Standard;”
- 6 • Uber’s background check process is “often more rigorous than what is
- 7 required to become a taxi driver;”
- 8 • Uber’s safety measures “always exceed what is required of local taxi
- 9 companies;”
- 10 • “Within each city we operate, we aim to go above and beyond local
- 11 requirements to ensure your comfort and security;”
- 12 • Uber’s background checks “go back as far as the law allows;”
- 13 • Uber’s background checks go back “the maximum allowable by the Fair
- 14 Credit Reporting Act;”
- 15 • Uber checks the National Sex Offender Registry and disqualifies applicants
- 16 who appear on the Registry;
- 17 • “Verifying potential criminal records at the source - the courthouse records -
- 18 helps ensure the records match the identity of the potential driver;”
- 19 • “Uber prohibits drug or alcohol offenses, severe traffic violations, and
- 20 sexual offenses;”
- 21 • Uber’s background check process includes a “lifetime” disqualification for
- 22 sex offenders.

21 *Uber’s Background Check Process Cannot Ensure Its Information Pertains to The Applicant*

22 33. The centerpiece of Uber’s customer safety assurances — the background check  
23 process Uber touts as “often more rigorous than what is required to become a taxi driver” — does  
24 not use fingerprint identification and therefore cannot ensure the information Uber obtains from a  
25 background check actually pertains to the applicant. Uber’s representations concerning the quality  
26 of its background check process are untrue or misleading. Contrary to Uber’s multiple  
27 representations concerning the superiority of its background check process, including but not

1 limited to representations that it uses a background check process that “leads the industry,” and  
2 that its background check process is “often more rigorous than what is required to become a taxi  
3 driver,” Uber’s background check process does not provide the level of security provided by the  
4 fingerprint-based background check process employed for performing background checks on taxi  
5 drivers in California’s most populous cities.

6 34. Instead of using fingerprints, Uber’s background check process relies upon its drivers  
7 to submit personal identifiers (name, address, driver’s license number and state, and social security  
8 number) through an online webpage. Uber provides this information to a private background  
9 check vendor. One of the vendors Uber uses is Hirease, Inc. (a division of Accurate Background,  
10 Inc.). Another vendor Uber uses is Checkr, Inc. Uber’s process cannot ensure that the information  
11 in the background check report is actually associated with the applicant since it does not use a  
12 unique biometric identifier such as a fingerprint.

13 35. Because of inaccuracies in background check information provided by private  
14 companies, California’s Investigative Consumer Reporting Agencies Act requires those  
15 companies to include on the first page of every background check report a notice, in at least  
16 12-point boldface type, setting forth that “the report does not guarantee the accuracy or  
17 truthfulness of the information as to the subject of the investigation, but only that it is accurately  
18 copied from public records, and information generated as a result of identity theft, including  
19 evidence of criminal activity, may be inaccurately associated with the consumer who is the subject  
20 of the report.”

21 36. In fact, the sample report Hirease makes available on its website  
22 (<http://info.hirease.com/consumer-resource>) has a disclaimer stating, “Final verification of an  
23 individual’s identity and proper use of report contents are the user’s responsibility.” Similarly, the  
24 report generated by Checkr has a disclaimer stating, “The report does not guarantee the accuracy  
25 or truthfulness of the information as to the subject of the investigation, but only that it is accurately  
26 copied from public records, and information generated as a result of identity theft, including  
27 evidence of criminal activity, may be inaccurately associated with the consumer who is the subject

1 of the report.”

2 37. By contrast, the taxi regulators in the most populous parts of California require  
3 drivers to undergo criminal background checks processed by the California Department of Justice  
4 (the “CALDOJ”). This process (the “Live Scan/CALDOJ Process”) requires each driver to submit  
5 fingerprints through a technology called “Live Scan,” and the fingerprint images are used to  
6 automatically search against all other fingerprint images in government criminal record databases  
7 maintained by the CALDOJ and the FBI. Taxi regulators in Uber’s home town of San Francisco,  
8 as well as California’s most populous city – Los Angeles, and, at a minimum, the rest of the 10  
9 most populous cities in California, and all 34 cities in Orange County all require Live Scan.

10 38. Live Scan fingerprinting in California occurs at a facility designated by the California  
11 Department of Justice. The fingerprints allow a biometric search of the California Department of  
12 Justice’s criminal history databases and the option to obtain a search of the Federal Bureau of  
13 Investigation’s database of multistate criminal history information. The process of using a  
14 biometric identifier to search government databases through the California Department of Justice  
15 is the gold standard for a background check process in California.

16 39. Fingerprints vary from person to person, and as a result they are an effective way of  
17 verifying a person’s identity. Because of the unique identifying characteristics of fingerprints, the  
18 Live Scan/CALDOJ Process provides assurance that the person whose criminal history has been  
19 run is, in fact, the applicant. This would ensure that a registered sex offender could not use his  
20 law-abiding brother’s identification information to become an Uber driver, and that a convicted  
21 burglar could not borrow his cousin’s identification information to become an Uber driver in order  
22 to case the empty homes of customers he takes to the airport.

23 40. One of Uber’s own background check providers, Hirease, explains why a fingerprint-  
24 based background check process is far superior: “Fingerprinting helps uncover criminal history not  
25 discovered through traditional methods, offers extra protection to aid in meeting industry  
26 guidelines, and helps prevent fraud.” Accurate Background, Inc., which is the parent company of  
27 Hirease, makes the same admission: “Fingerprinting helps uncover criminal history not discovered

1 through traditional methods, offers extra protection to aid in meeting industry guidelines, and helps  
2 prevent fraud.”

3 41. The private background check companies employed by Uber do not conduct finger-  
4 print based checks for Uber. Rather, they search certain databases using personally identifiable  
5 information provided by applicants (“names-based checks”). The use of name-based checks  
6 decreases the accuracy of the information that the checks produce. Name-based checks can result  
7 in false positives because one person may be associated with another person’s records. They can  
8 also result in false negatives. For example, if an individual provides false personally identifiable  
9 information or for some other reason has a criminal history under a different name, such as a  
10 maiden name, the name-based checks can miss the individual’s criminal history.

11 42. In the July, 2015 Sullivan blog, Uber attempted to diffuse the impact of several  
12 matters raised by the District Attorneys in this case. One was the fact that Uber’s background  
13 check process cannot ensure the information Uber obtains actually pertains to the applicant.  
14 Uber’s response in the Sullivan blog was to double-down on its misleading representations by  
15 asserting that its background check process does, in fact “ensure the records match the identity of  
16 the potential driver” because Uber’s “background check provider sends someone to review the  
17 record in-person at the relevant courthouse or, if possible, pulls the record digitally.” This  
18 representation is untrue or misleading. Obtaining records at a courthouse does not verify the  
19 identity of the applicant. If an applicant provides Uber with incorrect identifying information, then  
20 Uber will search for the wrong name in the databases it searches and never go to the correct  
21 courthouse. Even if Uber went to a courthouse to obtain records, it would request the wrong  
22 records because it would have the wrong name.

23 43. In light of the fact that Uber does not use fingerprint identification, and therefore  
24 cannot ensure the information Uber obtains from a background check actually pertains to the  
25 applicant, Uber’s factual representations described above, when viewed separately or together, are  
26 false or misleading. For instance, Uber cannot ensure that “all drivers are screened against”  
27 county courthouse records going back seven years for every county of residence, because Uber’s

1 background check process cannot ensure that Uber actually learns of every county where a driver  
2 may have been convicted during the past seven years while living under an alias that the driver has  
3 not given to Uber. Furthermore, Uber cannot ensure that “all drivers are screened” for criminal  
4 histories because applicants who provide inaccurate or false information are effectively not  
5 screened at all.

6 *Uber’s Background Check Process Does Not Access Complete Criminal Record Repositories*

7 44. The private background check companies employed by Uber do not have access to  
8 the CALDOJ and federal databases of criminal history repositories. Rather, the background check  
9 companies employed by Uber search for criminal convictions in commercial databases that do not  
10 index their records by unique biometric identifiers.

11 45. By contrast, the criminal records in government criminal record databases contain  
12 unique numerical identifiers associated with a unique biometric identifier, such as a person’s  
13 fingerprints. These numerical identifiers allow for the tracking of individuals who use aliases or  
14 who, for other reasons, have criminal records associated with different names, different addresses,  
15 or different social security numbers. The use of a numerical identifier associated with a unique  
16 biometric identifier, enables database searches to capture all criminal history of the subject even if  
17 the subject gives untruthful or inaccurate identifying information.

18 46. The private background check companies employed by Uber cannot search their  
19 databases using a unique identifier associated with a person’s fingerprints to identify criminal  
20 history information that otherwise might have been missed if the person was convicted under an  
21 alias name, or gave a false date of birth or social security number. The private databases are  
22 inferior to the government databases because the background check companies must rely upon the  
23 truthfulness and accuracy of the information given to them by the subject of the search.

24 47. In order to bolster public perception about its own background check system, Uber  
25 affirmatively mischaracterizes the accuracy of the Live Scan/CALDOJ background check process.  
26 Uber’s Sullivan blog represents that the Live Scan/CALDOJ process relies on databases that  
27 include arrest records for people who were never charged or convicted of crimes. According to

1 Uber, the Live Scan/CALDOJ process therefore flags innocent people and impacts minorities in  
2 particular. These representations are untrue or misleading. They are also irrelevant in light of the  
3 fact that Uber does not – and cannot by law in California – disqualify drivers based on arrests that  
4 did not result in convictions.

5 48. If a background check processed by the CALDOJ includes a record of arrest with no  
6 corresponding disposition, the CALDOJ is required by law to make a “genuine effort” to  
7 determine the disposition. The CALDOJ may contact the law enforcement agency who made the  
8 arrest, the district attorney’s office that prosecuted the case, and the relevant court. The CALDOJ  
9 completes the records for out-of-state and federal arrests, as well as in-state arrests. Only after  
10 completing the record will the CALDOJ disseminate the results of the background check.

11 49. In fact, the July 2013 report of the National Employment Law Project (“NELP”),  
12 which Joe Sullivan and other Uber employees and officers misleadingly cite to criticize the  
13 accuracy of the Live Scan/CALDOJ Process, specifically praises California’s process as follows:  
14 “California Tracks Down Problem FBI Records to Ensure Fair Access to Jobs and Occupational  
15 Licenses.” More specifically, the NELP report states that the CALDOJ “timely ensures that the  
16 completeness and accuracy of records that are requested for employment and licensing decisions.”

17 50. In light of the fact that Uber does not access complete criminal record repositories,  
18 and therefore cannot ensure Uber obtains all of an applicant’s criminal history, Uber’s factual  
19 representations described above, when viewed separately or together, are false or misleading. For  
20 instance, Uber cannot ensure that it screens out all drivers who have disqualifying criminal  
21 histories, because Uber cannot ensure that it actually obtains complete or accurate criminal history  
22 information.

23 *Uber’s Background Check Process Does Not Go Back As Far As The Law Allows*

24 51. The information available to taxi regulators using the Live Scan/CALDOJ Process is  
25 unlimited in duration. Uber, in contrast, limits its background check to criminal convictions going  
26 back seven years. On Uber’s “Safety” webpage and in the Sullivan blog, Uber represents that state  
27 or federal law bars it from considering convictions older than seven years. This representation is



1 untrue or misleading.

2           52. Federal law allows criminal convictions to be reported indefinitely. The Fair Credit  
3 Reporting Act cited by Uber does not have time limitations on reporting criminal convictions for  
4 employment purposes.

5           53. California’s Investigative Consumer Reporting Agencies Act (“ICRAA”), Civil Code  
6 section 1716.18, allows Uber’s background check providers to report criminal convictions of a  
7 driver that are older than seven years, so long as the date of release or parole is no more than seven  
8 years before the date of the background check report. Thus, the law allows Uber’s background  
9 check provider to report a driver applicant’s 1995 murder conviction when he was released on  
10 parole in 2014. Yet, Uber’s background check process does not report or identify that conviction.

11           54. Uber’s regulator, the CPUC, requires Uber to disqualify, “any person who has been  
12 convicted, within the past seven years, of driving under the influence of drugs or alcohol, fraud,  
13 sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage,  
14 and/or theft, acts of violence, or acts of terror.” These disqualification criteria established by the  
15 CPUC set a floor, not a ceiling, for Uber’s background checks and do not prohibit Uber from  
16 utilizing a background check process that goes back as far as allowed under California’s  
17 Investigative Consumer Reporting Agencies Act. Rather than going “above and beyond local  
18 requirements to ensure your comfort and security” as Uber claims to do, Uber instead chooses to  
19 apply disqualification criteria that meet the bare minimum durational requirements imposed by its  
20 regulator.

21           55. San Francisco has a Fair Chance Ordinance that bars employers from basing hiring  
22 decisions on convictions older than seven years. However, this ordinance only applies to  
23 employees who must work eight or more hours per week in San Francisco. Uber does not require  
24 that its drivers work in San Francisco for any amount of time, so the Fair Chance Ordinance is  
25 inapplicable.

26           56. Another matter raised by the District Attorneys in this case was that Uber’s  
27 background check process does not, as represented, go back “as far as the law allows.” Rather

1 than correct this false statement, Uber’s Sullivan blog repeats the untrue and misleading claim that  
2 California law limits private background check companies to a “lookback” period of seven years,  
3 and claims that this period of time “strikes the right balance between protecting the public while  
4 also giving ex-offenders the chance to work and rehabilitate themselves.”

5 57. In the Sullivan blog, Uber cites two California laws that it claims limit its ability to  
6 consider convictions older than seven years. AB 218 is a “Ban the Box” law that prevents public  
7 employers – not private employers like Uber – from asking applicants to disclose certain criminal  
8 history information on applications prior to an initial interview. SB 530 prevents private  
9 employers from considering arrests that did not result in convictions, as well as convictions that  
10 were subsequently dismissed or expunged. Neither law has anything to do with Uber’s ability to  
11 consider convictions older than seven years.

12 58. Uber may have decided that seven years is the proper limit for achieving a balance  
13 between rehabilitation and opportunity for former offenders. The law, however, imposes no such  
14 limit on Uber. If Uber has decided on its own to limit its background checks to seven years in  
15 order to provide employment opportunities for former offenders, such efforts do not give Uber  
16 license to make false or misleading statements to its consumers which prevent them from making  
17 an informed decision about using Uber’s services.

18 59. In light of the fact that Uber’s background check process is limited in duration and  
19 does consider criminal convictions going back as far as the law allows, Uber’s factual  
20 representations described above, when viewed separately or together, are false or misleading. For  
21 instance, Uber cannot ensure that it screens out all drivers who have disqualifying criminal  
22 histories going back as far as the law allows, because Uber does not gather information concerning  
23 the date that an offender was released from prison or the date that an offender was released from  
24 parole.

25 *Uber’s Background Check Process Cannot Uncover Many Categories of Sex Offenders*

26 60. While Uber’s background check process will only identify applicants whose sex  
27 offense convictions occurred within the past seven years, the Live Scan/CALDOJ process used by

1 the taxi regulators in California’s most populous cities identifies all sex offense convictions  
2 regardless of when they occurred. To bolster its claims that its background check process “leads  
3 the industry” despite this critically important difference, Uber has undertaken a campaign to  
4 convince the general public, its existing customers, and various regulators that its screening would  
5 disqualify all applicants who are registered as sex offenders anywhere in the United States no  
6 matter when the conviction occurred.

7         61. The campaign began with factual representations in the Kasselmann blog that were  
8 likely to lead a reasonable California consumer to believe that Uber’s background check process is  
9 robust enough to prevent the possibility that the customer will get into an Uber car driven by a sex  
10 offender. Kasselmann represented that all drivers “are screened against” county courthouse records  
11 going back seven years for every county of residence, federal courthouse records going back seven  
12 years, and a purported multi-state criminal database going back seven years.

13         62. On top of these supposedly comprehensive checks, the Kasselmann blog also  
14 represented that all drivers “are screened against” a “National Sex Offender Registry screen.” This  
15 reinforces the message that Uber’s background check process enables Uber to identify any  
16 registered sex offender, since the “National Sex Offender Registry” (NSOR) is a government sex-  
17 offender registry maintained by the FBI’s National Criminal Information Center (NCIC).

18         63. Uber’s General Counsel, Salle Yoo, repeated Uber’s messaging about sex offenders  
19 in a June, 2015 Marie Claire Magazine article questioning the efficacy of Uber’s background  
20 check process. The article discussed 14 reported instances of Uber drivers assaulting passengers in  
21 Chicago, Los Angeles, Philadelphia, Washington, D.C., London, and Paris. It also discussed  
22 charges of kidnapping and rape brought against a New Delhi Uber driver, and charges of sexual  
23 assault brought in early April against an Uber driver in Houston. The Marie Claire article quoted  
24 General Counsel Yoo as trotting out the company’s public-relations script message that Uber’s  
25 safety measures “always exceed what is required of local taxi companies.”

26         64. Uber’s public-relations machine often repeats this refrain. In an Uber blog entry  
27 dated January 5, 2015 and entitled “Uber Chicago Team Unveils New Safety Team Initiatives,”

1 Uber spokesperson “Chris” represented that Uber has “Background Checks that Exceed any Local  
2 or National Standard.” In other local blogs, such as the Uber “Newsroom” blog for Pittsburgh and  
3 for Chicago, Uber represents that its background check process, which is “consistent” throughout  
4 the country, includes a “lifetime” disqualification for sex offenders.

5 65. Uber’s statements that it searches the National Sex Offender Registry are false. The  
6 NSOR is a database available to law-enforcement personnel only. Uber kept the Kasselmann blog  
7 visible to consumers on its website through June 30, 2015.

8 66. The publicly-available government websites that allow private parties to search for  
9 registered sex offenders do not list all registered sex offenders. The Dru Sjodin National Sex  
10 Offender Public Website maintained by the United States Department of Justice (the “NSOPW”),  
11 omits approximately one quarter of the registered sex offenders in California. The list of  
12 registered sex offenders NOT included on NSOPW include certain California offenders convicted  
13 of:

- 14 • child pornography offenses where the victims are between the ages of 16 and 18,
- 15 • sexual exploitation of a child,
- 16 • employment of a minor for sexual exploitation,
- 17 • misdemeanor child molestation,
- 18 • felony sexual battery, and
- 19 • sex offenses against a grandchild, child, stepchild or sibling not involving  
20 penetration.

21 67. Under California law, offenders convicted of these offenses may apply for an  
22 exemption from being reported on the publicly-available website of sex-offenders maintained by  
23 the California Department of Justice, the “Megan’s Law Website.” According to the California  
24 Department of Justice, there are more than 30,000 registered sex offenders who have received this  
25 exemption and, therefore, do not appear on the Megan’s Law Website. This category of registered  
26 sex offenders will also not appear on the NSOPW because, for California registered sex offenders,  
27 NSOPW simply reports the information available on the Megan’s Law Website.

1           68. Moreover, other sex offenses do not require registration at all. For instance, an Uber  
2 driver convicted of misdemeanor sexual battery, Penal Code § 243.4, or engaging in lewd conduct  
3 in a public place, Penal Code § 647(a), would not have to register as a sex offender - and a search  
4 of the NSOPW would not disclose the convictions.

5           69. Because Uber's background check process only identifies sex offense convictions less  
6 than seven years old, and must rely upon publicly-available sex-offender data sources that omit  
7 30,000 registered sex offenders in California, Uber's process will miss any one of the more than  
8 30,000 registered sex offenders who fall into this category and whose conviction is more than  
9 seven years old, and Uber's process will miss them 100 percent of the time. This means, for  
10 example, that Uber's background check process will NEVER disqualify a registered sex offender  
11 who applies to become an Uber driver in 2015 who was convicted in 2007 for molesting his  
12 daughter or for committing felony sexual battery on a stranger, so long as the applicant had  
13 successfully petitioned to have his name removed from the public website.

14           70. And, because Uber's background check process does not use fingerprints or other  
15 biometrics to verify the identity of the applicant, it will miss a registered sex offender who applies  
16 by using the identifying information of someone with a clean criminal history and driving record  
17 100 percent of the time. This means, for example, that Uber's background check process will  
18 NEVER disqualify a registered sex offender who was convicted of rape in 2007 and released from  
19 prison in 2015 just weeks before he applied to Uber by using the identifying information of  
20 someone with a clean criminal history and driving record.

21           71. By contrast, the Live Scan/CALDOJ background check process used by taxi  
22 regulators in California's most populous counties will identify that same applicant as a registered  
23 sex offender by: (1) revealing all convictions, including convictions for sex offenses, regardless of  
24 when the conviction occurred and (2) ensuring the applicant has not avoided detection as a  
25 registered sex offender by using someone else's identifying information.

26           72. Uber's misleading representations present a special danger to public safety in light of  
27 the well-documented phenomenon of parents sending their teenage children unaccompanied in

1 Uber vehicles. Parents' increasing reliance on Uber to shuttle their children from school to sports  
2 practice, music lessons and after-school activities has been reported in national news-media  
3 articles such as the Washington Post's March 10, 2015 article, "Harried Parents Embracing Uber  
4 To Move Kids Around Town," the Wall Street Journal's December 17, 2014 article, "Uber Is the  
5 New Family Chauffeur - Teens Gain Independence; Parents Track the Rides," and the New York  
6 Times' April 17, 2015 article, "For Some Teenagers, 16 Candles Mean It's Time to Join Uber."

7 73. When confronted through the discovery process in this enforcement action with the  
8 fact that Uber's background check process has systemic deficiencies that prevent Uber from  
9 identifying a large number of sex offenders, Uber made assertions designed to mislead consumers  
10 into believing that Uber's process is as comprehensive as the Live Scan/CALDOJ Process. The  
11 Sullivan blog continues to lie to the public and assert that Uber searches the National Sex Offender  
12 Registry. The Sullivan blog also falsely claims that not every registered sex offender appears on  
13 the California Department of Justice's registry of sex offenders, and thus creates the implication  
14 that the Live Scan/CALDOJ Process will also, like Uber's process, miss approximately 25% of  
15 registered sex offenders in California. The CALDOJ/Live Scan background check process  
16 identifies all convictions, including sex offenses, without time limitation.

17 *Drivers With Disqualifying Criminal Histories Pass Uber's Background Check*

18 74. Since the filing of the original Complaint eight months ago, the People have received  
19 records of Uber drivers who were issued citations by airport police at San Francisco and Los  
20 Angeles International Airports and the Los Angeles Police Department's Bandit Cab detail. From  
21 this small sample, the People have identified drivers with disqualifying criminal histories or  
22 driving records who nonetheless passed Uber's background check. The criminal histories include  
23 convictions for murder, sex offenses, kidnapping, assault, robbery burglary, fraud, and identity  
24 theft. The individuals' driving records include convictions for driving under the influence, driving  
25 with a suspended license, and reckless driving, as well as individuals who had more than three  
26 DMV points within the preceding three years. What follows is a sample of the drivers who passed  
27 Uber's background check process despite having criminal histories and driving records that are

1 disqualifying under Uber's own representations, PUC rules and regulations, and/or the rules and  
2 regulations applied by local taxi regulators.

3         75. Uber Driver # 1 was convicted of second degree murder, a felony, in Los Angeles in  
4 1982. After spending 26 years in prison, he was released on parole in 2008. He applied to drive  
5 for Uber using a different name than the name appearing on the court records relating to his  
6 murder conviction. A background report generated by Hirease on November 10, 2014 states that  
7 Driver # 1 had no known aliases. The background report shows no criminal history for Driver # 1.  
8 In November of 2014, less than seven years after being released from prison, he became an Uber  
9 driver. Uber Driver #1 drove for Uber in Los Angeles until May 28, 2015 and provided 1,168  
10 rides to consumers. California law allowed Hirease to report Uber Driver #1's criminal history to  
11 Uber, since he was released from prison within seven years of the Uber background check. Uber's  
12 background check process did not identify Driver #1's murder conviction because Uber's process  
13 (a) does not utilize a unique biometric identifier, (b) does not access criminal record repositories  
14 that allow for the tracking of individuals using aliases, and (c) does not actually go back as far as  
15 the law allows. The Live Scan/CALDOJ Process does not have the same limitations and would  
16 have identified Driver # 1's criminal history.

17         76. Uber Driver # 2 was convicted of committing lewd or lascivious acts against a child  
18 under 14, a felony, on July 25, 1999. He is required to register as a sex offender in the State of  
19 California. He applied for, and was granted, exclusion from the California Megan's Law Website.  
20 And his name does not appear on the NSOPW. In February of 2014, he applied to drive for Uber.  
21 A background report generated by Hirease on February 17, 2014 did not uncover Driver # 2's  
22 conviction for lewd or lascivious acts with a child under 14, or the fact that he is a registered sex  
23 offender. Driver # 2 drove for Uber until May of 2015. He provided 5,697 rides to Uber  
24 passengers, including unaccompanied children. Uber's background check process did not identify  
25 Driver # 2's conviction or his status as a registered sex offender because Uber's process (a) does  
26 not access criminal record repositories of unlimited duration and (b) does not access databases  
27 with complete criminal history information. The Live Scan/CALDOJ Process does not have the

1 same limitations and would have identified Driver # 2's criminal history.

2 77. Uber Driver # 3 was convicted of felony sexual exploitation of children in Wyoming  
3 on November 7, 2005. According to publicly available court records, he was found to be in  
4 violation of his probation in April 2011. He was not released from probation until March 2013.  
5 He registers as a sex offender in the State of California. In August 2013, he applied to drive for  
6 Uber. A background report generated by Hirease on August 19, 2013 did not uncover Driver # 3's  
7 conviction for felony sexual exploitation of children, his status as a registered sex offender, or the  
8 fact that he was on probation until just five months earlier. He drove for Uber in Los Angeles until  
9 May 22, 2015 and provided 3,173 rides to consumers, including unaccompanied children.  
10 California law allowed Hirease to report Driver # 3's conviction to Uber because he was released  
11 from probation within seven years of the background check. Uber's background check process did  
12 not identify Driver # 3's conviction or his status as a registered sex offender because Uber's  
13 process (a) does not access databases with complete criminal history information, (b) does not  
14 access criminal record repositories of unlimited duration, and (c) does not actually go back as far  
15 as the law allows. The Live Scan/CALDOJ Process does not have the same limitations and would  
16 have identified Driver # 3's criminal history.

17 78. Uber Driver # 4 was convicted of felony kidnapping for ransom with a firearm on  
18 November 21, 1994 in Los Angeles, and he was sentenced to a term of eight years to life in prison.  
19 He has earlier convictions for a variety of crimes including felony robbery with a firearm, felony  
20 sale of cocaine, and driving under the influence in San Bernadino and Pomona. He was released  
21 from prison in 2013, and he remains on parole. He applied to drive for Uber in March of 2015. A  
22 background report generated by Checkr on March 18, 2015 did not uncover Driver # 4's extensive  
23 criminal history. The Checkr report indicates that a county-level check was only performed in San  
24 Bernadino, California and Middlesex, Massachusetts, but not in Los Angeles where Driver # 4 had  
25 been convicted of kidnapping. California law allowed Checkr to report Driver # 4's conviction to  
26 Uber because, within seven years of the background check, he was released from prison after  
27 serving a prison sentence for a violent crime. Uber's background check process either failed to



1 identify Uber Driver # 4's criminal history, or identified the history and passed him nonetheless.  
2 Uber's background check process did not identify Driver # 4's conviction for kidnapping because  
3 Uber's process (a) does not access databases with complete criminal history information, (b) does  
4 not access criminal record repositories of unlimited duration, and (c) does not actually go back as  
5 far as the law allows. The Live Scan/CALDOJ Process does not have the same limitations and  
6 would have identified Driver # 4's criminal history. Upon learning of Driver # 4's criminal  
7 history, Uber temporarily deactivated his account. Uber subsequently reactivated his account, and  
8 Driver # 4 continues driving for Uber in Los Angeles at this time.

9           79. Uber Driver # 5 was convicted on December 14, 1999 of assault with a firearm in Los  
10 Angeles. Publicly available court records show he was sentenced to 14 years in state prison.  
11 Under California law, Driver # 5 was required to serve 85% of his sentence and was therefore  
12 released from prison no earlier than mid-2011. Upon his release from prison, he became an Uber  
13 driver. Uber Driver # 5 drives for Uber in the Los Angeles area. California law allowed Hirease  
14 to report Driver # 5's conviction to Uber because he was released from prison within seven years  
15 of the background check. Uber's background check process either failed to identify Uber Driver #  
16 5's criminal history, or identified the history and passed him nonetheless. On information and  
17 belief, Uber's background check process did not identify Driver # 5's conviction for assault  
18 because Uber's process (a) does not access databases with complete criminal history information,  
19 (b) does not access criminal record repositories of unlimited duration, and (c) does not actually go  
20 back as far as the law allows. The Live Scan/CALDOJ Process does not have the same limitations  
21 and would have identified Driver # 5's criminal history.

22           80. Uber Driver # 6 was convicted of felony assault with a firearm in 1994. In 2000, he  
23 was convicted of residential burglary, and he was sentenced to 13 years in state prison. Under  
24 California law, Driver # 6 was not eligible for release from prison until 2010. On information and  
25 belief, he drives for Uber in the Los Angeles area. California law allowed Uber's background  
26 check provider to report Driver # 6's conviction to Uber because, within seven years of the  
27 background check, he was released from prison after serving a sentence for a violent crime.

1 Uber's background check process either failed to identify Uber Driver # 6's criminal history, or  
2 identified the history and passed him nonetheless. On information and belief, Uber's background  
3 check process did not identify Driver # 6's conviction for residential burglary because Uber's  
4 process (a) does not access databases with complete criminal history information, (b) does not  
5 access criminal record repositories of unlimited duration, and (c) does not actually go back as far  
6 as the law allows. The Live Scan/CALDOJ Process does not have the same limitations and would  
7 have identified Driver # 6's criminal history.

8 81. Uber Driver # 7 was convicted in 2010 of 29 felony counts of theft, grand theft, filing  
9 false or fraudulent real estate trust deeds, and money laundering. Court records show that he  
10 victimized nine people – three of whom were elderly or disabled – and that he stole \$3 million.  
11 The victims were only able to recover \$1 million. On information and belief, he drives for Uber in  
12 the Los Angeles area. California law allowed Uber's background check provider to report Driver  
13 # 7's conviction to Uber because he was convicted within seven years of the background check.  
14 Uber's background check process either failed to identify Uber Driver # 7's criminal history, or  
15 identified the history and passed him nonetheless. On information and belief, Uber's background  
16 check process did not identify Driver # 7's conviction for assault because Uber's process does not  
17 access databases with complete criminal history information. The Live Scan/CALDOJ Process  
18 does not have the same limitations and would have identified Driver # 7's criminal history.

19 82. Uber Driver # 8 was convicted of felony robbery on July 5, 2006. He was sentenced  
20 to serve a term of two years in prison. He was subsequently convicted of driving on a suspended  
21 license in 2009 and again in 2010. Also in 2010, Driver # 8 was convicted of a felony for being an  
22 ex-felon in possession of a gun. Uber Driver # 8 began driving for Uber in June 2013 in Los  
23 Angeles. In March 2014, he was arrested for residential burglary. He was convicted of that crime  
24 in August 2014. And he is currently in state prison serving his sentence for this offense. Uber did  
25 not deactivate his account until June 2015. California law allowed Hirease to report Driver # 8's  
26 criminal history to Uber because he was convicted of robbery and being an ex-felon in possession  
27 of a gun within seven years of the background check. Uber's background check process either

1 failed to identify Uber Driver # 8's convictions for residential burglary or being an ex-felon in  
2 possession of a gun, or identified the history and passed him nonetheless. On information and  
3 belief, Uber's background check process did not identify Driver # 8's conviction for robbery  
4 because Uber's process does not access databases with complete criminal history information. The  
5 Live Scan/CALDOJ Process does not have the same limitations and would have identified Driver  
6 # 8's criminal history.

7 83. Uber Driver # 9's criminal history includes convictions for misdemeanor identity  
8 theft in 2008, as well as for felony identity theft in 2012. On information and belief, he drives for  
9 Uber in the Los Angeles area. California law allowed Hirease to report Driver # 9's criminal  
10 history to Uber because he was convicted of multiple disqualifying offenses within seven years of  
11 the background check. Uber's background check process either failed to identify Uber Driver #  
12 9's criminal history, or identified the history and passed him nonetheless. On information and  
13 belief, Uber's background check process did not identify Driver # 9's convictions for identity theft  
14 because Uber's process does not access databases with complete criminal history information. The  
15 Live Scan/CALDOJ Process does not have the same limitations and would have identified Driver  
16 # 9's criminal history.

17 84. Uber Driver # 10 was convicted of 14 counts of felony identity theft in 2011. After  
18 his release from incarceration, he applied to work for a commercial transportation company but  
19 was rejected after undergoing a fingerprint-based background check. He began driving for Uber in  
20 February of 2013 in Los Angeles, and his account was deactivated on March 25, 2015. California  
21 law allowed Uber's background check provider to report Driver # 10's criminal history to Uber  
22 because he was convicted of a disqualifying offense within seven years of the background check.  
23 Uber's background check process either failed to identify Uber Driver # 10's criminal history, or  
24 identified the history and passed him nonetheless. On information and belief, Uber's background  
25 check process did not identify Driver # 10's conviction for identity theft because Uber's process  
26 does not access databases with complete criminal history information. The Live Scan/CALDOJ  
27 Process does not have the same limitations and would have identified Driver # 10's criminal

1 history.

2 85. Uber Driver # 11 was convicted of felony welfare fraud in 2009 and felony burglary  
3 in 2011. On information and belief, she drives for Uber in the Los Angeles area. California law  
4 allowed Uber's background check provider to report Driver # 11's criminal history to Uber  
5 because she was convicted of multiple disqualifying offenses within seven years of the background  
6 check. Uber's background check process either failed to identify Uber Driver # 11's criminal  
7 history, or identified the history and passed her nonetheless. On information and belief, Uber's  
8 background check process did not identify Driver # 11's convictions for welfare fraud and  
9 burglary because Uber's process does not access databases with complete criminal history  
10 information. The Live Scan/CALDOJ Process does not have the same limitations and would have  
11 identified Driver # 11's criminal history.

12 86. Uber Driver # 12 was convicted of multiple felonies on February 26, 2007, including  
13 burglary, identity theft, access card fraud, and receiving stolen property. Court records show that  
14 on May 25, 2007, he was sentenced to a term of two years in prison, but the court suspended the  
15 sentence. Court records show that on June 29, 2009, the court became aware that a new and  
16 unrelated criminal case had been filed against Uber Driver # 12. He was subsequently found in  
17 violation of his probation. On August 17, 2009, he was ordered to serve the two-year prison  
18 sentence, which had been suspended. On information and belief, Uber Driver # 12 drives for Uber  
19 in the Los Angeles area. He received a citation on March 3, 2015 while driving for Uber at Los  
20 Angeles International Airport. He was driving a car that was not registered to him, but rather to  
21 somebody else with no criminal history. California law allowed Uber's background check  
22 provider to report Driver # 12's criminal history to Uber because he was released from prison  
23 within seven years of the background check. Uber's background check process either failed to  
24 identify Uber Driver # 12's criminal history, or identified the history and passed him nonetheless.  
25 On information and belief, Uber's background check process did not identify Driver # 12's  
26 multiple convictions for fraud and theft offenses because Uber's process does not utilize a unique  
27 biometric identifier and does not access databases with complete criminal history information.

1 The Live Scan/CALDOJ Process does not have the same limitations and would have identified  
2 Driver # 12's criminal history.

3 87. Uber Driver # 13 was convicted in 2007 of felony taking a vehicle without consent.  
4 In August 2008, he was convicted of being an ex-felon with a gun. On information and belief, he  
5 drives for Uber in the Los Angeles area. California law allowed Uber's background check  
6 provider to report Driver # 13's criminal history to Uber because he was convicted of multiple  
7 disqualifying offenses within seven years of the background check. Uber's background check  
8 process either failed to identify Uber Driver # 13's criminal history, or identified the history and  
9 passed him nonetheless. On information and belief, Uber's background check process did not  
10 identify Driver # 13's convictions because Uber's process does not access databases with complete  
11 criminal history information. The Live Scan/CALDOJ Process does not have the same limitations  
12 and would have identified Driver # 13's criminal history.

13 88. Uber Driver # 14 was convicted in 2011 of two theft-related felonies: filing a forged  
14 power of attorney and filing a forged real estate grant deed. He was ordered to pay \$47,500 in  
15 restitution, which he had unlawfully obtained from the victim of his crime. According to publicly  
16 available court records, he failed to pay the court-ordered restitution, and the court then imposed a  
17 two-year prison sentence. On information and belief, he drives for Uber in the Los Angeles area.  
18 California law allowed Uber's background check provider to report Driver # 14's criminal history  
19 to Uber because he was convicted of multiple disqualifying offenses within seven years of the  
20 background check. Uber's background check process either failed to identify Uber Driver # 14's  
21 criminal history, or identified the history and passed him nonetheless. On information and belief,  
22 Uber's background check process did not identify Driver # 14's conviction for two theft-related  
23 felonies because Uber's process does not access databases with complete criminal history  
24 information. The Live Scan/CALDOJ Process does not have the same limitations and would have  
25 identified Driver # 14's criminal history.

26 89. Uber Driver # 15 was convicted of misdemeanor driving under the influence in 2007.  
27 He drove for Uber in the Los Angeles area. Uber terminated his driving privileges in January of

1 2015 after a well-publicized incident in which he was accused of sexually assaulting a passenger.  
2 Uber has represented that it disqualifies drivers with convictions for driving under the influence  
3 going back 10 years. Uber's background check process either failed to identify Uber Driver # 15's  
4 criminal history, or identified the history and passed him nonetheless. On information and belief,  
5 Uber's background check process did not identify Driver # 15's conviction for driving under the  
6 influence because Uber's process does not access databases with complete criminal history  
7 information. The Live Scan/CALDOJ Process does not have the same limitations and would have  
8 identified Driver # 15's criminal history.

9           90. Uber Driver # 16 was convicted of misdemeanor driving under the influence and  
10 driving with a suspended license in 2010. On information and belief, he drives for Uber in the Los  
11 Angeles area. Uber has represented that it disqualifies drivers with convictions for driving under  
12 the influence going back 10 years, and currently represents that it disqualifies drivers with  
13 convictions for driving under the influence going back seven years. Uber's background check  
14 process either failed to identify Uber Driver # 16's criminal history, or identified the history and  
15 passed him nonetheless. On information and belief, Uber's background check process did not  
16 identify Driver # 16's conviction for driving under the influence because Uber's process does not  
17 access databases with complete criminal history information. The Live Scan/CALDOJ Process  
18 does not have the same limitations and would have identified Driver # 16's criminal history.

19           91. Uber Driver # 17 was convicted of misdemeanor driving under the influence in 2011.  
20 On information and belief, he drives for Uber in the Los Angeles area. Uber has represented that it  
21 disqualifies drivers with convictions for driving under the influence going back 10 years, and  
22 currently represents that it disqualifies drivers with convictions for driving under the influence  
23 going back seven years. Uber's background check process either failed to identify Uber Driver #  
24 17's criminal history, or identified the history and passed him nonetheless. On information and  
25 belief, Uber's background check process did not identify Driver # 17's conviction for driving  
26 under the influence because Uber's process does not access databases with complete criminal  
27 history information. The Live Scan/CALDOJ Process does not have the same limitations and

1 would have identified Driver # 17's criminal history.

2           92. Uber Driver # 18 was convicted of misdemeanor driving under the influence in 2006.  
3 On information and belief, he drives for Uber in the Los Angeles area. Uber has represented that it  
4 disqualifies drivers with convictions for driving under the influence going back 10 years, and  
5 currently represents that it disqualifies drivers with convictions for driving under the influence  
6 going back seven years. Uber's background check process either failed to identify Uber Driver #  
7 18's criminal history, or identified the history and passed him nonetheless. On information and  
8 belief, Uber's background check process did not identify Driver # 18's conviction for driving  
9 under the influence because Uber's process does not access databases with complete criminal  
10 history information. The Live Scan/CALDOJ Process does not have the same limitations and  
11 would have identified Driver # 18's criminal history.

12           93. Uber Driver # 19 was convicted of misdemeanor driving under the influence in 2013.  
13 On information and belief, he drives for Uber in the San Francisco area. Uber has represented that  
14 it disqualifies drivers with convictions for driving under the influence going back 10 years, and  
15 currently represents that it disqualifies drivers with convictions for driving under the influence  
16 going back seven years. Uber's background check process either failed to identify Uber Driver #  
17 19's criminal history, or identified the history and passed him nonetheless. On information and  
18 belief, Uber's background check process did not identify Driver # 19's conviction for driving  
19 under the influence because Uber's process does not access databases with complete criminal  
20 history information. The Live Scan/CALDOJ Process does not have the same limitations and  
21 would have identified Driver # 19's criminal history.

22           94. Uber Driver # 20 was convicted in 2007 of misdemeanor reckless driving and driving  
23 in excess of 100 miles per hour. On information and belief, he has been driving for Uber since at  
24 least December 2013 in the Los Angeles area. Uber represents that it disqualifies drivers with  
25 convictions for reckless driving going back seven years. Uber's background check process either  
26 failed to identify Uber Driver # 20's criminal history, or identified the history and passed him  
27 nonetheless. On information and belief, Uber's background check process did not identify Driver

1 # 20's conviction for reckless driving because Uber's process does not access databases with  
2 complete criminal history information. The Live Scan/CALDOJ Process does not have the same  
3 limitations and would have identified Driver # 20's criminal history.

4 95. Uber Driver # 21 sustained a misdemeanor conviction in March 2013 for driving  
5 under the influence. In July 2013, he was convicted of a felony conviction for possession of  
6 methamphetamine. On information and belief, he drives for Uber in the Los Angeles area. Uber's  
7 background check process either failed to identify Uber Driver # 21's criminal history, or  
8 identified the history and passed him nonetheless. On information and belief, Uber's background  
9 check process did not identify Driver # 21's convictions because Uber's process does not access  
10 databases with complete criminal history information. The Live Scan/CALDOJ Process does not  
11 have the same limitations and would have identified Driver # 21's criminal history.

12 96. Uber Driver # 22 sustained a felony conviction for maintaining a place for the sales of  
13 methamphetamine in April 2012. On information and belief, he drives for Uber in the Los  
14 Angeles area. Uber's background check process either failed to identify Uber Driver # 22's  
15 criminal history, or identified the history and passed him nonetheless. On information and belief,  
16 Uber's background check process did not identify Driver # 22's conviction because Uber's process  
17 does not access databases with complete criminal history information. The Live Scan/CALDOJ  
18 Process does not have the same limitations and would have identified Driver # 22's criminal  
19 history.

20 97. Some Uber drivers evade the background check process entirely by using an account  
21 belonging to another person. At this time, the People have identified at least three Uber drivers  
22 who used another person's account to drive for Uber even though they did not hold a valid driver's  
23 license.

24 98. Uber Driver # 23 received a citation at SFO on May 4, 2014. He provided San  
25 Francisco Police with a driver's license that had expired in December of 2007. When the citing  
26 police officer noticed that the photograph on the driver's Uber profile did not look like Driver #  
27 23, Driver # 23 stated that he was using his brother's Uber account.



1           99. Uber Driver # 24 was taken into custody at SFO on May 21, 2014. Uber Driver # 24  
2 provided San Francisco Police with two different names, neither of which matched any valid  
3 driver's license. When the San Francisco Police officer noticed that the photograph on the driver's  
4 Uber profile did not look like Driver # 24, Driver # 24 stated that he was using the account of his  
5 cousin.

6           100. Uber Driver # 25 received a citation at LAX on June 7, 2015. Uber Driver # 25 did  
7 not hold a valid driver's license. His interim driver's license had expired. Driver # 25 stated that  
8 he was leasing his car from someone else and using their Uber account.

9 *Uber's Misleading Statements In Response To Incidents Involving Its Drivers*

10           101. During 2014 and 2015 Uber has consistently repeated its misleading statements  
11 about the quality of its background checks and commitment to safety in response to a series of  
12 well-publicized incidents involving Uber drivers. Trotting out the company line about its  
13 background check process is a corporate policy set at the very top of the organization. In  
14 September, 2013 Uber CEO Travis Kalanick wrote in an internal email, "we need to make sure  
15 that these writers don't come away thinking we are responsible, even when things do go bad. . .  
16 [T]hese writers are starting to think that we are somehow liable for these incidents that aren't even  
17 real in the first place."

18           102. In January 2014, online news site PandoDaily.com reported that an Uber driver in  
19 San Francisco who had been accused of verbally and physically assaulting a passenger had a  
20 significant criminal history which should have disqualified him from becoming an Uber driver. In  
21 June 2014, Forbes.com reported that the driver had been on probation for a battery conviction  
22 when Uber hired him in October 2013. When questioned about the decision to allow an applicant  
23 with a conviction for violent crime to drive for Uber, spokesperson Kasselmann told NBC Bay Area  
24 News that "Uber works with Hirease to conduct stringent background checks, which all drivers  
25 must undergo and clear to partner with Uber." Kasselmann then claimed that the driver "had a  
26 clean background check in October."

27 ///

1           103. On December 31, 2013, an Uber driver struck and killed a six-year-old girl while  
2 driving in San Francisco. In response to the incident, the next day Uber posted a “Statement on  
3 New Year’s Eve Accident” on its blog in which the company represented, “We are committed to  
4 improving the already best in class safety and accountability of the Uber platform, for both riders  
5 and drivers.” Two weeks after Uber made its statement, the San Francisco Business Times  
6 reported that the driver had been convicted of reckless driving in Florida in September 2004.

7           104. In February 2014, the Chicago Tribune reported that a 24-year-old Uber driver had a  
8 felony conviction for residential burglary in 2010, a misdemeanor conviction for criminal damage  
9 to property in 2009, another misdemeanor conviction in 2008 for breaking into a car to steal a GPS  
10 and satellite radio receiver, a history of speeding tickets, and had his license suspended twice in  
11 2008. Uber posted an apology on its website: “[W]e have already taken steps to prevent this from  
12 happening again, by expanding our background check process to set new industry-leading  
13 standards. . . We are sincerely sorry for this error, and want to assure all riders that we are taking  
14 the necessary steps to fix it and build the safest option for consumers.”

15           105. Two months later, on April 24, 2014, an NBC television affiliate in Los Angeles  
16 aired an investigative report about Uber’s driver background checks in which the station enlisted a  
17 woman to apply to become an Uber driver. She was on felony probation for making criminal  
18 threats (willfully threatening to commit a crime which will result in death or great bodily injury to  
19 another person), and during the broadcast described the conduct leading to her arrest: “I pulled a  
20 girl out of a car and almost beat her to death.” On March 3, 2014, Uber sent the woman an email  
21 notifying her that she passed her background check. According to the NBC report, Uber would not  
22 respond to the station’s request for comment about this case. Instead, Uber spokesperson Lane  
23 Kasselmann sent an email explaining Uber’s background screening policy. The email ended with,  
24 “We’re confident that every ride on Uber is safer than a taxi.”

25           106. In July 2014, WDIV-TV 4 in Detroit broadcast a segment on an investigation it had  
26 performed in which it found Uber drivers who had previously had their licenses suspended, Uber  
27 drivers who had been in a serious accident with injuries, Uber drivers with speeding tickets, Uber

1 drivers who been cited for no proof of insurance, and Uber drivers who were driving vehicles  
2 registered to other people. In response to the report, Uber spokesperson Lauren Altmin issued this  
3 statement: “We work every day to connect riders with the safest rides on the road and go above  
4 and beyond local requirements in every city we operate. Uber only partners with drivers who pass  
5 an industry-leading screening that includes a criminal background check at the county, federal and  
6 multi-state level going back as far as the law allows. We also conduct ongoing reviews of drivers’  
7 motor vehicle records during their time as an Uber partner. . . . For more information on what  
8 makes Uber the safest rides on the road, please see our website: <https://www.uber.com/safety>.”

9           107. In December, 2014 the United States edition of The Guardian reported that Uber  
10 admitted that a driver accused of sexual assault had been driving on an account created in his  
11 wife’s name. Uber’s response was to blame the victim, and repeat the false assertion that Uber’s  
12 background check “far exceeds what’s expected of taxis.” The Guardian quoted Uber  
13 spokesperson Jennifer Mullin as telling the Associated Press that, “We do our best to send drivers  
14 though our background check process, which far exceeds what’s expected of taxis. But there is  
15 also a responsibility for the rider to make sure that when they get into an Uber that they’re  
16 checking the license plate and they’re checking the driver’s face and making sure all that matches  
17 up.”

18           108. An April 10, 2015 article in the Houston Press reported that an Uber driver whom  
19 Houston prosecutors charged with raping a female passenger had been released from federal prison  
20 in 2012 and was on probation after serving 14 years in prison on a felony drug charge. According  
21 to the article, Uber’s third party background check did not disqualify the driver. The article  
22 reported that, when questioned by Texas lawmakers about the failure, Uber Spokesperson Sally  
23 Kay told them “that the company’s third party system is better than the FBI fingerprint check -- she  
24 said the employment background check company Uber uses, called Hirease, sends people directly  
25 to courthouses to pull records for each applicant.”

26           109. Uber’s response to well-publicized incidents involving its drivers is to repeat its  
27 misleading mantra about the quality of its background check process, and to continue to assure the

1 public that it does everything it can to ensure its customers' safety. Uber continues to repeat its  
2 claims that it aims "to go above and beyond local requirements to ensure your comfort and  
3 security," that it "is committed to connecting you to the safest ride on the road," that it makes  
4 "continued efforts to ensure the safest possible platform for Uber riders," and that it goes "above  
5 and beyond local requirements in every city we operate."

6 110. Uber's representations are untrue or misleading. At the same time Uber was stating  
7 that it is "working diligently to ensure we're doing everything we can to make Uber the safest  
8 experience on the road," it was instead working diligently to ensure it was doing everything it  
9 could to successfully defeat a bill pending in the California legislature that would have actually  
10 made Uber safer for its customers and the public. Introduced in the 2013-2014 California  
11 legislative session, Assembly Bill 612 would have made three important changes to current  
12 California law.

13 111. First, the legislation would have required Transportation Network Companies  
14 ("TNCs") to use the Live Scan/CALDOJ Process to obtain background check information from the  
15 same government repositories of criminal history information used by law enforcement. The  
16 legislative analysis prepared for hearings by the Assembly Committee on Transportation noted that  
17 existing California Public Utilities Commission regulations allow TNCs to "use a third party firm  
18 that fails to provide a comprehensive search." The analysis stated that the bill would provide "a  
19 uniform process by using the DOJ system to ensure the most comprehensive and updated data of  
20 an employee is provided . . . ."

21 112. Second, the legislation would have required mandatory controlled substance and  
22 alcohol testing for TNC drivers. This would have provided a mechanism for identifying drivers  
23 with substance abuse problems before a rider or member of the public was hurt, and would have  
24 put teeth into Uber's "Zero Tolerance Policy" which currently relies upon after-the-fact complaints  
25 from riders.

26 113. Third, the legislation would have required TNCs to participate in the Department of  
27 Motor Vehicles Employer Pull Notice Program ("EPN"). Participants in the program receive

1 automatic notification of any driving-related convictions, failures to appear in court, accidents,  
2 driver's license suspensions or revocations, and any other actions taken against the driving  
3 privileges of their drivers. Although Uber represents to the public that it conducts "ongoing  
4 reviews of drivers' motor vehicle records during their time as an Uber partner," the company does  
5 not choose to participate in EPN, and therefore does not receive automatic and timely notification.  
6 While Uber does not disclose how often it checks its drivers' motor vehicle records, under current  
7 California law it is only required to do so quarterly.

8           114. Within six weeks of creating a blog posting devoted to safety in which Uber  
9 represented, "We'll continue innovating, refining, and working diligently to ensure we're doing  
10 everything we can to make Uber the safest experience on the road," Uber mounted a campaign to  
11 defeat Assembly Bill 612. As part of this campaign, Uber created its June 11, 2014 blog posting  
12 with the heading "California: Get on Board" in which it described the legislation as "a flagrant  
13 attempt to stymie innovation and competition." Uber listed the names and contact information for  
14 all of the members of the California Senate Energy, Utilities and Communications Committee,  
15 encouraged the public to contact the legislators to oppose the bill, and provided a link for the  
16 public to "tweet your support for Uber in California!"

17           115. As a result of its successful efforts, Uber is not required to fingerprint drivers during  
18 the application process, is not required to test its drivers for abuse of controlled substances and  
19 alcohol that could impair their ability to drive safely, and is not required to participate in the  
20 program that would provide automatic notification of significant events reflecting on its drivers'  
21 ability to drive safely. Moreover, contrary to its representations that it goes "above and beyond  
22 local requirements in every city we operate," Uber has not chosen to do any of these things  
23 voluntarily.

24           116. Uber's untrue or misleading representations regarding the measures it takes to ensure  
25 customer safety, taken together and separately, have violated and continue to violate California  
26 Business and Professions Code sections 17500 and 17200. Uber has violated the law by making  
27 these representations on its website, to the media, on its blog, in email communications to its

1 customers, and in connection with receipts sent to UberX customers.

2                                   COMMERCIAL USE OF THE UBER APP TO MEASURE TIME AND DISTANCE  
3                                   WITHOUT APPROVAL OF THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

4                   117. Before any weighing or measuring device can be sold or used in California, it must  
5 first be evaluated and approved by the Department of Food and Agriculture. This process is  
6 known interchangeably as “type certification,” “certification,” or “type evaluation.” The process  
7 examines the design, features, operating characteristics, and performance of devices for  
8 compliance with legal requirements. Its purpose is to ensure devices are accurate, reliable, and do  
9 not facilitate fraud.

10                  118. California Business and Professions Code section 12500.5 prohibits anyone from  
11 using a weighing, measuring or counting instrument or device for commercial purposes in the  
12 State of California without first obtaining approval of the measuring or counting instrument or  
13 device from the California Department of Food and Agriculture. Business and Professions Code  
14 section 12500.5 states, in relevant part:

15                                   *It shall be unlawful to sell or use for commercial purposes any weight or*  
16                                   *measure, or any weighing, measuring, or counting instrument or device, of a*  
17                                   *type or design that has not first been so approved by the department . . . .*

18                  119. The California Department of Food and Agriculture’s Division of Measurement  
19 Standards (“DMS”) reviews and certifies the accuracy of weighing, measuring, and counting  
20 instruments or devices that are used for commercial purposes in California. DMS’s mission is to  
21 ensure the accuracy of commercial weighing and measuring devices in order to ensure fair  
22 competition for industry and accurate value comparison for consumers.

23                  120. DMS has adopted, by regulation and pursuant to statute, the latest standards for  
24 tolerances, specifications, and other technical requirements recommended by the National  
25 Conference on Weights and Measures and published in the National Institute of Standards and  
26 Technology Handbook 44, “Specifications, Tolerances, and other Technical Requirements for  
27 Weighing and Measuring Devices” (“Handbook 44 Standards”). The National Conference on

1 Weights and Measures is a voluntary organization that develops model standards. California's  
2 Business and Professions Code permits the Secretary of the California Department of Food and  
3 Agriculture to establish tolerances and specifications for commercial weighing and measuring  
4 devices not governed by the Handbook 44 Standards, and the Secretary does so when necessary.

5 121. DMS's type evaluation of weighing, measuring, and counting instruments or devices  
6 includes type evaluation of any software written to interact with, control, connect into, or receive  
7 output from, a commercial weighing or measuring system or device. Such software is "an  
8 accessory used or connected therewith" under California Business and Professions Code section  
9 12500, subdivisions (a) and (b), and must be evaluated.

10 122. Uber uses the Uber App technology to measure time and distance in order to  
11 calculate its customers' fares. The Privacy Policy Effective July 13, 2013 that Uber posts on its  
12 website disclosed this fact:

13 *If you are traveling in a vehicle requested via our Services, the driver's mobile phone*  
14 *will send your GPS coordinates, during the ride, to our servers. Most GPS enabled*  
15 *mobile devices can define one's location to within 50 feet. We collect this information for*  
16 *various purposes – including to determine the charge for the transportation you*  
17 *requested via our Services, to provide you with customer support, to send you*  
*promotions and offers, to enhance our Services, and for our internal business purposes.*

18 123. In order to obtain type evaluation of a measuring technology, an applicant must  
19 submit a written application for type evaluation and one or more of the applicant's measuring  
20 devices preloaded with any controlling software as part of the type evaluation process. Submission  
21 of a device and its controlling software is necessary to enable DMS's type evaluation personnel to  
22 verify that the measuring device operates within the specifications and tolerances established by  
23 the California Department of Food and Agriculture, and that the measuring device does not  
24 facilitate fraud. DMS evaluates the software and any other component of a weighing or measuring  
25 device as part of the type evaluation process. Submission of a device and its controlling software  
26 also allows DMS to determine which of the Handbook 44 Standards is applicable to components of  
27 the particular technology, or in cases where the Handbook 44 Standards do not govern, to establish

1 tolerances and specifications for the particular technological components which have a  
2 metrological effect on the device.

3 124. The Uber App technology is a "measuring instrument" within the meaning of  
4 California Business and Professions Code section 12500, subdivision (b), which states,  
5 "‘Measuring instrument’ means any device, contrivance, apparatus, or instrument used, or  
6 designed to be used, for ascertaining measure and includes any tool, appliance, or accessory used  
7 or connected therewith."

8 125. From at least 2010 up until May 19, 2015, Uber used its Uber App technology in  
9 California to calculate each and every fare without having ever submitted the Uber App  
10 technology to DMS for type evaluation.

11 126. Uber violated Business and Professions Code section 12500.5 with each use of the  
12 Uber App technology to calculate a customer’s fare in California.

13 127. In October, 2010, the San Francisco Municipal Transit Agency sent Uber a cease-  
14 and-desist letter in which it informed Uber that, "Because you have a system that measures time  
15 and distance, you are clearly in violation of type certification requirements that are placed upon  
16 such devices by the Department of Agriculture's Weights and Measures Division." Uber’s CEO at  
17 the time, Ryan Graves, posted the cease-and-desist letter on Uber’s website and told a Techcrunch  
18 reporter, "We are working with the agencies [involved] to figure out their exact concerns and make  
19 sure that we're in compliance." But, Uber did not cease operations in San Francisco, and did not  
20 submit the Uber App technology to DMS for type evaluation.

21 128. In December of 2012, DMS contacted Uber’s CEO Travis Kalanick to discuss type  
22 evaluation of the Uber App technology. That same month the Director of the Consumer Protection  
23 Safety Division of the California Public Utilities Commission ("the CPUC") forwarded to Mr.  
24 Kalanick an email from the DMS Director explaining that the Uber App technology must be type  
25 evaluated by DMS and that Business and Professions Code section 12500.5 prohibits the  
26 commercial use of a measuring device that has not been type evaluated by DMS. Despite  
27 correspondence over several months between Uber CEO Kalanick and the DMS Director, Uber



1 never submitted the Uber App for certification.

2           129. DMS continued its efforts to convince Uber to comply with the law over the next  
3 year and, in December of 2013, the DMS Director wrote a formal letter to CEO Kalanick  
4 requesting a meeting to discuss the steps Uber must take to obtain type evaluation of the Uber App  
5 technology. On February 14, 2014, the DMS Director and Chief of Enforcement met with  
6 representatives from Uber, including in-house counsel and Uber's outside counsel. The DMS  
7 Director sent a detailed confirming letter to Uber's outside counsel on February 28, 2014. In the  
8 letter, the Director informed Uber that a DMS evaluator was available to test the Uber App  
9 technology beginning March 25, 2014, and asked Uber to contact the DMS Enforcement Division  
10 to arrange for submission of the Uber App technology to DMS.

11           130. Uber once again did not submit the Uber App technology to DMS for type  
12 evaluation. On April 7, 2014, the DMS Director wrote Uber another letter in which she informed  
13 Uber that it must immediately submit the Uber App technology for type evaluation.

14           131. In response to the April 7, 2014 letter, a member of Uber's public policy group, Sally  
15 Kay, left a voice mail for the DMS Enforcement Branch Chief. When they spoke by telephone on  
16 or about April 16, 2014, the Enforcement Branch Chief reiterated to Ms. Kay that Uber must  
17 submit the Uber App technology for type evaluation, and offered to provide assistance to Uber  
18 with the application forms. Ms. Kay responded that she knew where to find the information.

19           132. A week later Ms. Kay sent the Enforcement Branch Chief an email saying, "Hi  
20 Steve, didn't want you to think I had forgotten about you! Just got some new staff on board that  
21 may be able to help with this. Thanks for understanding! Talk soon, Sally Kay."

22           133. Despite Ms. Kay's assurances, Uber took no further action to comply with the law.

23           134. In September of 2014 the District Attorneys sent Uber a letter informing Uber that it  
24 was violating the law by failing to submit its measuring technology to DMS for approval.

25           135. On October 10, 2014, the DMS Director sent Uber yet another letter directing Uber  
26 to submit the Uber App technology for type evaluation. She gave Uber a deadline of October 17,  
27 2014 to submit the Uber App technology to DMS.

1 136. Uber ignored the October 17, 2014 deadline, and continued to violate the law each  
2 time it uses its non-approved Uber App technology to calculate a customer fare.

3 137. On May 19, 2015, about six months after the People instituted this enforcement  
4 action, Uber finally submitted the Uber App technology to DMS for type evaluation. On August  
5 5, 2015, DMS announced that it had issued Uber a Temporary Use Permit, temporarily authorizing  
6 legal use of the Uber App technology for commercial purposes while DMS and Uber continue to  
7 work through technical requirements.

8 138. In an announcement following the issuance of the Temporary Use Permit, Uber  
9 admitted that its Uber App technology meets the criteria for regulation by DMS in that it  
10 “recommends fares by processing Global Positioning System (GPS) data from smartphones on its  
11 servers to measure time and distance.” Similarly, in a blog post following the issuance of the  
12 Temporary Use Permit, DMS described the Uber App technology as follows: “The company’s  
13 software application . . . provides on-demand transportation services with fares determined using  
14 the Global Positioning System to measure time and distance.”

15 UNLAWFUL OPERATION AT CALIFORNIA AIRPORTS

16 139. In January of 2013, Uber CEO Travis Kalanick signed a term sheet with the  
17 California Public Utilities Commission (“CPUC”) that allowed Uber to operate pending the  
18 CPUC’s rulemaking proceedings. As a condition of the term sheet, Kalanick agreed that Uber  
19 drivers “shall not transport passengers for hire onto airport property unless such transportation  
20 provider possesses the requisite authority or license from the airport authority involved.”

21 140. On September 23, 2013, when the CPUC issued Rulemaking 12-12-011 Decision  
22 13-09-045 (“Decision 13-09-045”), the Commission mandated that, “TNCs shall not conduct any  
23 operations on the property of or into any airport unless such operations are authorized by the  
24 airport authority involved.”

25 141. On April, 7, 2014 the California Public Utilities Commission issued a permit to Uber  
26 (“Uber CPUC Permit”) to operate as a Transportation Network Company (“TNC”) in California.  
27 The Uber CPUC Permit explicitly states that the company continues to be subject to Decision 13-

1 09-045’s restriction against airport operations: “This permit does not authorize the Carrier to  
2 conduct operations on the property of or into any airport unless such operation is authorized by the  
3 airport authority involved.”

4 142. Uber has operated and continues to operate at airports throughout California in  
5 violation of Decision 13-09-045, the Uber CPUC Permit, and state law every day. In the first  
6 seven months of 2014, Los Angeles International Airport issued more than 260 citations to Uber  
7 drivers and impounded vehicles. In a six-month period in 2014 before Uber signed a permit to  
8 operate at San Francisco International Airport, authorities there issued more than 540 warnings and  
9 citations to Uber drivers. These represent a tiny fraction of the unauthorized trips by Uber drivers  
10 to these California airports during any given six month period. Each unauthorized trip to a  
11 California airport by an Uber driver constitutes a violation of the terms of Decision 13-09-045, a  
12 violation of the terms of the Uber CPUC permit, a violation of state law pursuant to California  
13 Public Utilities Code section 5411, and a trespass aided and abetted by Uber.

14 143. In April, 2013, San Francisco International Airport’s Deputy Airport Director for  
15 Operations and Security sent a cease-and-desist letter to Uber CEO Kalanick in which he informed  
16 Kalanick that Uber’s drivers who did not have permission to operate at San Francisco International  
17 Airport (“SFO”) were committing trespass.

18 144. Uber did not comply with the cease-and-desist letter. Instead, on August 19, 2013,  
19 Uber posted a misleading “SFO Update” on its blog in which it told its customers that, “you can  
20 request whatever type of car you’d like when your flight lands at SFO – UberX, Uber Black, or  
21 Uber SUV.” It also told its customers that, even though SFO had begun issuing citations to Uber  
22 drivers who lacked permission to drop off passengers at the airport, “We believe that all rides to  
23 and from SFO are legal and that airport officials are acting without proper authority in issuing  
24 these citations.” Uber posted the misleading “SFO Update” despite the fact that, eight months  
25 before, CEO Kalanick had signed the term sheet with the CPUC in which he agreed that Uber  
26 drivers would not conduct unauthorized trips to airports.

27 ///

# SFO UPDATE

AUGUST 19, 2013  
POSTED BY TESS

Some of our San Francisco riders have asked about recent issues they've had or heard about when taking Uber to the airport so we've compiled a few tips to help make sure your trip starts off on the right foot.

## *Pickups at the airport:*

**You can request whatever type of car you'd like when your flight lands at SFO – uberX, UberBLACK, or UberSUV.** Any driver that accepts your ride request can take you home from SFO. For a quick and seamless pickup, call the driver and provide information about the terminal and door number where you're waiting.

## *Drop-offs at the airport:*

SFO has taken an aggressive stance against uberX and has begun citing some drivers. We believe that all Uber rides to and from SFO are legal and that airport officials are acting without the proper authority in issuing these citations, but we want to make sure you're aware of the current situation.

145. Uber's willful violations continued throughout 2014, and Uber's August 19, 2013 "SFO Update" remained on Uber's blog throughout 2013 and 2014. Uber's "SFO Update" remained on Uber's blog even after the CPUC issued Decision 13-09-045 mandating that "TNCs shall not conduct any operations on the property of or into any airport unless such operations are authorized by the airport authority involved." And Uber's "SFO Update" remained on Uber's blog even after Uber obtained the Uber CPUC Permit on April, 7, 2014, which explicitly states that the company continues to be subject to Decision 13-09-045's restriction against airport operations: "This permit does not authorize the Carrier to conduct operations on the property of or into any airport unless such operation is authorized by the airport authority involved."

146. Moreover, when confronted with demands by airport authorities and the CPUC to cease the unlawful activities at airports, Uber's response was an intransigent refusal. On or about April 2, 2013, San Francisco International Airport's Deputy Director for Operations and Security sent Uber a cease-and-desist letter. Uber did not comply. A year later, on or about June 10, 2014, the CPUC's President sent Uber CEO Kalanick a letter demanding that Uber stop its unauthorized operations at airports in California. The letter informed Kalanick that seven members of the CPUC's staff had met with law enforcement personnel from Los Angeles International, Oakland International, San Diego International, San Jose International, and San Francisco International airports who described numerous contacts with Uber drivers who did not have permission to

1 operate at the airports.

2 147. The CPUC President’s letter reminded Kalanick that, “none of your firms have  
3 obtained a permit from the airports to transport passengers to and from airport facilities. Decision  
4 13-09-045 specifically requires TNCs to obtain such permits.” It concluded with an order to  
5 comply: “Within two weeks of this letter I expect full compliance with each of the measures  
6 adopted in D.13-09-045.” Nevertheless, Uber continued, in violation of Decision 13-09-045, the  
7 terms of the Uber CPUC Permit, and state law, to encourage its drivers who lacked permission to  
8 operate at SFO to do so during the entire period it was negotiating the license agreement that SFO  
9 announced in a press release on October 20, 2014.

10 148. Moreover, at SFO, Uber gave its drivers a financial incentive to break the law. Until  
11 approximately October 20, 2014, Uber charged UberX customers who traveled to SFO an  
12 additional \$4.00 on top of the fare and passed the \$4.00 on to the driver. Uber labeled the charge  
13 on the customers’ receipts an “SFO Airport Fee Toll \$4.00.” Uber’s website support page  
14 described and continues to describe the “Airport Fee Toll” as “a nominal fee to compensate drivers  
15 for any airport fees they are charged as part of your trip.” However, Uber’s drivers who were not  
16 authorized to operate commercially at SFO did not pay anything to the airport. Uber encouraged  
17 these unauthorized drivers to trespass at SFO by paying them \$4.00 in addition to their portion of  
18 the fare. The incentive to uberPOOL drivers who were not authorized to operate at SFO was twice  
19 as much, given that Uber charged each customer a separate “Airport Fee Toll” for a total of \$8.00.

20 149. Uber fails to comply with Decision 13-09-045 each time one of its drivers picks up or  
21 drops off a passenger at a California airport where Uber does not have authorization to operate.  
22 Each failure to comply with the terms of Decision 13-09-045 and with the Uber CPUC Permit is a  
23 violation of state law pursuant to California Public Utilities Code section 5411. Each unauthorized  
24 trip to a California airport by an Uber driver also constitutes a trespass and a violation of Business  
25 and Professions Code section 17200.

26 150. Uber’s violations are numerous. Within the past four years, Uber’s drivers made  
27 hundreds of thousands of unauthorized trips to California airports.

1 UNTRUE, MISLEADING AND FRAUDULENT AIRPORT FEE TOLL

2 151. As described in Paragraph 103, Uber had a practice that lasted at least until October  
3 20, 2014, of charging its passengers travelling to SFO a \$4.00 “Airport Fee Toll” and telling its  
4 customers that the charge was to compensate drivers for airport fees.

5 What Is This Charge For A Toll?

6  
7 If your driver pays a toll during your trip—or if your drop-off location is outside  
8 the city limits and a toll is required to return to the city—then the price of the toll  
9 will be added to your fare.

10 In these situations, Uber returns 100% of the toll fee to drivers to ensure that  
11 they’re fully reimbursed for the additional cost.

12 You might also notice an **Airport Fee Toll** on your receipt. In select cities, there  
13 may be a nominal fee to compensate drivers for any airport fees they are  
14 charged as part of your trip. If you think you might have been charged this fee  
15 incorrectly, please let us know. You can contact your local community manager  
16 at: [t.uber.com/support](https://t.uber.com/support)

17 152. When two unrelated customers travel in the same car to SFO using the uberPOOL  
18 service, Uber charges the \$4.00 “Airport Fee Toll” twice, once to each customer.

19 153. However, as described in Paragraph 148, above, Uber charged this “Airport Fee Toll”  
20 even though it knew its drivers who were not authorized to operate commercially at SFO paid  
21 nothing to the airport. Uber’s representation to its customers that the \$4.00 is an “Airport Fee  
22 Toll,” and explanation that “[i]n select cities, there may be a nominal fee to compensate drivers for  
23 any airport fees they are charged as part of your trip” was likely to mislead its customers who were  
24 riding with these unauthorized drivers to believe that the driver had to pay \$4.00 to the airport for  
25 the trip, and that the \$4.00 would serve to reimburse the driver.

26 154. Moreover, Uber’s representation to its customers that “[i]n select cities, there may be  
27 a nominal fee to compensate drivers for any airport fees they are charged as part of your trip” was  
also likely to mislead its customers who travel to SFO in a car driven by a driver who had  
permission to operate commercially at SFO. These drivers paid the airport a trip fee that in 2013  
and 2014 varied over time but was \$3.85 at its maximum. Uber’s representation was likely to

1 mislead customers of these authorized drivers into believing that the entire \$4.00 would actually be  
2 paid to SFO.

3 155. Uber’s Airport Fee Toll fraud was not unique to San Francisco. It occurred  
4 throughout airports in California.

5 UBER’S CORPORATE POLICY OF “REGULATORY DISRUPTION”

6 156. California Business and Professions Code section 17206 requires the Court to  
7 consider the persistence, length of time, and willfulness of Uber’s misconduct in assessing the  
8 amount of civil penalties.

9 157. Uber launched its business in California without obtaining approval of the Uber App  
10 technology as required by Business and Professions Code section 12500.5, and then over a period  
11 of at least four years has repeatedly ignored and continues to ignore demands to come into  
12 compliance. Uber also began operating at California airports without first obtaining the requisite  
13 permits, and has encouraged its drivers to swarm the airports even after receiving multiple cease-  
14 and-desist orders from the applicable airport authorities and from the California Public Utilities  
15 Commission.

16 158. Uber has been acting pursuant to its well-known corporate policy of setting up shop  
17 first and dealing with the regulators later. This policy, which was begun under former Uber CEO  
18 Ryan Graves, and which CEO Kalanick proudly dubs “Regulatory Disruption,” consists of  
19 ignoring laws and regulations that get in the way of the company’s rapid expansion into the  
20 market, and then aggressively fighting any regulatory enforcement efforts which may follow. One  
21 reporter who interviewed Kalanick for a lengthy profile story remarked, “All told, it’s not just that  
22 Uber has adopted the business school maxim ‘Don’t ask for permission; ask for forgiveness’—it  
23 has instituted a policy of asking for neither.”

24 159. Uber’s unabashed refusal to comply with California regulators and California law is  
25 consistent with its “Regulatory Disruption” policy, is willful and persistent within the meaning of  
26 Business and Professions Code section 17206, and has been ongoing for five years. It has also  
27 enabled the company to become – within those five years – the world’s most valuable pre-IPO

1 startup. Uber’s \$50 billion valuation is greater than 70% of the companies in the Fortune 500  
2 including Kraft Foods Group, Delta Air Lines, General Mills, CBS, Kellogg, Aetna, Campbell  
3 Soup Company, ConAgra Foods, and Northrop Grumman Corporation.

4 **FIRST CAUSE OF ACTION**

5 Business & Professions Code § 17500, *et seq.*  
6 (Untrue or Misleading Statements Concerning Safety – General Public)

7 160. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
8 through 159 as though fully set forth herein.

9 161. Beginning at an exact date unknown to Plaintiff, but in any event within three years  
10 of the commencement of the People’s civil enforcement action, and continuing to the present,  
11 defendants, with the intent to perform services, or to induce members of the public to enter into  
12 obligations relating thereto, made or disseminated or caused to be made or disseminated before the  
13 public in the State of California statements concerning such services, or matters of fact connected  
14 with the performance thereof, which were untrue or misleading, and which defendants knew or  
15 reasonably should have known were untrue or misleading, in violation of Business and Professions  
16 Code section 17500 *et seq.* Such statements include but are not limited to all of the representations  
17 set forth and discussed in paragraphs 13 through 19, 24 through 73, and 101 through 116, above.

18 **SECOND CAUSE OF ACTION**

19 Business & Professions Code § 17200, *et seq.*  
20 (Unfair Competition and Unlawful Business Practices:  
21 Untrue or Misleading Statements Concerning Safety – General Public)

22 162. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
23 through 161 as though fully set forth herein.

24 163. Beginning at an exact date unknown to Plaintiff, but in any event within four  
25 years of the commencement of the People’s civil enforcement action, and continuing to the  
26 present, defendants engaged and continue to engage in acts of unfair competition and in unfair,  
27 deceptive or unlawful business practices within the meaning of Business and Professions Code  
section 17200, *et seq.*, including but not limited to the following:



1 A. Defendants engaged in fraudulent business acts or practices by making  
2 representations likely to deceive members of the public, as set forth and discussed in  
3 paragraphs 13 through 19, 24 through 73, 101 through 116, above, and in the First Cause of  
4 Action;

5 B. Defendants made untrue or misleading statements in violation of Business and  
6 Professions Code section 17500, as set forth and discussed in paragraphs 13 through 19, 24  
7 through 73, 101 through 116, above, and in the First Cause of Action; and

8 C. Defendants undertook the following unfair methods of competition or unfair  
9 or deceptive acts or practices in transactions intended to result or which did result in the sale of  
10 services to consumers, in violation of Civil Code section 1770(a):

11 1) Defendants by use of the untrue or misleading statements set forth and  
12 discussed in paragraphs 13 through 19, 24 through 73, and 101 through 116, above, represented  
13 that services have characteristics or benefits which they do not have, in violation of Civil Code  
14 section 1770(a)(5);

15 2) Defendants, by use of the untrue or misleading statements set forth and  
16 discussed in paragraphs 13 through 19, 24 through 73, and 101 through 116, above, represented  
17 that services are of a particular standard or quality when they are of another, in violation of  
18 Civil Code section 1770(a)(7); and

19 3) Defendants, by use of the untrue or misleading statements set forth and  
20 discussed in paragraphs 13 through 19, 24 through 73, and 101 through 116, above, disparaged  
21 the services or business of another by false or misleading representation of fact, in violation of  
22 Civil Code section 1770(a)(8).

23 **THIRD CAUSE OF ACTION**

24 Business & Professions Code § 17500, *et seq.*  
25 (Untrue or Misleading Statements Concerning Safety – Receipts)

26 164. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
27 through 163 as though fully set forth herein.

1 165. Beginning at an exact date unknown to Plaintiff, but in any event within three years  
2 of the commencement of the People’s civil enforcement action, and continuing to the present,  
3 defendants, with the intent to perform services, or to induce members of the public to enter into  
4 obligations relating thereto, made or disseminated or caused to be made or disseminated to  
5 defendants’ customers in the State of California statements concerning such services, or matters of  
6 fact connected with the performance thereof, which were untrue or misleading, and which  
7 defendants knew or reasonably should have known were untrue or misleading, in violation of  
8 Business and Professions Code section 17500 *et seq.* Such statements include but are not limited  
9 to all of the representations set forth and discussed in paragraphs 20 through 21, above.

10 **FOURTH CAUSE OF ACTION**

11 Business & Professions Code § 17200, *et seq.*  
12 (Unfair Competition and Unlawful Business Practices:  
13 Untrue or Misleading Statements Concerning Safety – Receipts)

14 166. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
15 through 165 as though fully set forth herein.

16 167. Beginning at an exact date unknown to Plaintiff, but in any event within four  
17 years of the commencement of the People’s civil enforcement action, and continuing to the  
18 present, defendants engaged and continue to engage in acts of unfair competition and in unfair,  
19 deceptive or unlawful business practices within the meaning of Business and Professions Code  
20 section 17200, *et seq.*, including but not limited to the following:

21 A. Defendants engaged in fraudulent business acts or practices by making  
22 representations likely to deceive members of the public, as set forth and discussed in  
23 paragraphs 20 through 21, above, and in the Third Cause of Action;

24 B. Defendants made untrue or misleading statements in violation of Business and  
25 Professions Code section 17500, as set forth and discussed in paragraphs 20 through 21, above,  
26 and in the Third Cause of Action;

27 C. Defendants committed fraud within the meaning of Civil Code section 1572  
by charging customers who used the UberX service a \$1.00 “Safe Rides Fee” purportedly to

1 cover the cost of background checks that Uber falsely advertised as “industry-leading”; and

2 D. Defendants undertook the following unfair methods of competition or unfair  
3 or deceptive acts or practices in transactions intended to result or which did result in the sale of  
4 services to consumers, in violation of Civil Code section 1770(a):

5 1) Defendants by use of the untrue or misleading statements set forth and  
6 discussed in paragraphs 20 through 21, above, represented that services have characteristics or  
7 benefits which they do not have, in violation of Civil Code section 1770(a)(5);

8 2) Defendants, by use of the untrue or misleading statements set forth and  
9 discussed in paragraphs 20 through 21, above, represented that services are of a particular  
10 standard or quality when they are of another, in violation of Civil Code section 1770(a)(7); and

11 3) Defendants, by use of the untrue or misleading statements set forth and  
12 discussed in paragraphs 20 through 21, above, disparaged the services or business of another by  
13 false or misleading representation of fact, in violation of Civil Code section 1770(a)(8).

14 **FIFTH CAUSE OF ACTION**

15 Business & Professions Code § 17500, *et seq.*  
16 (Untrue or Misleading Statements Concerning Safety – Emails)

17 168. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
18 through 167 as though fully set forth herein.

19 169. Beginning at an exact date unknown to Plaintiff, but in any event within three years  
20 of the commencement of the People’s civil enforcement action, and continuing to the present,  
21 defendants, with the intent to perform services, or to induce members of the public to enter into  
22 obligations relating thereto, made or disseminated or caused to be made or disseminated to  
23 defendants’ customers in the State of California statements concerning such services, or matters of  
24 fact connected with the performance thereof, which were untrue or misleading, and which  
25 defendants knew or reasonably should have known were untrue or misleading, in violation of  
26 Business and Professions Code section 17500 *et seq.* Such statements include but are not limited  
27 to all of the representations set forth and discussed in paragraphs 22 through 23, above.

1 **SIXTH CAUSE OF ACTION**

2 Business & Professions Code § 17200, *et seq.*  
3 (Unfair Competition and Unlawful Business Practices:  
4 Untrue or Misleading Statements Concerning Safety – Emails)

5 170. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
6 through 169 as though fully set forth herein.

7 171. Beginning at an exact date unknown to Plaintiff, but in any event within four  
8 years of the commencement of the People’s civil enforcement action, and continuing to the  
9 present, defendants engaged and continue to engage in acts of unfair competition and in unfair,  
10 deceptive or unlawful business practices within the meaning of Business and Professions Code  
11 section 17200, *et seq.*, including but not limited to the following:

12 A. Defendants engaged in fraudulent business acts or practices by making  
13 representations likely to deceive members of the public, as set forth and discussed in  
14 paragraphs 22 through 23, above, and in the Fifth Cause of Action

15 B. Defendants made untrue or misleading statements in violation of Business and  
16 Professions Code section 17500, as set forth and discussed in paragraphs 22 through 23, above,  
17 and in the Fifth Cause of Action; and

18 C. Defendants undertook the following unfair methods of competition or unfair  
19 or deceptive acts or practices in transactions intended to result or which did result in the sale of  
20 services to consumers, in violation of Civil Code section 1770(a):

21 a. Defendants by use of the untrue or misleading statements set forth and  
22 discussed in paragraphs 22 through 23, above, represented that services have characteristics or  
23 benefits which they do not have, in violation of Civil Code section 1770(a)(5);

24 b. Defendants, by use of the untrue or misleading statements set forth and  
25 discussed in paragraphs 22 through 23, above, represented that services are of a particular  
26 standard or quality when they are of another, in violation of Civil Code section 1770(a)(7); and

27 c. Defendants, by use of the untrue or misleading statements set forth and  
discussed in paragraphs 22 through 23, above, disparaged the services or business of another by

1 false or misleading representation of fact, in violation of Civil Code section 1770(a)(8).

2 **SEVENTH CAUSE OF ACTION**

3 Business & Professions Code § 17200, *et seq.*  
4 (Unfair Competition and Unlawful Business Practices – Failure to Submit App to DMS)

5 172. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
6 through 171 as though fully set forth herein.

7 173. Beginning at an exact date unknown to Plaintiff, but in any event within four  
8 years of the commencement of the People’s civil enforcement action, and continuing to May 19,  
9 2015, defendants engaged in acts of unfair competition and in unfair, deceptive or unlawful  
10 business practices within the meaning of Business and Professions Code section 17200, *et seq.*,  
11 including but not limited to the following: Defendants used the Uber App technology for  
12 commercial purposes to measure time and distance in calculating fares for its customers  
13 without first having obtained approval from the California Department of Food and  
14 Agriculture, in violation of Business and Professions Code section 12500.5.

15 **EIGHTH CAUSE OF ACTION**

16 Business & Professions Code § 17500, *et seq.*  
17 (Untrue or Misleading Statements Concerning Airport Access)

18 174. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
19 through 173 as though fully set forth herein.

20 175. Beginning at an exact date unknown to Plaintiff, but in any event within three years  
21 of the commencement of the People’s civil enforcement action, and continuing to the present,  
22 defendants, with the intent to perform services, or to induce members of the public to enter into  
23 obligations relating thereto, made or disseminated or caused to be made or disseminated before the  
24 public in the State of California statements concerning such services, or matters of fact connected  
25 with the performance thereof, which were untrue or misleading, and which defendants knew or  
26 reasonably should have known were untrue or misleading, in violation of Business and Professions  
27 Code section 17500 *et seq.* Such statements include but are not limited to all of the representations

1 set forth and discussed in paragraphs 144, 145, and 148, above.

2 **NINTH CAUSE OF ACTION**

3 Business & Professions Code § 17200, *et seq.*  
4 (Unfair Competition and Unlawful Business Practices –  
5 Untrue or Misleading Statements Concerning Airport Access)

6 176. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
7 through 175 as though fully set forth herein.

8 177. Beginning at an exact date unknown to Plaintiff, but in any event within four  
9 years of the commencement of the People’s civil enforcement action, and continuing to the  
10 present, defendants engaged and continue to engage in acts of unfair competition and in unfair,  
11 deceptive or unlawful business practices within the meaning of Business and Professions Code  
12 section 17200, *et seq.*, including but not limited to the following:

13 A. Defendants engaged in fraudulent business acts or practices by making  
14 representations likely to deceive members of the public, as set forth and discussed in  
15 paragraphs 144, 145, and 148, above, and in the Eighth Cause of Action;

16 B. Defendants made untrue or misleading statements in violation of Business and  
17 Professions Code section 17500, as set forth and discussed in paragraphs 144, 145, and 148, above,  
18 and in the Eighth Cause of Action; and

19 C. Defendants undertook the following unfair methods of competition or unfair  
20 or deceptive acts or practices in transactions intended to result or which did result in the sale of  
21 services to consumers, in violation of Civil Code section 1770(a):

22 a. Defendants by use of the untrue or misleading statements set forth and  
23 discussed in paragraphs 144, 145, and 148, above, represented that services have characteristics  
24 or benefits which they do not have, in violation of Civil Code section 1770(a)(5); and

25 b. Defendants, by use of the untrue or misleading statements set forth and  
26 discussed in paragraphs 144, 145, and 148, above, above, represented that services are of a  
27 particular standard or quality when they are of another, in violation of Civil Code section  
1770(a)(7).

1 **TENTH CAUSE OF ACTION**

2 Business & Professions Code § 17200, *et seq.*  
3 (Unfair Competition and Unlawful Business Practices – Unlawful Operations at Airports)

4 178. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
5 through 177 as though fully set forth herein.

6 179. Beginning at an exact date unknown to Plaintiff, but in any event within four  
7 years of the commencement of the People’s civil enforcement action, and continuing to the  
8 present, defendants engaged and continue to engage in acts of unfair competition and in unfair,  
9 deceptive or unlawful business practices within the meaning of Business and Professions Code  
10 section 17200, *et seq.*, including but not limited to the following:

11 A. Defendants violated California Public Utilities Code section 5411 by  
12 disobeying CPUC Decision 13-09-045, the terms of the Uber CPUC Permit, and CPUC  
13 demands; and

14 B. Defendants committed trespass in violation of Penal Code section 602 by  
15 encouraging, aiding and abetting Uber drivers to operate at California airports without  
16 permission of the airport authorities.

17 **ELEVENTH CAUSE OF ACTION**

18 Business & Professions Code § 17500, *et seq.*  
19 (Untrue or Misleading Statements Concerning Airport Fee Tolls)

20 180. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
21 through 179 as though fully set forth herein.

22 181. Beginning at an exact date unknown to Plaintiff, but in any event within three years  
23 of the commencement of the People’s civil enforcement action, and continuing to the present,  
24 defendants, with the intent to perform services, or to induce members of the public to enter into  
25 obligations relating thereto, made or disseminated or caused to be made or disseminated to  
26 customers in the State of California statements concerning such services, or matters of fact  
27 connected with the performance thereof, which were untrue or misleading, and which defendants  
knew or reasonably should have known were untrue or misleading, in violation of Business and

1 Professions Code section 17500 *et seq.* Such statements include but are not limited to all of the  
2 representations set forth and discussed in paragraphs 148 and 151 through 155, above.

3 **TWELFTH CAUSE OF ACTION**

4 Business & Professions Code § 17200, *et seq.*  
5 (Unfair Competition and Unlawful Business Practices –  
6 Untrue or Misleading Statements Concerning Airport Fee Tolls)

7 182. Plaintiff, the People of the State of California, restates and incorporates paragraphs 1  
8 through 181 as though fully set forth herein.

9 183. Beginning at an exact date unknown to Plaintiff, but in any event within four  
10 years of the commencement of the People’s civil enforcement action, and continuing to the  
11 present, defendants engaged and continue to engage in acts of unfair competition and in unfair,  
12 deceptive or unlawful business practices within the meaning of Business and Professions Code  
13 section 17200, *et seq.*, including but not limited to the following:

14 A. Defendants engaged in fraudulent business acts or practices by making  
15 representations likely to deceive members of the public, as set forth and discussed in  
16 paragraphs 148 and 151 through 155, above, and in the Eleventh Cause of Action;

17 B. Defendants made untrue or misleading statements in violation of Business and  
18 Professions Code section 17500, as set forth and discussed in paragraphs 148 and 151 through 155,  
19 above, and in the Eleventh Cause of Action; and

20 C. Defendants undertook the following unfair methods of competition or unfair  
21 or deceptive acts or practices in transactions intended to result or which did result in the sale of  
22 services to consumers, in violation of Civil Code section 1770(a):

23 a. Defendants by use of the untrue or misleading statements set forth and  
24 discussed in paragraphs 148 and 151 through 155, above, represented that services have  
25 characteristics or benefits which they do not have, in violation of Civil Code section  
26 1770(a)(5); and

27 b. Defendants, by use of the untrue or misleading statements set forth and  
discussed in paragraphs 148 and 151 through 155, above, represented that services are of a



1 particular standard or quality when they are of another, in violation of Civil Code section  
2 1770(a)(7).

3 D. Defendants committed fraud within the meaning of Civil Code section  
4 1572 by adding an “Airport Fee Toll” charge on customer receipts for trips to and from  
5 California airports to compensate drivers for airport fees the drivers never pay and/or when the  
6 amount actually paid to the airport was less than \$4.00; and

7 E. Defendants committed theft within the meaning of Penal Code section  
8 484 adding an “Airport Fee Toll” charge on customer receipts for trips to and from California  
9 airports to compensate drivers for airport fees the drivers never pay and/or when the amount  
10 actually paid to the airport was less than \$4.00.

11  
12 **PRAYER FOR RELIEF**

13 **WHEREFORE**, Plaintiff prays for judgment as follows:

14 1. That pursuant to Business and Professions Code sections 17203 and 17535, and  
15 the Court’s inherent equity powers, defendants their subsidiaries; their successors and the  
16 assigns of all or substantially all the assets of their businesses; their directors, officers,  
17 employees, agents, independent contractors, partners, associates and representatives of each of  
18 them; and all persons, corporations and other entities acting in concert or in participation with  
19 defendants, be permanently restrained and enjoined from:

20 A. Making, disseminating, or causing to be made or disseminated, any  
21 misleading, untrue or deceptive statements in violation of section 17500 of the Business and  
22 Professions Code, including, but not limited to, the untrue or misleading statements alleged in  
23 the First, Third, Fifth, Eighth, and Eleventh Causes of Action of this complaint; and

24 B. Engaging in any acts of unfair competition, in violation of section 17200 of  
25 the Business and Professions Code, including but not limited to the unlawful business acts and  
26 practices alleged in the Second, Fourth, Sixth, Seventh, Ninth, Tenth, and Twelfth Causes of  
27 Action of this complaint.

1           2.    That pursuant to Business and Professions Code section 17536, defendants and  
2 each of them be ordered to pay a civil penalty of Two Thousand Five Hundred Dollars  
3 (\$2,500.00) for each violation of Business and Professions Code section 17500, according to  
4 proof.

5           3.    That pursuant to Business and Professions Code section 17206, defendants and  
6 each of them be ordered to pay a civil penalty of Two Thousand Five Hundred Dollars  
7 (\$2,500.00) for each violation of Business and Professions Code section 17200, according to  
8 proof.

9           4.    That pursuant to Business and Professions Code sections 17535 and 17203, and  
10 pursuant to the Court's inherent equitable power, defendants be ordered to restore to every  
11 person in interest all money and property which was acquired by defendants through their  
12 unlawful conduct, according to proof.

13           5.    That Plaintiff be awarded its costs of suit.

14           6.    That Plaintiff be given such other and further relief as the nature of this case may  
15 require and this Court deems proper to fully and successfully dissipate the effect of the  
16 unlawful business practices and untrue or misleading representations contained herein.

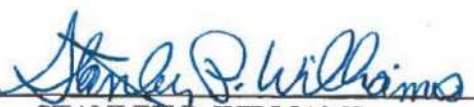
17  
18           DATED: August 18, 2015

                  GEORGE GASCÓN  
                  District Attorney, City and County of San Francisco

19  
20           BY:   
                  JUNE D. CRAVETT  
                  Assistant Chief District Attorney

21  
22  
23           DATED: August 18, 2015

                  JACKIE LACEY  
                  District Attorney, County of Los Angeles

24  
25           BY:   
                  STANLEY P. WILLIAMS  
                  Head Deputy District Attorney

# APPENDIX C

N.Y. / REGION

# Subway Ridership Declines in New York. Is Uber to Blame?

By EMMA G. FITZSIMMONS FEB. 23, 2017

After a period of soaring subway demand in New York City, ridership dropped last year, and transit officials say the rise of Uber and other car service apps may be partly to blame.

Annual subway ridership fell slightly in 2016 for the first time since 2009, according to statistics from the Metropolitan Transportation Authority. Weekday ridership was at its highest level since 1948, but weekend ridership fell about 3 percent, suggesting that New Yorkers and tourists were finding other ways to get around.

The authority's acting chairman, Fernando Ferrer, said on Thursday that several factors could be contributing to the decline: rising subway delays, the popularity of Uber and other apps, and weekend maintenance work that disrupts service.

"It may be all of the above," Mr. Ferrer told reporters after an authority board meeting. "I'm very glad that our ridership is at historic highs. If it declines a little bit and I've seen those numbers, and it's a little bit — there is no reason for alarm."

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But others worry that if passengers continue to abandon the subway, it could have broad implications for the city and worsen traffic congestion.

“The secret to success in New York City over the last 20 years is the transit system’s ability to absorb the growth in travel from population and economic growth,” said Bruce Schaller, a former senior official at the city’s Transportation Department. “If all that growth translated into more use of private cars or taxis and Ubers, it’s not a sustainable way to grow the city.”

Mr. Schaller, who worked on a prominent traffic study released by Mayor Bill de Blasio’s administration last year, is finishing a new report on the growth of ride-hailing apps like Uber. Mr. Schaller found that ridership in New York of Uber and other apps had tripled to about 16 million passengers in October 2016, from about five million in June 2015. Mr. Schaller is a consultant and said the report was an independent analysis to help inform the debate over for-hire vehicles.

On the subway, annual ridership fell about 0.3 percent last year to 1.756 billion trips, according to the authority. But don’t celebrate roomier trains quite yet — the system is still teeming with more than six million riders on some weekdays.

The new figures come at a time when both the subway system and Uber are facing problems that could influence how New Yorkers make transportation decisions. Subway delays have more than doubled in the past five years, and trains are more frequently breaking down.

As riders fume over worsening service, on Thursday several members of the transportation authority board criticized Gov. Andrew M. Cuomo, who effectively controls the agency, for cutting \$65 million in state aid to the M.T.A. in his executive budget. But Mr. Cuomo’s office has argued that overall state funding for the authority, including tax revenue, would increase by about \$30 million. Officials at the authority said the funding changes would not lead to fare and toll increases or service changes.

At the same time, some New Yorkers have deleted Uber over concerns that the company tried to profit during airport protests last month against President Trump’s immigration order, as well as the ties the company’s chief executive, Travis Kalanick,

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had to Mr. Trump. This week, a former Uber engineer called attention to sexual harassment and other problems at the company, leading to more negative headlines. Uber has said it is investigating the accusations.

One Uber user, DePaul Vaughn, said that after the airport controversy he deleted the app from his phone.

“I felt like I wanted to be supporting companies that are aligned with my values,” Mr. Vaughn said as he waited for an R train in Brooklyn on Thursday morning.

Mr. Vaughn, 37, who works in the advertising industry, said he takes the subway to work but sometimes avoids it on the weekends.

“There’s been a lot of work on the train,” he said. “A lot of times, it’s a headache.”

A spokeswoman for Uber, Alix Anfang, said the company took pride in serving neighborhoods that lack good access to public transit. Its lower-cost car pool option, UberPool, helps New Yorkers get to bus, subway and ferry lines, she said.

“Uber’s mission is to provide reliable, affordable transportation to everyone, everywhere,” Ms. Anfang said in a statement.

Other New Yorkers rely on bicycles or private cars. Citi Bike, the bicycle-sharing program, set a ridership record in 2016 with nearly 14 million trips — an increase of about four million trips compared with 2015.

Suzy Bal, a Brooklyn resident, was so fed up with the subway that she bought a car. She commutes on the subway during the week and drives on the weekend, she said.

“I was tired of taking the train all the time, everywhere I wanted to go,” she said.

Ms. Bal, 27, said she used Uber on weekends if she expected to drink alcohol, but she avoided the subway.

8

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“The train traffic is horrible on the weekends,” she said on Thursday, surveying the Fourth Avenue-Ninth Street station in Park Slope. “Also, it’s just so dirty.”

Bus ridership also dropped last year — part of a downward trend over the last decade or so. Weekday bus ridership fell about 1.6 percent last year to just under 2 million riders. Weekend bus ridership fell about 4 percent last year to under 2.2 million riders.

The city’s transportation commissioner, Polly Trottenberg, who also serves on the authority’s board, said the city wanted to work with the agency to improve bus service. She said there were several ideas that could make riding the bus easier, including being able to board at any door and establishing more bus lanes.

“Dedicated bus lanes take some political work and community engagement,” Ms. Trottenberg said, “but those are all solutions we know we can do.”

A version of this article appears in print on February 24, 2017, on Page A23 of the New York edition with the headline: Subway Ridership Drops for First Time Since 2009.

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# APPENDIX D



## Acts (2016)

### Chapter 187

#### AN ACT REGULATING TRANSPORTATION NETWORK COMPANIES

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

SECTION 1. Subsection (a) of section 172 of chapter 6 of the General Laws, as amended by section 3 of chapter 10 of the acts of 2015, is hereby further amended by adding the following clause:-

(33) The department of public utilities and its departments or divisions may obtain from the department all available criminal offender record information, as defined in section 167, to determine the suitability of an applicant to obtain a transportation network driver certificate pursuant to chapter 159A½. Information obtained pursuant to this section shall not be disseminated for any purpose other than to further public protection and safety.

SECTION 2. Chapter 25 of the General Laws is hereby amended by adding the following section:-

Section 23. (a) There shall be established within the department a division that shall be under the general supervision and control of the commission and shall be under the control of a director. The division shall promulgate rules and regulations and shall perform such functions as necessary for the administration, implementation and enforcement of chapter 159A½.

(b) To fund the division's activities, the division shall assess a

surcharge on each transportation network company, as defined in section 1 of chapter 159A½. Each transportation network company shall annually report by March 31 its intrastate operating revenues for the previous calendar year to the division. The surcharge shall be apportioned according to each transportation network company's intrastate operating revenues as determined and certified annually by the division in order to reimburse the commonwealth for funds expended for the division's activities. If a transportation network company fails to report its intrastate operating revenues to the division by March 31, the division may estimate a transportation network company's intrastate operating revenues to assess the surcharge.

Each transportation network company shall pay the surcharge not later than 30 days from the date of the notice of the surcharge amount from the division. Failure to pay the surcharge within 30 days may, at the discretion of the division, constitute cause to suspend or revoke a transportation network company permit pursuant to chapter 159A½.

Funds that are not expended in a fiscal year for the operation of the division shall be credited against the surcharge to be made the following fiscal year and the surcharge amount in the following fiscal year shall be reduced by the unexpended amount.

SECTION 3. Section 7A of chapter 90, as appearing in the 2014 Official Edition, is hereby amended by inserting after the sixth paragraph the following paragraph:-

The registrar shall establish rules and regulations, in consultation with the division established in section 23 of chapter 25, providing for an inspection of transportation network vehicles operated under a certificate issued pursuant to chapter 159A½. Such inspections shall be in addition to the emissions testing requirements and the periodic staggered inspection as required by this section; provided however, that

the transportation network vehicle inspection shall be available at the same time as the emissions testing and the periodic staggered inspection. At a minimum, and subject to other requirements that the registrar may establish, such inspections shall ensure that the safety mechanisms of the vehicle are fully functioning and shall include a review of the vehicle's braking system and suspension.

SECTION 4. The General Laws are hereby amended by inserting after chapter 159A the following chapter:-

#### CHAPTER 159A½.

#### TRANSPORTATION NETWORK COMPANIES.

Section 1. As used in this chapter, the following words shall have the following meanings unless the context clearly requires otherwise:

“Background check clearance certificate”, verification issued by the division to a transportation network company and driver applicant, electronically or otherwise, that a driver applicant successfully completed the background check required under section 3 and is suitable to provide transportation network services.

“Cruising”, the driving of a vehicle on the streets, alleys or public places of motorized travel in search of or soliciting hails from a person in the street.

“Department”, the department of public utilities.

“Digital network”, any online-enabled application, software, website or system offered or utilized by a transportation network company that enables pre-arranged rides with transportation network drivers.

“Division”, the division established in section 23 of chapter 25.

“Pre-arranged ride”, a period of time that begins when a transportation network driver accepts a requested ride through a digital

network, continues while the driver transports the transportation network company rider and ends when the rider safely departs from the vehicle.

“Transportation network company”, a corporation, partnership, sole proprietorship or other entity that uses a digital network to connect riders to drivers to pre-arrange and provide transportation.

“Transportation network company permit” or “permit”, a document that may be issued by the division to a qualifying transportation network company pursuant to this chapter.

“Transportation network driver” or “driver”, a driver certified by a transportation network company.

“Transportation network driver certificate” or “driver certificate”, an authorization to provide transportation network services issued by the transportation network company to a transportation network driver.

“Transportation network rider” or “rider”, a passenger in a pre-arranged ride provided by a transportation network driver, provided that the passenger personally arranged the ride or an arrangement was made on the rider’s behalf.

“Transportation network services” or “services”, the offering or providing of pre-arranged rides for compensation or on a promotional basis to riders or prospective riders through the transportation network company’s digital network, covering the period beginning when a transportation network driver is logged onto the transportation network company’s digital network and is available to receive a pre-arranged ride or while in the course of providing a pre-arranged ride.

“Transportation network vehicle” or “vehicle”, a vehicle that is used by a transportation network driver to provide transportation network services.

Section 2. (a) The division shall have jurisdiction over

transportation network companies to ensure the safety and convenience of the public, as expressly set forth in this chapter.

(b) In consultation with the registry of motor vehicles, the division shall provide for the establishment of removable decals to be issued by transportation network companies, in a form and manner prescribed by the division, to transportation network drivers to designate a vehicle as a transportation network vehicle for law enforcement and public safety purposes. The decal shall be applied to both the front and back panels of a vehicle at all times while the vehicle is providing transportation network services. A transportation network driver who provides transportation network services using the digital network of more than 1 transportation network company shall display the respective decals for each transportation network company while the vehicle is providing transportation network services. A transportation network driver who ceases to be certified to provide transportation network services for any reason shall return the decal within 14 days of that cessation to the respective transportation network company in the manner and form prescribed by the division.

(c) In consultation with the commissioner of insurance, the division shall implement the insurance policy requirements established in section 228 of chapter 175.

(d) A transportation network company shall provide clear and conspicuous transportation fare estimates to riders at all times, including during surge pricing, high volume and high demand times. Fare estimates shall include a clear rate estimate or the amount of the price increase resulting from surge pricing or increased demand.

(e) A transportation network company and driver shall not raise base fares during a federal or a governor-declared state of emergency.

(f) In consultation with state police, local law enforcement and the

registry of motor vehicles, the division shall ensure the safety and annual inspection of transportation network vehicles, including a transportation network vehicle inspection pursuant to section 7A of chapter 90. A transportation network driver shall obtain a transportation network vehicle inspection at the driver's next annual emissions testing or within 12 months of obtaining a transportation network driver certificate, whichever comes first.

(g) The division shall ensure the accommodation of riders with special needs. A transportation network company shall not impose additional charges or increase fares when providing services to persons with disabilities and all transportation network drivers shall comply with applicable laws, rules and regulations relating to the accommodation of service animals.

(h) A transportation network company shall not be subject to the department's rate or common carrier requirements pursuant to chapters 159, 159A or 159B.

(i) A transportation network company shall provide a driver's name, picture and the license plate number of the vehicle in use to a rider on any digital network used to facilitate a pre-arranged ride.

(j) In consultation with the division, the Massachusetts Department of Transportation's highway division shall provide for the issuance of electronic toll transponders set at the commercial vehicle rate to be issued by transportation network companies to transportation network drivers. The electronic toll transponders shall be used each time a transportation network driver provides transportation network services on a toll road, bridge or tunnel; provided, however, that the issuance of an electronic toll transponder pursuant to this subsection shall not prohibit a transportation network driver from establishing or maintaining an electronic toll transponder account for personal use.

(k) In consultation with the division, a transportation network company shall provide its ride data to the Massachusetts Department of Transportation and the department shall cross-reference that data with its toll data to ensure that tolls incurred by a driver providing transportation network services through a digital network are paid at the commercial rate through the pay by plate system and through the electronic transponder system.

(l) A transportation network company shall notify the division upon receipt of information that a driver utilizing its network has violated a law or rule or regulation related to the provision of transportation network services or that the driver is not suitable to provide transportation network services.

(m) If, after the division issued a background check clearance certificate, the division is notified by a transportation network company, law enforcement or government entity that a driver is unsuitable and the division verifies the unsuitability, the division shall immediately revoke or suspend the background check clearance certificate and shall notify the driver and each transportation network company who issued the driver a driver certificate that the background check clearance certificate has been revoked or suspended. The division shall issue rules and regulations to establish a process for a driver to appeal a revocation or suspension. The rules or regulations shall include an opportunity for a hearing.

A driver aggrieved by a final order or decision of the division pursuant to this subsection or subsection (d) of section 3 may institute proceedings for judicial review in the superior court within 30 days after receipt of such order or decision. Any proceedings in the superior court shall, insofar as applicable, be governed by section 14 of chapter 30A, and may be instituted in the superior court for the county: (i)

where the parties or any of them reside or have their principal place of business within the commonwealth; (ii) where the division has its principal place of business; or (iii) of Suffolk. The commencement of such proceedings shall not, unless specifically ordered by the court, operate as a stay of the division's order or decision.

Section 3. (a) All transportation network companies and transportation network drivers shall provide services in the form of a pre-arranged ride using a digital network. A driver providing transportation network services shall not solicit, accept, arrange or provide transportation in another manner, including cruising unless otherwise authorized by law.

(b) A transportation network company shall apply for a permit to be issued and annually renewed by the division. No transportation network company shall operate without a permit issued to it by the division.

(c) No application for a permit may be granted or renewed unless the division determines that the rendering of transportation network services by the applicant is consistent with the public interest. At a minimum, each applicant for a permit shall verify the following:

(i) that the applicant has an oversight process in place to ensure that the applicant and every transportation network driver using the transportation network company's digital network possesses adequate insurance coverage, as required by this chapter and section 228 of chapter 175, and otherwise complies with all laws, rules and regulations concerning transportation network vehicles and drivers;

(ii) that the applicant has an oversight process in place to ensure that each driver using the applicant's digital network has, pursuant to section 4, successfully completed a background check, maintains a



valid background check clearance certificate, is a suitable driver and has a transportation network driver certificate;

(iii) that the digital network used by the applicant to pre-arrange rides employs a clear and conspicuous explanation of the total cost and pricing structure applicable to each pre-arranged ride before the ride begins;

(iv) that transportation network companies and drivers do not use excessive minimum or base rates;

(v) that the applicant has an oversight process in place to ensure that tolls incurred by a driver providing transportation network services through its digital network are paid at the commercial rate including the utilization of the electronic toll transponder issued pursuant to subsection (j) of section 2 and the data cross-reference pursuant to subsection (k) of said section 2;

(vi) that the applicant has an oversight process in place to ensure that the applicant and drivers using the applicant's digital network accommodate riders with special needs, including riders requiring wheelchair accessible vehicles, in all areas served by transportation network companies, comply with all applicable laws regarding nondiscrimination against riders or potential riders and ensure the accommodation of riders with special needs including, but not limited to, all applicable laws, rules and regulations relating to the accommodation of service animals;

(vii) that the applicant has a process in place to ensure that it shall: (1) maintain and update, pursuant to regulations promulgated by the division, a roster of each transportation network driver certified by the applicant to provide pre-arranged rides using the transportation network company's digital network; (2) upon request and with appropriate legal process, provide those rosters to the division, the

registry of motor vehicles and to state and local law enforcement; (3) maintain and update those rosters as required by the division; (4) comply with all requests for information from the division regarding the roster, including verification of completion of a background check as required pursuant to clause (ii);

(viii) that the applicant has established a toll-free customer service hotline that shall be capable of responding to consumer, driver and rider questions and complaints and that the hotline number shall be conspicuously posted along with the hours of operation on the applicant's website and within the applicant's digital network application;

(ix) that the applicant has established procedures governing the safe pickup, transfer, and delivery of individuals with visual impairments and individuals who use mobility devices, including but not limited to wheelchairs, crutches, canes, walkers, and scooters; and

(x) that the applicant has an oversight process in place to ensure that transportation network drivers with vehicles registered outside of the commonwealth meet the requirements of this chapter.

(d) After obtaining the information required under clause (ii) of subsection (c) of section 4, the division shall determine whether the driver applicant has committed an offense that would disqualify the driver applicant from providing transportation network services, according to the division's rules, orders and regulations. The division shall determine if the driver applicant is suitable and, if determined to be suitable, shall provide the transportation network company and the driver applicant with a background check clearance certificate. The division shall conduct a background check pursuant to clause (ii) of subsection (c) of section 4 not less than annually. If the division finds that a driver is not suitable under the annual background check, the

division shall notify the driver and each relevant transportation network company that the background check clearance certificate is revoked or suspended.

(e) The division shall calculate and the secretary of administration and finance shall determine, pursuant to section 3B of chapter 7, the cost associated with the division's review of an application for a transportation network company permit, for renewal of the permit and to issue background check clearance certificates. The division may charge the transportation network company a reasonable fee to cover the costs.

Section 4. (a) A driver who seeks to utilize the digital network of a transportation network company to provide pre-arranged rides shall apply to a transportation network company for a transportation network driver certificate. A person shall not provide transportation network services in the commonwealth without a valid background check clearance certificate and a transportation network driver certificate. The transportation network driver certificate shall be in a form prescribed by the division which shall include the name, picture of the driver and the license plate number of the vehicle in use and shall post a certificate for each transportation network company that has certified the driver in a location in the vehicle that is visible to the rider while transportation network services are being provided. A transportation network company shall not issue a transportation network driver certificate to a driver applicant unless the transportation network company has verified that the driver has received a background check clearance certificate from the division.

(b) At a minimum, and subject to such other requirements as the division may establish by regulation, a transportation network company shall only issue a transportation network driver certificate to a driver

who:

(i) is at least 21 years of age;

(ii) has access to a vehicle that has been registered in the commonwealth and inspected pursuant to section 7A of chapter 90 and regulations promulgated under said section 7A of said section 90 at a facility licensed by the registry of motor vehicles; or has access to a vehicle that has been registered in another state, and the vehicle complies with the inspection requirement of the state where the vehicle is registered;

(iii) complies with insurance requirements established in this chapter or in section 228 of chapter 175;

(iv) provides notice to all insurers of the vehicle that the applicant intends to use the vehicle to provide transportation network services;

(v) is determined to be suitable to perform transportation network services pursuant to subsections (c) and (d);

(vi) does not appear on the National Sex Offender Registry;

(vii) has not had a conviction in the past 7 years for: (1) a sex offense or violent crime as defined in section 133E of chapter 127; (2) a crime under section 24 of chapter 90 or been assigned to an alcohol or controlled substance education, treatment or rehabilitation program by a court; (3) leaving the scene of property damage or personal injury caused by a motor vehicle; (4) felony robbery; or (5) felony fraud; and

(viii) has a driving record that does not include more than 4 traffic violations or any major traffic violation, as defined by the division of insurance, in the preceding 3 year period.

(c) Prior to providing transportation network services, a driver applicant shall be subject to a 2-part background check process to determine if the driver applicant is suitable. The transportation network company shall: (i) conduct a background check and disqualify

applicants on the basis of a suitability standard to be determined in regulations promulgated by the division; and (ii) submit identifying information regarding an applicant to the division, which shall refer that information to the department of criminal justice information services, which shall obtain all available criminal offender record information, as defined in section 167 of chapter 6, and pursuant to section 172 of said chapter 6 and sex offender registry information.

(d) Not less than 2 times per year, the transportation network company shall conduct a background check pursuant to clause (i) of subsection (c) and shall immediately remove a driver from its digital network if the driver is found not suitable pursuant to the suitability standards to be determined in regulations promulgated by the division.

(e) The transportation network company shall immediately suspend a transportation network driver's certificate, and notify the division of the suspension, upon learning of and verifying a driver's arrest for a crime or a driver's citation for a driving infraction that would render the driver unsuitable to provide transportation network services. A transportation network company shall report such suspension, in a form and manner prescribed by the division, to the division, which shall ensure all transportation network companies that certified that driver take appropriate action. Any such suspension may be limited to the period of time necessary to determine whether continued provision of transportation network services by the driver is consistent with the public interest.

(f) In accordance with this section, the division shall quarterly audit the driver certification and criminal background check processes of a transportation network company. Non-compliance with this section shall constitute cause for the division to suspend or revoke a transportation network company permit pursuant to section 6.

Section 5. (a) Each transportation network company shall carry adequate insurance, as required by this chapter and section 228 of chapter 175, for each vehicle being used to provide transportation network services through a transportation network company's digital network.

(b) A transportation network driver shall carry adequate insurance for each vehicle being used to provide transportation network services in association with a transportation network driver's certificate and shall carry proof of adequate insurance, as required by section 228 of chapter 175, at all times while providing transportation network services. In the event of an incident giving rise to personal injury or property damage, a transportation network driver shall provide insurance coverage information to directly interested parties, automobile insurers and law enforcement. Upon request, a transportation network driver shall disclose to directly interested parties, automobile drivers, automobile insurers and law enforcement whether the driver was providing transportation network services at the time of the incident.

(c) Automobile liability insurance providers offering coverage to a transportation network company or transportation network driver to comply with subsection (a) or (b) shall recognize that a driver is a transportation network driver who uses a vehicle to transport riders for compensation and cover the driver while the driver is logged on to the transportation network company's digital network or while the driver is engaged in a pre-arranged ride.

(d) A transportation network company shall disclose, in writing, to a prospective transportation network driver, before certifying the driver to provide transportation network services through the transportation network company's digital network: (i) the insurance coverage,

including the types of coverage and the limits for each coverage, that the transportation network company provides while the transportation network driver provides transportation network services; and (ii) a statement that the transportation network driver's own automobile insurance policy may not provide coverage while the driver is providing transportation network services, depending on the terms of the policy.

(e) In a claims coverage investigation, a transportation network company, a transportation network driver and an insurer responding to a claim involving transportation network services shall disclose to each other a clear description of the coverage, exclusions and limits provided under an automobile insurance policy maintained under this section and shall cooperate to facilitate the exchange of relevant information with directly involved parties including, but not limited to, the precise times that a transportation network driver logged on and off of the transportation network company's digital network in the 12-hour period immediately preceding and in the 12-hour period immediately following the accident.

Section 6. (a) If the division determines, after notice and a hearing, that a transportation network company is in violation of this chapter or any rule or regulation promulgated under this chapter, the division shall issue a monetary penalty, suspend or revoke a transportation network company permit or take other action that the division deems necessary. In determining the amount of the monetary penalty, the division shall consider, without limitation, the size of the transportation network company based on a transportation network company's intrastate operating revenues for the previous calendar year, the gravity of the violation including noncompliance with the payment of commercial rate tolls as required in clause (v) of subsection (c) of section 3, the

degree to which the transportation network company exercised good faith in attempting to achieve compliance or to remedy non-compliance and previous violations by the transportation network company cited by the division.

The division shall issue rules and regulations to establish a process for administrative appeal of any penalty, suspension or revocation imposed in accordance with this section.

(b) Any party aggrieved by a final order or decision of the division pursuant to this section may institute proceedings for judicial review in the superior court within 30 days after receipt of such order or decision. Any proceedings in the superior court shall, insofar as applicable, be governed by the provisions of section 14 of chapter 30A, and may be instituted in the superior court for the county (i) where the parties or any of them reside or have their principal place of business within the commonwealth; (ii) where the division has its principal place of business; or (iii) of Suffolk. The commencement of such proceedings shall not, unless specifically ordered by the court, operate as a stay of the division's order or decision.

Section 7. (a) A driver providing transportation network services who is not in compliance with subsection (b) of section 2 or sections 4 or 5 shall be deemed to have committed a civil motor vehicle infraction, as defined in section 1 of chapter 90C. State or local law enforcement officials may issue a citation for any such violation in the manner provided for in said chapter 90C. If the driver is cited under this subsection, every transportation network company that allows the driver to provide transportation network services shall be subject to a fine of \$500.

(b) A driver providing transportation network services who knowingly or willfully allows another individual to use that driver's



certificate or identity to provide transportation network services or a driver who is using a transportation network driver certificate belonging to another individual or is misrepresenting a driver's identity to riders or potential riders by means of a digital network shall be punished by a fine of not more than \$500 for a first offense, by a fine of not more than \$750 for a second offense and by a fine of not more than \$1,000 or by imprisonment in the house of correction for not more than 6 months for a third or subsequent offense.

(c) A driver who violates section 3 or any other person who, by soliciting, accepting, arranging or providing transportation network services in any other manner, including through street hails, cruising or street solicitations, shall be deemed to have committed a civil motor vehicle infraction, as defined in section 1 of chapter 90C. State or local law enforcement officials may issue a citation for any such violation in the manner provided for in said chapter 90C to the transportation network driver and may assess a fine of \$500.

(d) A driver who fails to produce proof of a transportation network driver certificate and a background check clearance certificate upon request by law enforcement shall be punished by a fine of not more than \$100 for a first offense, by a fine of not more than \$500 for a second offense and not more than \$1,000 for a third or subsequent offense.

Section 8. (a) The division shall require a transportation network company to maintain certain records, in addition to the records required by clause (vii) of subsection (c) of section 3 including, but not limited to, records pertaining to incidents reported to the transportation network company relative to a driver or rider, records pertaining to accessibility and records pertaining to pricing; provided, however, that the division shall issue guidelines on the content and maintenance of

incident reports. A transportation network company shall retain the incident reports for not less than 7 years. Each transportation network company or applicant for a transportation network company permit shall furnish all information and documents related to the condition, management and operation of the company upon the division's request; provided, however, that any such request shall be reasonably related to the requirements set forth in this chapter and the rules and regulations promulgated under this chapter. The failure to maintain or furnish information to the division within a timeline to be determined by the division may, at the discretion of the division, constitute cause to not issue, suspend or revoke a transportation network company permit pursuant to section 6.

(b) A transportation network company shall provide to the division a detailed monthly accounting of driver and passenger complaints received under clause (viii) of subsection (c) of section 3 and the actions the company has taken, if any, to resolve said complaints.

(c) In response to a specific complaint alleging criminal conduct against any transportation network company driver or passenger, a transportation network company shall, upon request and after being served with appropriate legal process, provide information to a requesting law enforcement agency necessary to investigate the complaint, as determined by the law enforcement agency.

Transportation network companies shall, after being served with appropriate legal process, provide information related to an alleged criminal incident including, but not limited to, trip specific details regarding origin and destination, length of trip, GPS coordinates of route, driver identification and, if applicable, information reported to the transportation network company regarding the alleged criminal activity by a driver or passenger, to the appropriate law enforcement

agency upon receipt of a specific complaint alleging criminal conduct against any transportation network company driver or passenger.

(d) Any record furnished to the division shall exclude information identifying drivers or riders, unless the division explains, in writing, to the transportation network company why the information is necessary for the enforcement processes established in this chapter.

(e) Any record furnished to the division or other state agency by a transportation network company pursuant to this chapter including, but not limited to, the roster of permitted transportation network drivers, shall not be considered a public record as defined in clause Twenty-sixth of section 7 of chapter 4 or chapter 66. An application for a transportation network company permit submitted pursuant to this chapter shall be a public record as defined in said clause Twenty-sixth of said section 7 of said chapter 4 or said chapter 66; provided, however, that such an application may be withheld from disclosure, in whole or in part, for reasons set forth in said clause Twenty-sixth of said section 7 of said chapter 4 or said chapter 66.

Section 9. Nothing in this chapter shall require a transportation network company to issue a driver certificate to a driver applicant who meets the requirements of this chapter or prevent the transportation network company from suspending, revoking or otherwise terminating a driver from its digital network.

Section 10. Except where expressly set forth in this chapter, no municipality or other local or state entity, except the Massachusetts Port Authority, may: (i) impose a tax on or require any additional license for a transportation network company, a transportation network driver or a vehicle used by a transportation network driver where the tax or licenses relate to facilitating or providing pre-arranged rides; (ii) require any additional license for a transportation network company or

transportation network driver; or (iii) subject a transportation network company to the municipality's or other local or state entity's rates or other requirements, including but not limited to entry or operational requirements; provided, however, that a municipality or other local or state entity may regulate traffic flow and traffic patterns to ensure public safety and convenience.

Section 11. The division shall promulgate regulations necessary for the implementation, administration and enforcement of this chapter.

SECTION 5. Section 168 of chapter 175, as appearing in the 2014 Official Edition, is hereby amended by inserting after the word "liability", in lines 23 and 24, the following words:- , with the exception of motor vehicle policies for transportation network vehicles,.

SECTION 6. Said chapter 175 is hereby further amended by adding the following section:-

Section 228. (a) As used in this section, the words "digital network", "division", "pre-arranged ride" and "transportation network company" shall have the same definitions as set forth in section 1 of chapter 159A<sup>1/2</sup> unless the context clearly requires otherwise.

(b) The insurance requirements in this section shall constitute adequate insurance for transportation network drivers and shall satisfy the financial responsibility requirement for a motor vehicle established by section 34A of chapter 90 and section 113L; provided, however, that the insurance requirements in this section shall only satisfy the financial responsibility requirements for a motor vehicle established by said section 34A of said chapter 90 and said section 113L with respect to the provision of transportation network services in a vehicle operated by a transportation network driver. A transportation network driver shall also comply with said section 34A of said chapter 90 and said

section 113L and maintain insurance coverage for the vehicle during those periods of time when the vehicle is being operated, but is not providing transportation network services.

(c) A transportation network driver who is logged onto the transportation network company's digital network and is available to receive transportation requests, but is not engaged in a pre-arranged ride shall have automobile liability insurance that provides per occurrence, per vehicle coverage amounting to at least \$50,000 of coverage per individual for bodily injury, \$100,000 of total coverage for bodily injury, \$30,000 of coverage for property damage, uninsured motorist coverage, to the extent required by said section 113L, and personal injury protection, to the extent required by section 34A of chapter 90. The insurance may be held by the transportation network driver, the transportation network company or a combination thereof.

(d) When a transportation network driver is engaged in a pre-arranged ride, the driver shall have automobile liability insurance that provides at least \$1,000,000 in per occurrence, per vehicle coverage for death, bodily injury and property damage, uninsured motorist coverage, to the extent required by section 113L, and personal injury protection, to the extent required by section 34A of chapter 90. The insurance may be held by the transportation network driver, the transportation network company, or a combination thereof.

(e) In every instance where insurance maintained by a transportation network driver to fulfill the insurance requirements in subsections (c) and (d) has lapsed, failed to provide the required coverage, denied a claim for the required coverage or otherwise ceased to exist, insurance maintained by a transportation network company shall provide the coverage required by said subsections (c) and (d), beginning with the first dollar of a claim, and shall have the duty to

investigate and defend that claim.

(f) Coverage under an automobile insurance policy maintained by the transportation network company shall not be dependent on a personal automobile insurer first denying a claim nor shall a personal automobile insurer be required to first deny a claim.

(g) Insurance required by this section shall be placed with an insurer authorized to do business in the commonwealth or, if such coverage is not available, from any admitted carrier, then with a surplus lines insurer eligible pursuant to section 168.

(h) Insurers that write automobile insurance may exclude any and all coverage afforded under the policy issued to an owner or operator of a vehicle for any loss or injury that occurs while a driver is providing transportation network services or while a driver provides a pre-arranged ride. This right to exclude all coverage may apply to any coverage included in an automobile insurance policy including, but not limited to: (i) liability coverage for bodily injury and property damage; (ii) personal injury protection coverage as defined in section 34A of chapter 90; (iii) uninsured and underinsured motorist coverage; (iv) medical payments coverage; (v) comprehensive physical damage coverage; and (vi) collision physical damage coverage.

Such exclusions shall apply notwithstanding any requirement of said section 34A of said chapter 90 and section 113L. Nothing in this section implies or requires that a personal automobile insurance policy provide coverage while the transportation network driver is logged on to the transportation network company's digital network, while the transportation network driver is engaged in a pre-arranged ride or while the transportation network driver otherwise uses a vehicle to transport riders for compensation.

Nothing shall preclude an insurer from providing coverage for the

transportation network driver's vehicle if the insurer so chooses to do so by contract or endorsement.

Automobile insurers that exclude the coverage described in this section shall not have a duty to defend or indemnify any claim expressly excluded by a policy. Nothing in this section shall invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in the commonwealth before the enactment of this section that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public. An automobile insurer that defends or indemnifies a claim against a transportation network driver that is excluded under the terms of its policy shall have a right of contribution against other insurers that provide automobile insurance to the same transportation network driver in satisfaction of the coverage requirements of this section at the time of loss.

(i) The commissioner of insurance, in consultation with the division of transportation network companies established in section 23 of chapter 25, shall issue an annual report concerning the coverage minimums required for transportation network vehicles during the period of time where the transportation network driver is logged onto the digital network but is not engaged in a pre-arranged ride. The report shall include, at a minimum: (i) an examination, based on actuarial data, of whether the existing coverage requirements provide adequate protection for riders, transportation network drivers and the general public; (ii) whether it is presently feasible for a transportation network company to obtain an insurance policy providing coverage of \$1,000,000 per occurrence, per vehicle during the relevant time period; (iii) if such a policy is available, whether the coverage minimums should be raised so that all transportation network vehicles carry \$1,000,000 of coverage per occurrence, per vehicle, at all times while

operating as a transportation network company; (iv) whether a strategy can be developed to raise the coverage requirements during this period through the use of admitted motor vehicle insurance carriers, the surplus lines market and technological innovations in the insurance industry such as the use of telematics to improve risk assessment; and (v) any recommended action by the division of insurance, the division of transportation network companies established in said section 23 of said chapter 25, the legislature or other government entity that would encourage the insurance market to provide policies with higher insurance limits while transportation network companies are not engaged in a pre-arranged ride.

The commissioner of insurance shall file an annual report detailing any recommendations together with actuarial analysis with the clerks of the senate and house of representatives, the chairs of the house and senate committees on ways and means and the chairs of the joint committee on financial services not later than February 15.

**SECTION 7.** There shall be a ride for hire task force established to review the current laws, regulations and local ordinances governing licensed hackneys, taxis, livery and transportation network companies in the commonwealth and to make recommendations concerning public safety, consumer protection and the economic fairness and equity of the regulatory structure governing the ride for hire industry.

The task force shall be comprised of the following members or their designees: the director of the division that oversees transportation network companies established in section 23 of chapter 25; the commissioner of insurance; the secretary of transportation; the secretary of public safety and security; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by the minority



leader; and 6 persons to be appointed by the governor, 1 of whom shall be a representative of the Disability Law Center, Inc., 1 of whom shall be a representative of the Massachusetts Municipal Association, Inc., 1 of whom shall be a representative of the Massachusetts Chiefs of Police Association Incorporated, 1 of whom shall be a representative of the transportation network companies, 1 of whom shall be a representative of the hackney and taxi industry and 1 of whom shall be a member of the livery industry.

As part of the task force's review, the task force shall consider:

(i) the feasibility of establishing a Massachusetts Accessible Transportation Fund credited with annual surcharges from ride for hire companies that do not, as determined by the task force, provide sufficient wheelchair-accessible service;

(ii) potential methods for allowing ride for hire vehicles to engage in "surge pricing" based on supply and demand that conform to the practice of "surge pricing" that is currently utilized by transportation network companies;

(iii) expanding the oversight of ride for hire companies' compliance during insurance claims investigations arising from traffic accidents, including an examination of whether there is a need for greater involvement of the division of insurance or attorney general's office in order to ensure that ride for hire companies are not unnecessarily furtive in providing information during discovery;

(iv) whether the practice of depositing funds with the state treasurer's office in lieu of procuring a motor vehicle liability policy or bond, as permitted by section 34D of chapter 90 of the General Laws, should be abolished for ride for hire vehicles or abolished for vehicles altogether;

(v) whether there should be a limit on the number of transportation

network company digital networks that a transportation network driver may be connected to at a time to protect rider and public safety;

(vi) the potential impact of autonomous cars in the ride for hire industry, including the possible effect that autonomous cars may have on vehicle safety and fairness to existing drivers;

(vii) the environmental impacts that the provision of transportation network services may have and the feasibility of incentivizing the use of zero emission vehicles in the ride for hire industry;

(viii) an examination of the automobile financing programs offered by transportation network companies to transportation network drivers in order to determine whether the programs are predatory in nature;

(ix) the feasibility of transportation network companies providing within their user interface an emergency safety alert feature, which may include an option to connect a call to the police, the sending of alerts about trip and driver to local authorities, contact information for the company's incident response team and the sending of automated messages to preselected emergency contacts that details the trip and allows for real time global positioning system monitoring;

(x) the establishment of municipal licensing commissions to regulate development and oversight of the local ride for hire industry;

(xi) any other matters which the task force finds may improve public safety, consumer protection and economic fairness in the ride for hire industry;

(xii) the sufficiency of current motor vehicle liability policy minimums for licensed hackneys, taxis and livery;

(xiii) an examination of transportation networks' policies on fees charged to riders for cancelled rides and occasions when the rider is late to meet a transportation network driver at the pre-arranged pick-up location;

(xiv) easing regional restrictions on taxi service by allowing taxi medallion owners to pick up non-hail customers via smart phone application outside of the borders of the licensing municipality;

(xv) allowing medallion owners to set meter rates lower than rates established by the licensing municipality as long as the rates are clearly disclosed in advance to the customer; and

(xvi) examining and making recommendations on ways in which the division established under section 23 of chapter 25 can make statistical reports relative to the number and type of incidents reported to transportation network companies relating to drivers and riders.

The ride for hire task force shall file a report, which shall include its findings along with recommendations and accompanying proposed legislation, not later July 1, 2017 with the clerks of the senate and house of representatives, who shall forward the report to the house and senate chairs of the joint committee on financial services, the house and senate chairs of the joint committee on transportation and the house and senate chairs of the joint committee on public safety and homeland security.

**SECTION 8.** (a) There shall be a Transportation Infrastructure Enhancement Trust Fund. The director of the division within the department of public utilities established in section 23 of chapter 25 of the General Laws shall be the trustee of the fund and shall expend money in the fund to address the impact of transportation network services, as defined in section 1 of chapter 159A<sup>1/2</sup> of the General Laws. There shall be credited to the fund: (i) any per-ride assessment collected pursuant to subsection (b); and (ii) any interest earned on money in the fund. Amounts credited to the fund shall be expended by the director pursuant to subsection (c) without further appropriation. Money remaining in the fund at the end of a fiscal year shall not revert

to the General Fund.

(b) Annually, not later than February 1, each transportation network company shall submit to the director of the division established in section 23 of chapter 25 the number of rides from the previous calendar year that originated within each city or town and a per-ride assessment of \$0.20. A transportation network company shall not charge a transportation network rider or a transportation network driver, as defined in section 1 of chapter 159A<sup>1/2</sup>, for the cost of the per-ride assessment. Not later than June 30, the director shall post on the division's website the aggregate number of rides from the previous calendar year originating within each city or town.

(c) The division shall: (i) proportionately distribute  $\frac{1}{2}$  of the amount received from the fund to a city or town based on the number of rides from the previous calendar year that originated within that city or town to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town including, but not limited to, the complete streets program established in section 1 of chapter 90I of the General laws and other programs that support alternative modes of transportation; (ii) distribute  $\frac{1}{4}$  of the amount collected to the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws to provide financial assistance to small businesses operating in the taxicab, livery or hackney industries to encourage the adoption of new technologies and advanced service, safety and operational capabilities and support workforce development; and (iii) distribute  $\frac{1}{4}$  of the amount collected to the Commonwealth Transportation Fund established in section 2ZZZ of chapter 29 of the General Laws.

(d) Annually, a city or town receiving money from the Transportation Infrastructure Enhancement Trust Fund shall submit a report to the director of the division not later than December 31 detailing the projects and the amount used or planned to be used for transportation-related projects as described in subsection (c). The director shall compile the reports and post the projects and amounts of money used on the website of the division.

SECTION 9. Section 8 is hereby amended by striking out subsection (c) and inserting in place thereof the following subsection:-

(c) The division shall: (i) proportionately distribute  $\frac{1}{2}$  of the amount collected to a city or town based on the number of rides from the previous calendar year that originated within that city or town to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town including, but not limited to, the complete streets program established in section 1 of chapter 90I of the General Laws and other programs that support alternative modes of transportation; and (ii) distribute  $\frac{1}{2}$  of the amount collected to the Commonwealth Transportation Fund established in section 2ZZZ of chapter 29 of the General Laws.

SECTION 10. Section 8 is hereby repealed.

SECTION 11. The Massachusetts Port Authority, established in section 2 of chapter 465 of the acts of 1956, may not permit a transportation network vehicle that is not registered as a livery vehicle to accept a prearranged ride through a digital network at the General Edward Lawrence Logan International Airport terminal until such time as the authority promulgates rules for the operation of transportation network vehicles, consistent with federal regulations, to ensure the

safety of passengers and effective operation of transportation services to and from the airport.

SECTION 12. The Massachusetts Convention Center Authority may establish rules for the operation of transportation network company vehicles and taxicabs at the Boston convention and exhibition center, including, but not limited to, regulating traffic flow, including pickup locations, and traffic patterns to ensure public safety and convenience.

SECTION 13. Notwithstanding chapter 159A½ of the General Laws, all transportation network drivers and transportation network companies operating in the commonwealth prior to the promulgation of regulations issued by the division created in section 23 of chapter 25 of the General Laws may continue to provide transportation network services, but shall apply for all permits and certificates required under chapter 159A½ of the General Laws not less than 120 days after the effective date of the division's regulations.

SECTION 14. Not later than August 1, 2017, the department of public utilities and the registry of motor vehicles shall submit a report to the clerks of the senate and house of representatives examining the feasibility of: (i) conducting statewide criminal offender record information checks for each operator of a ride for hire vehicle; and (ii) establishing a statewide roster of all livery and taxicab drivers, along with a convenient means for municipalities to notify the division of any livery or taxicab drivers registered within their municipality, including reciprocal reporting between municipalities and the department regarding any driving infractions, criminal convictions, suspension or ban of all livery drivers and taxicab drivers on the statewide roster.

SECTION 15. The division of the department of public utilities established in section 23 of chapter 25 of the General Laws shall

promulgate regulations to implement chapter 159A<sup>1/2</sup> of the General Laws not later than 12 months after the effective date of this act.

SECTION 16. The registrar of motor vehicles shall establish rules and regulations for the transportation network vehicle inspection required under the seventh paragraph of section 7A of chapter 90 of the General Laws not more than 180 days after the effective date of this act.

SECTION 17. Section 9 shall take effect on January 1, 2022.

SECTION 18. Section 10 shall take effect on January 1, 2027.

Approved, August 5, 2016

# APPENDIX E



**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
MASSACHUSETTS DEPARTMENT OF PUBLIC UTILITIES  
AND  
LYFT,  
REGARDING CERTIFICATION AND OVERSIGHT OF  
TRANSPORTATION NETWORK DRIVERS**

The Parties to the Memorandum of Understanding (“Memorandum”) are the Commonwealth of Massachusetts, Department of Public Utilities (“Department”), 1 South Station, 5<sup>th</sup> Floor, Boston, Massachusetts 02110, acting by and through its Chairman, Angela M. O’Connor, and Lyft, Inc., (“Company”), a Delaware corporation, with offices at 185 Berry Street Suite 5000, San Francisco, CA 94107 acting by and through Joseph Okpaku, VP of Government Relations.

**WHEREAS**, on August 5, 2016, the Governor of the Commonwealth of Massachusetts (the “Commonwealth”) signed into law An Act Regulating Transportation Network Companies (“Act”) (Chapter 187 of the Acts of 2016);

**WHEREAS**, Lyft is a Transportation Network Company (“TNC”) operating in the Commonwealth;

**WHEREAS**, the Act establishes within the Department of Public Utilities a Division overseeing TNCs in the Commonwealth with authority to implement, administer, and enforce the Act, and requires the Division to promulgate regulations implementing the Act within one year after the effective date of the Act;

**WHEREAS**, the Act allows TNCs and TNC drivers to continue to operate during the Act’s implementation;

**WHEREAS**, both Lyft and the Division support the Act’s goals of protecting public safety and promoting innovation and economic growth;

**WHEREAS**, in furtherance of these goals, the Division and Lyft believe an agreement is needed in the interim to govern background checks until the Division completes its rulemaking process;

Now, therefore, in consideration of mutual covenants herein contained and for other good and valuable consideration the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Definitions.** As used in this Memorandum, the following definitions shall apply:
  - (a) “Background Check Clearance Certificate” means the verification issued by the Division that a driver or driver applicant received a positive determination of suitability as set forth in Section 5.

- (b) "Background Information" means (1) Criminal Offender Record Information ("CORI") regulated by the Department of Criminal Justice Information Services ("DCJIS"), (2) Sex Offender Registry Information ("SORI"), and (3) Registry of Motor Vehicles ("RMV") vehicle records and driver history information.
- (c) "Cruising" means the driving of a vehicle on the streets, alleys or public places of motorized travel in search of or soliciting hails from a person in the street.
- (d) "Division" means the Division of Transportation Network Companies established by the Department to monitor and oversee TNCs operating within the Commonwealth.
- (e) "Digital Network" means any online-enabled application, software, website or system offered or utilized by a TNC that enables pre-arranged rides with Company drivers.
- (f) "Pre-arranged ride" means the period of time that begins when a Company driver accepts a requested ride through a digital network, continues while the driver transports the Company rider, and ends when the rider safely departs from the vehicle.
- (g) "Transportation Network Company" or "TNC" means a corporation, partnership, sole proprietorship or other entity that uses a digital network to connect riders to pre-arrange and provide transportation.
- (h) "Transportation Network Services" means the offering or providing of pre-arranged rides for compensation or on a promotional basis to riders or prospective riders through the TNC's digital network, covering the period beginning when a Company driver is logged onto the TNC's digital network and is available to receive a pre-arranged ride or while in the course of providing a pre-arranged ride.

2. Preliminary Requirements.

- (a) A Company driver shall not provide Transportation Network Services to a rider unless the ride has been pre-arranged.
- (b) A driver who solicits, accepts, arranges or provides Transportation Network Services in any other manner, including through street hails, cruising or street solicitations, shall be deemed to have committed a civil motor vehicle infraction, as defined in G.L. c. 90C, §1. State or local law enforcement officials may issue a citation for any such violation in the manner provided for in said G.L. c. 90C to the Company driver and may assess a fine of \$500.
- (c) A Company driver must:
  - i. Be at least 21 years of age;
  - ii. Have access to a vehicle that has been registered in the Commonwealth and inspected pursuant to G.L. c. 90, § 7A, and regulations promulgated thereunder; or have access to a vehicle which has been registered in another

state that complies with the inspection requirement of the state where the vehicle is registered; and

iii. Receive a positive suitability determination as set forth in Section 5 herein.

3. Company Background Check.

(a) The Company or its third-party designee shall conduct a nationwide background check on every Company driver, which shall include a review of:

- i. A multi-state/multi-jurisdiction criminal records locator or other similar commercial nationwide database with validation (primary source search);
- ii. U.S. Department of Justice National Sex Offender Public Website; and
- iii. A check of relevant motor vehicle records.

(b) If, after completing the Company Background Check set forth in Section 3(a), the Company learns that any of the Disqualifying Conditions listed in **Exhibit A—Disqualifying Conditions** apply to the Company driver then the Company shall disqualify the Company driver from providing Transportation Network Services, provided that nothing in this Section requires the Company, or its third-party designee, to apply a lookback period longer than seven years.

4. Division Background Check.

(a) The Company shall electronically transmit the following information for all Company drivers, if known. The information shall be provided in a format specified by the Division.

- i. Legal First Name
- ii. Legal Middle Name
- iii. Legal Last Name
- iv. Former Names
- v. Place of Birth (City and State)
- vi. Date of Birth
- vii. Last Six Digits of Driver's Social Security Number
- viii. Driver's License State
- ix. Driver's License Number
- x. Driver's Electronic Mail Address

- (b) The Company shall also provide an appropriate consent and authorization form for all Company drivers and driver applicants to enable the Division to obtain and review Background Information for each driver. The Company shall provide an updated version of this consent and authorization form annually. The parties agree that the drivers and driver applicants may consent to the review by electronic means, and the parties agree that the form attached as **Exhibit B** is an appropriate consent and authorization form.
- (c) The Company shall inform each Company driver or driver applicant that the Background Information obtained may be used by the Division in determination of suitability for performing Transportation Network Services.
- (d) The Company shall also provide the Division with Consent to a CORI investigation to be conducted by the Division and, where applicable, to the periodic conduct of further CORI investigations during the course of a driver's affiliation with the Company.
- (e) The Division shall obtain and review the relevant Background Information for each Company driver and driver applicant.

5. Determination of Suitability.

- (a) The Division shall issue a negative determination of suitability if it determines any of the Disqualifying Conditions set forth in the attached **Exhibit A—Disqualifying Conditions** apply to a Company driver or driver applicant.
- (b) The Division may issue a negative determination of suitability if the Division Director determines that a Company driver or driver applicant:
  - i. Made a false statement on an application to provide Transportation Network Services; or
  - ii. Acted or is likely to act in a manner resulting in substantial jeopardy to the health, safety, or welfare of any person.
- (c) If the Division issues a negative determination of suitability, the Division shall electronically notify the Company and the driver or driver applicant that the driver or driver applicant is not suitable and shall not provide Transportation Network Services. Such notice shall include information regarding the driver or driver applicant's ability to appeal such determination.
- (d) If the Division determines that the Company driver or driver applicant is suitable, it shall issue a positive determination of suitability and electronically transmit a Background Check Clearance Certificate to both the Company and the driver or driver applicant.
- (e) Nothing in this section shall prohibit the Company from disqualifying drivers according to the Company's internal procedures or policies.

6. Appeal from a Negative Determination of Suitability.

- (a) Any Company driver aggrieved by a negative suitability determination by the Division shall have a right of appeal to the Division.
- (b) Such appeal shall be claimed by filing with the Secretary of the Commission, and with the Director of the Division, a written claim of appeal within 20 days from the date of the notice of negative suitability determination, which claim of appeal shall specifically set forth the grounds upon which the appellant claims to be aggrieved by the order of the Director.
- (c) It shall be the burden of the Company driver to demonstrate suitability by a preponderance of the evidence.
- (d) Such appeal shall be heard on the evidence introduced at the hearing before the Division. An appeal shall not operate as a stay of the determination.
- (e) Any Company driver aggrieved by a final order or decision of the Division may appeal for judicial review in the Superior Court within 30 days after receipt of such order or decision. Any proceedings in the Superior Court shall, insofar as applicable, be governed by G.L. c. 30A, § 14, and may be instituted in the Superior Court for the county: (i) where the parties or any of them reside or have their principal place of business within the Commonwealth; (ii) where the Division has its principal place of business; or (iii) Suffolk.

7. Suspension and Revocation.

- (a) If, at any time after the Division has issued a Background Check Clearance Certificate, the Company learns of any condition that would make a driver unsuitable as set forth in Section 5(a), the Company shall notify the Division within 60 hours.
- (b) If, at any time after the Division has issued a Background Check Clearance Certificate, the Division learns of any condition that would make a driver unsuitable as set forth in Section 5, the Division shall suspend or revoke the Background Check Clearance Certificate and shall electronically notify the driver and the Company of the suspension or revocation.
- (c) If the Division notifies the Company that a driver's Background Check Certificate has been suspended or revoked, the Company shall suspend or revoke the driver's privileges to provide Transportation Network Services for the Company.

8. Non-Compliance with Suspension or Revocation Notice.

- (a) If, after having been notified by the Division that a Company driver's Background Check Clearance Certificate has been suspended or revoked, the Company fails to suspend or revoke that driver's access to provide Transportation Network Services within 60 hours, the Division may take whatever reasonable action the Division deems necessary including, without limitation, refusing to certify additional drivers,

issuing a monetary penalty to the Company, or suspending or revoking the Company's privilege to provide Transportation Network Services within the Commonwealth. In determining the amount of any monetary penalty, the Division shall consider, without limitation, the size of the TNC based on the TNC's intrastate operating revenues for the previous calendar year, the gravity of the violation, and the degree to which the TNC exercised good faith in attempting to achieve compliance or to remedy non-compliance.

- (b) If, after having been notified by the Division that a driver's Background Check Clearance Certificate has been suspended or revoked, the driver continues to provide Transportation Network Services, state or local law enforcement officials may issue a citation for any such violation in the manner provided for in G.L. c. 90 and the RMV may suspend the driver's license.

9. Deadline for Compliance.

Notwithstanding Sections 2, 3, 4 and 5, any Company driver may provide Transportation Network Services until **April 3, 2017**, provided that:

- (a) The Division has not determined that the Company driver is unsuitable; and
- (b) For all drivers operating in the Commonwealth as of the effective date of this Memorandum, the Company has completed the background check required by Section 3 and submitted the identifying information pursuant to Section 4 not later than **January 6, 2017**.
- (c) For all drivers who begin providing Transportation Network Services for the Company after the effective date of this Memorandum, the Company has completed the background check required by Section 3 and submitted the identifying information pursuant to Section 4 on **January 6, 2017** or **7 days** after the driver has started providing Transportation Network Services for the Company, whichever is later.

10. Trade Dress.

- (a) No later than **January 6, 2017**, the Company shall issue trade dress to its drivers and a copy shall be provided to the Division. Such trade dress shall be applied to the front and back of the vehicle at all times while the vehicle is providing Transportation Network Services. The trade dress must be reflective, illuminated, or otherwise visible at night or in low-light environments.
- (b) The Company shall require a Company driver who ceases to be certified to provide Transportation Network Services for any reason to immediately cease using any trade dress.
- (c) After **January 6, 2017**, any driver providing Transportation Network Services who is not in compliance with this section shall be deemed to have committed a civil motor vehicle infraction, as defined by G.L. c. 90C, §1. State or local law enforcement

officials may issue a citation for any such violation in the manner provided for in G.L. c. 90. If the driver is cited under this subsection, the TNC for which the driver was providing Transportation Network Services at the time of the citation shall be subject to a fine of \$500.

11. Insurance.

The Company shall provide to the Division proof that it has disclosed the following information to each Company driver and driver applicant:

- (a) The insurance coverage, including types of coverage and limits for each coverage, that the Company provides while a Company driver is providing Transportation Network Services; and
- (b) A statement that the driver's own automobile insurance policy might not provide coverage while the driver is providing Transportation Network Services, depending on the policy.

The Company may satisfy this requirement by providing the Division with a copy of the relevant section of its partnership agreement.

12. Confidentiality.

The Division shall ensure that any information provided by the Company is treated as confidential to the fullest extent permitted under the Massachusetts Public Records law, G.L. c. 66, §10, and G.L. c. 159A½, §8(e).

The Division agrees that Company's list of drivers is a trade secret of Company is exempt from disclosure under G.L. c. 4, § 7(26)(g), and further that driver personal information is private information of drivers exempt from disclosure under G.L. c. 4, §7(26)(c).

13. Amendments.

No amendment to this Memorandum shall be effective unless it is in writing and signed by duly authorized representatives of all Parties. Any such duly executed amendment shall be incorporated and made a part of this Memorandum.

14. Choice of Law.

This Memorandum has been made in, and shall be construed under and governed by the laws of the Commonwealth of Massachusetts, notwithstanding any countervailing choice of law principles that might otherwise apply. The Parties agree to commence any action arising to which the Company and the Division are parties in the Superior Court Department of the Trial Court, Suffolk County, unless requirements of jurisdiction or venue require a different forum, provided, however, that in no event may the Parties resort to a court outside the Commonwealth of Massachusetts.

15. Headings and Interpretations.

The headings used herein are for reference and convenience only and shall not be a factor in the interpretation of this Memorandum. All terms contained herein shall be construed, whenever the context of this Memorandum so requires, so that the singular number shall include the plural, and the plural the singular, and the use of any gender shall include all gender.

16. Final Expression.

The terms of this Memorandum are intended by the Parties as the final expression of their agreement and such terms may not be contradicted by evidence of any prior agreement or contemporaneous oral agreement. No extrinsic evidence may be introduced in any dispute concerning this Memorandum.

17. Waiver.

The obligations and conditions imposed by this Memorandum can be waived only by written agreement. The waiver of any breach of these conditions shall not be construed to be a continuing waiver of any subsequent breach.

18. Severability.

If any part of this Memorandum is declared or found to be illegal, void, or unenforceable, then both Parties shall be relieved of all obligations under that provision. The remainder of this Memorandum shall be enforced to the fullest extent permitted by law.

19. Counterparts.

This Memorandum may be signed in any number of counterparts, each of which shall be considered an original and all of which taken together shall form one document.

20. Exhibits.

The following exhibits are attached hereto and incorporated by reference herein and are made a part of this Memorandum for all purposes:

**Exhibit A—Disqualifying Conditions.**

**Exhibit B—CORI Consent and Authorization**

21. Nothing Contrary to Statutory Authority.

Nothing in this Memorandum creates any obligations of the Parties that are inconsistent with or contrary to their statutory authority.

22. No Third Party Rights or Benefits.

Nothing in this Memorandum shall create any benefit or right for any third party.



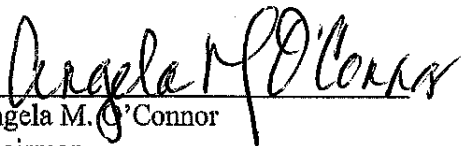
23. Effective Date and Termination.

(a) This Memorandum is effective upon signature of both Parties and shall remain in effect as to each signatory until the date of the Department's promulgation of regulations under G.L. c. 159A½.

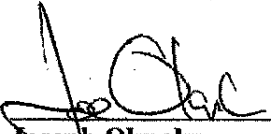
(b) This Memorandum may be terminated by either Party based on a material breach of any provision of this Memorandum.

In witness whereof, the following officials have caused their duly authorized representatives to execute this Memorandum of Understanding, as follows:

Massachusetts Department of Public  
Utilities

  
\_\_\_\_\_  
Angela M. O'Connor  
Chairman  
Date: 11/23/16

Lyft, Inc.

  
\_\_\_\_\_  
Joseph Okpaku  
Vice President of Government Relations  
Date: Nov 21, 2016

**Exhibit A**  
**DISQUALIFYING CONDITIONS**

<b>Violent Crimes</b>	
<i>Definition</i>	Any violent crime, as defined in G.L. c. 140, §121, punishable by 10 years or more in state prison, or conspiracy, solicitation, attempt, or accessory to the same.
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited
<b>Violent Crimes 2</b>	
<i>Definition</i>	Any violent crime, as defined 140, §121, or any assault or assault and battery, or any threat to commit such a crime, or any violation of a G.L. c. 209A restraining order, or any crime involving the illegal use or possession of weapons.
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	7 years
<b>OUI</b>	
<i>Definition</i>	G.L. c. 90, §24 (Operating M/V Under the Influence)
	G.L. c. 90, §24G (OUI motor vehicle homicide)
	G.L. c. 90, §24L (OUI causing serious bodily injury)
	G.L. c. 90B, §§ 8, 8A, 8B (operating watercraft under the influence)
	G.L. c. 90F, §11 (OUI by commercial operator)
	G.L. c. 265, §13½ (OUI manslaughter)
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited for OUI/motor vehicle homicide, OUI/serious bodily injury, OUI/manslaughter
	7 years for all others
<b>Multiple Serious Driving Offenses</b>	
<i>Definition</i>	Two or more convictions or continuations without a finding for operating under the influence or leaving the scene, or any offense under G.L. c. 90, §24(2)(a), or any combination thereof.
<i>Disposition</i>	Conviction or CWOFF

Exhibit A  
**DISQUALIFYING CONDITIONS**

<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited
<b>Reckless Operation of Motor Vehicle</b>	
<i>Definition</i>	G.L. c. 90, §24(2)(a) - reckless operation - negligent operation to endanger - leaving the scene of property damage - false statement to RMV - use without authority
	G.L. c. 90, §24(2)(a½)(1) (leaving the scene of an accident causing personal injury)
	G.L. c. 90, §24(2)(a½)(2) (leaving the scene of an accident causing death)
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	7 years
<b>Sex, Abuse, and Exploitation Offenses</b>	
<i>Definition</i>	"Sex Offense" as defined in G.L. c. 6, §178C (incl. conspiracy, solicitation, attempt, or accessory to same)
	G.L. c. 209A, §7 (Violation of an Abuse Prevention Order)
	G.L. c. 265, §13L (Child Endangerment)
	G.L. c. 265, §43 (stalking)
	G.L. c. 265, §43A (criminal harassment)
	G.L. c. 272, §6 (owner of place inducing or suffering person to resort in such place for sexual intercourse)
	G.L. c. 272, §7 (Support From, or Sharing, Earnings of Prostitute)
	G.L. c. 272, §8 (Soliciting for Prostitute)
	G.L. c. 272, §12 (Procuring Person to Practice, or Enter a Place for Prostitution; Employment Office Procuring Person)
	G.L. c. 272, §13 (Detaining, or Drugging to Detain, Person in Place for Prostitution)
	G.L. c. 272, §16 (Open and Gross Lewdness and Lascivious Behavior)
	G.L. c. 272, §53 (Indecent Exposure)

**Exhibit A**  
**DISQUALIFYING CONDITIONS**

	G.L. c. 272, §53 (Accosting or Annoying a Person of the Opposite Sex)
	G.L. c. 272, §53A (Engaging in Sexual Conduct for a Fee)
	G.L. c. 272, §105 (Upskirting)
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited
<b>Sex Offender Registration</b>	
<i>Definition</i>	Required to register as sex offender
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited
<b>Felony Convictions</b>	
<i>Definition</i>	Any offense with an available maximum penalty of more than 2½ years' imprisonment.
<i>Disposition</i>	Conviction
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	7 years
<b>"Felony Robbery"</b>	
<i>Definition</i>	G.L. c. 265, §14 (armed burglary)
	G.L. c. 265, §17 (armed robbery)
	G.L. c. 265, §18 (assault to rob)
	G.L. c. 265, §19 (unarmed robbery)
	G.L. c. 265, §21 (stealing by confining or putting in fear)
	G.L. c. 265, §21A (carjacking)
	Attempt, solicitation or conspiracy to commit these offenses, or being an accessory thereto.
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited

Exhibit A  
DISQUALIFYING CONDITIONS

<b>"Felony Fraud"</b>	
<i>Definition</i>	<p>G.L. c. 266, §§30 (Larceny – over \$250 only), 30B (unlawful possession of theft detection shielding device or deactivator), 30C (use of counterfeit receipt with intent to defraud), 30D (organized retail crime), 31 (obtaining signature by false pretenses), 32 (fraudulent conversion of property by captain of vessel), 33 (larceny by false pretenses relating to contracts, banking transactions or credit), 35A (false material statements in connection with mortgage lending), 37 (uttering fraudulent checks), 37C (fraudulent use of credit cards – felony form only), 40 (common and notorious thief), 39 (destruction or concealment of will), 50 (fraud or embezzlement by state treasury employee), 51 (fraud or embezzlement by city, town or county employee), 52 (fraud or embezzlement by bank officer or employee), 53A (misconduct by bank officer or employee), 55 (embezzlement by liquidating agent or receiver), 56 (embezzlement by broker or agent), 57 (embezzlement by fiduciary), 60A (buying or selling stolen trade secrets), 66 (fraudulent issue of stock), 67 (false entry in corporate books), 67A (false statement in procurement), 67B (presentation of false claims), 67C (false entry in records relating to capital construction projects), 73 (obtaining goods under false pretenses), 74 (fraudulent use of corporate credit), 75 (obtaining property by trick – over \$250 only), 76 (gross fraud or cheat at common law), 110 (false invoice of cargo), 111 (false affidavit or protest), 111A, 111B, 111C (insurance fraud)</p> <p>G.L. c. 267, §§1 (false or forged records), 2 (forged tickets), 3 (forged seal of land court), 4 (forged railroad company stamp), 5 (uttering false record), 6 (uttering forged ticket), 7 (forged bill of credit issued by treasurer), 8 (forged bank bill or note), 9 (possession of ten or more counterfeit notes), 10 (uttering counterfeit note), 11 (common utterer), 12 (possession of counterfeit notes), 13 (possession of tools for counterfeiting), 17 (possession of ten or more counterfeit coins), 18 (possession of fewer than ten counterfeit coins), 19 (common utterer of counterfeit coins), 20 (tools for making counterfeit coin), 27 (possession of worthless bank notes), 28 (uttering worthless bank notes).</p> <p>G.L. c. 268, §§1 (perjury), 2 (subornation of perjury), 3 (attempt to procure perjury), 6 (report before state departments), 13 (corrupting masters, auditors, jurors, arbitrators), 13B (willfully misleading to obstruct a criminal investigation), 13E (tampering with record document for use in judicial proceeding), 36 (compounding or concealing a felony), 39 (perjury related to motor vehicle theft)</p> <p>Or Attempt, Solicitation or Conspiracy to commit these offenses, or being an Accessory thereto</p>
<i>Disposition</i>	Conviction or CWOFF

**Exhibit A**  
**DISQUALIFYING CONDITIONS**

<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	7 years
<b>Open Cases</b>	
<i>Definition</i>	Any outstanding or unresolved criminal proceedings, the conviction for which would result in a negative suitability determination by the Division.
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Present
<b>Open Warrants</b>	
<i>Definition</i>	Any outstanding warrant for arrest
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Present
<b>Habitual Traffic Offender</b>	
<i>Definition</i>	G.L. c. 90, §24 (Habitual Traffic Offender)
<i>Jurisdiction</i>	Any jurisdiction
<i>Look Back Period</i>	7 years
<b>Licensed Driver</b>	
<i>Definition</i>	If under 23 years of age, have not held a valid US driver's license for at least 3 years. If 23 years of age or older, have not held a valid US driver's license for at least 1 year.
<i>Jurisdiction</i>	Any jurisdiction
<b>Open or Unresolved Driving Infractions</b>	
<i>Definition</i>	Any outstanding or unresolved driving infractions that would result in a negative suitability determination by the Division.
<i>Jurisdiction</i>	Any jurisdiction
<b>Suspension of Driver's License</b>	
<i>Definition</i>	Any suspension of driver's license for reasons related to the operation of a motor vehicle.
<i>Jurisdiction</i>	Any jurisdiction
<i>Look back period</i>	7 years

Exhibit A  
**DISQUALIFYING CONDITIONS**

<b>Multiple Violations of Traffic Laws or At Fault Accidents</b>	
<i>Definition</i>	More than 4 violations of the Traffic Laws and/or At Fault Accidents (211 CMR 134).
<i>Jurisdiction</i>	Any jurisdiction
<i>Look back period</i>	3 years
<b>Interlock Device</b>	
<i>Definition</i>	Interlock device present in an applicant's vehicle.
<i>Jurisdiction</i>	Massachusetts
<i>Look back period</i>	Present

**Exhibit B**  
**CORI CONSENT AND AUTHORIZATION**

As a prospective or current Transportation Network Driver, I understand that the Department of Public Utilities' Division of Transportation Network Companies ("Division") shall review Criminal Offender Record Information, Sex Offender Registry Information, and Registry of Motor Vehicles driving record information ("Background Information") from the Department of Criminal Justice Information Services for the purpose of evaluating whether I am suitable to perform Transportation Network Services ("Suitability Review"). I hereby acknowledge that the Division is authorized to review Background Information and provide permission to Lyft to submit my information to the Division for the purpose of performing this Suitability Review [and for the purposes of testing the Suitability Review system].

This authorization is valid for one year from the date of my signature or until the conclusion of my affiliation with the Company, whichever comes first. I understand that the Division may perform a Suitability Review multiple times during this period of time.

I may withdraw this authorization at any time by providing Lyft and the Division with written notice of my intent to withdraw my consent. By withdrawing my consent, or if my Suitability Review Consent and Authorization form is not renewed after this one-year period, I understand that (1) the Division may make an adverse decision on my Background Check Clearance Certificate, including suspending or revoking my Background Check Clearance Certificate, and (2) the Company may make an adverse decision on my suitability to perform Transportation Network Services, including suspending or revoking my Background Check Clearance Certificate.

By clicking "Accept," I provide my consent to Lyft to submit my information to the Division, and I consent to the Division's use of this information to perform a Suitability Review [and for the purposes of testing the Suitability Review system]. I affirm that the information I have provided to conduct a Suitability Review is true and accurate.



# APPENDIX F

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
MASSACHUSETTS DEPARTMENT OF PUBLIC UTILITIES  
AND  
RASIER, LLC  
REGARDING CERTIFICATION AND OVERSIGHT OF  
TRANSPORTATION NETWORK DRIVERS**

The Parties to the Memorandum of Understanding (“Memorandum”) are the Commonwealth of Massachusetts, Department of Public Utilities (“Department”), 1 South Station, 5<sup>th</sup> Floor, Boston, Massachusetts 02110, acting by and through its Chairman, Angela M. O’Connor, and Rasier, LLC, (“Company”), a Delaware limited liability company, and a subsidiary of Uber Technologies, Inc., whose address is 1455 Market Street, San Francisco, California 94103, acting by and through its Manager, Karen Walker.

**WHEREAS**, on August 5, 2016, the Governor of the Commonwealth of Massachusetts (the “Commonwealth”) signed into law An Act Regulating Transportation Network Companies (“Act”) (Chapter 187 of the Acts of 2016);

**WHEREAS**, Rasier, LLC is a Transportation Network Company (“TNC”) operating in the Commonwealth;

**WHEREAS**, the Act establishes within the Department of Public Utilities a Division overseeing TNCs in the Commonwealth with authority to implement, administer, and enforce the Act, and requires the Division to promulgate regulations implementing the Act within one year after the effective date of the Act;

**WHEREAS**, the Act allows TNCs and TNC drivers to continue to operate during the Act’s implementation;

**WHEREAS**, both Rasier, LLC and the Division support the Act’s goals of protecting public safety and promoting innovation and economic growth;

**WHEREAS**, in furtherance of these goals, the Division and Rasier, LLC believe an agreement is needed in the interim to govern background checks until the Division completes its rulemaking process;

Now, therefore, in consideration of mutual covenants herein contained and for other good and valuable consideration the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Definitions.** As used in this Memorandum, the following definitions shall apply:
  - (a) “Background Check Clearance Certificate” means the verification issued by the Division that a driver or driver applicant received a positive determination of suitability as set forth in Section 5.

- (b) "Background Information" means (1) Criminal Offender Record Information ("CORI") regulated by the Department of Criminal Justice Information Services ("DCJIS"), (2) Sex Offender Registry Information ("SORI"), and (3) Registry of Motor Vehicles ("RMV") vehicle records and driver history information.
- (c) "Cruising" means the driving of a vehicle on the streets, alleys or public places of motorized travel in search of or soliciting hails from a person in the street.
- (d) "Division" means the Division of Transportation Network Companies established by the Department to monitor and oversee TNCs operating within the Commonwealth.
- (e) "Digital Network" means any online-enabled application, software, website or system offered or utilized by a TNC that enables pre-arranged rides with Company drivers.
- (f) "Pre-arranged ride" means the period of time that begins when a Company driver accepts a requested ride through a digital network, continues while the driver transports the Company rider, and ends when the rider safely departs from the vehicle.
- (g) "Transportation Network Company" or "TNC" means a corporation, partnership, sole proprietorship or other entity that uses a digital network to connect riders to pre-arrange and provide transportation.
- (h) "Transportation Network Services" means the offering or providing of pre-arranged rides for compensation or on a promotional basis to riders or prospective riders through the TNC's digital network, covering the period beginning when a Company driver is logged onto the TNC's digital network and is available to receive a pre-arranged ride or while in the course of providing a pre-arranged ride.

2. Preliminary Requirements.

- (a) A Company driver shall not provide Transportation Network Services to a rider unless the ride has been pre-arranged.
- (b) A driver who solicits, accepts, arranges or provides Transportation Network Services in any other manner, including through street hails, cruising or street solicitations, shall be deemed to have committed a civil motor vehicle infraction, as defined in G.L. c. 90C, §1. State or local law enforcement officials may issue a citation for any such violation in the manner provided for in said G.L. c. 90C to the Company driver and may assess a fine of \$500.
- (c) A Company driver must:
  - i. Be at least 21 years of age;
  - ii. Have access to a vehicle that has been registered in the Commonwealth and inspected pursuant to G.L. c. 90, § 7A, and regulations promulgated thereunder; or have access to a vehicle which has been registered in another

state that complies with the inspection requirement of the state where the vehicle is registered; and

iii. Receive a positive suitability determination as set forth in Section 5 herein.

3. Company Background Check.

(a) The Company or its third-party designee shall conduct a nationwide background check on every Company driver, which shall include a review of:

- i. A multi-state/multi-jurisdiction criminal records locator or other similar commercial nationwide database with validation (primary source search);
- ii. U.S. Department of Justice National Sex Offender Public Website; and
- iii. A check of relevant motor vehicle records.

(b) If, after completing the Company Background Check set forth in Section 3(a), the Company learns that any of the Disqualifying Conditions listed in **Exhibit A—Disqualifying Conditions** apply to the Company driver then the Company shall disqualify the Company driver from providing Transportation Network Services, provided that nothing in this Section requires the Company, or its third-party designee, to apply a lookback period longer than seven years.

4. Division Background Check.

(a) The Company shall electronically transmit the following information for all Company drivers, if known. The information shall be provided in a format specified by the Division.

- i. Legal First Name
- ii. Legal Middle Name
- iii. Legal Last Name
- iv. Former Names
- v. Place of Birth (City and State)
- vi. Date of Birth
- vii. Last Six Digits of Driver's Social Security Number
- viii. Driver's License State
- ix. Driver's License Number
- x. Driver's Electronic Mail Address

- (b) The Company shall also provide an appropriate consent and authorization form for all Company drivers and driver applicants to enable the Division to obtain and review Background Information for each driver. The Company shall provide an updated version of this consent and authorization form annually. The parties agree that the drivers and driver applicants may consent to the review by electronic means, and the parties agree that the form attached as **Exhibit B** is an appropriate consent and authorization form.
- (c) The Company shall inform each Company driver or driver applicant that the Background Information obtained may be used by the Division in determination of suitability for performing Transportation Network Services.
- (d) The Company shall also provide the Division with Consent to a CORI investigation to be conducted by the Division and, where applicable, to the periodic conduct of further CORI investigations during the course of a driver's affiliation with the Company.
- (e) The Division shall obtain and review the relevant Background Information for each Company driver and driver applicant.

5. Determination of Suitability.

- (a) The Division shall issue a negative determination of suitability if it determines any of the Disqualifying Conditions set forth in the attached **Exhibit A—Disqualifying Conditions** apply to a Company driver or driver applicant.
- (b) The Division may issue a negative determination of suitability if the Division Director determines that a Company driver or driver applicant:
  - i. Made a false statement on an application to provide Transportation Network Services; or
  - ii. Acted or is likely to act in a manner resulting in substantial jeopardy to the health, safety, or welfare of any person.
- (c) If the Division issues a negative determination of suitability, the Division shall electronically notify the Company and the driver or driver applicant that the driver or driver applicant is not suitable and shall not provide Transportation Network Services. Such notice shall include information regarding the driver or driver applicant's ability to appeal such determination.
- (d) If the Division determines that the Company driver or driver applicant is suitable, it shall issue a positive determination of suitability and electronically transmit a Background Check Clearance Certificate to both the Company and the driver or driver applicant.
- (e) Nothing in this section shall prohibit the Company from disqualifying drivers according to the Company's internal procedures or policies.

6. Appeal from a Negative Determination of Suitability.

- (a) Any Company driver aggrieved by a negative suitability determination by the Division shall have a right of appeal to the Division.
- (b) Such appeal shall be claimed by filing with the Secretary of the Commission, and with the Director of the Division, a written claim of appeal within 20 days from the date of the notice of negative suitability determination, which claim of appeal shall specifically set forth the grounds upon which the appellant claims to be aggrieved by the order of the Director.
- (c) It shall be the burden of the Company driver to demonstrate suitability by a preponderance of the evidence.
- (d) Such appeal shall be heard on the evidence introduced at the hearing before the Division. An appeal shall not operate as a stay of the determination.
- (e) Any Company driver aggrieved by a final order or decision of the Division may appeal for judicial review in the Superior Court within 30 days after receipt of such order or decision. Any proceedings in the Superior Court shall, insofar as applicable, be governed by G.L. c. 30A, § 14, and may be instituted in the Superior Court for the county: (i) where the parties or any of them reside or have their principal place of business within the Commonwealth; (ii) where the Division has its principal place of business; or (iii) Suffolk.

7. Suspension and Revocation.

- (a) If, at any time after the Division has issued a Background Check Clearance Certificate, the Company learns of any condition that would make a driver unsuitable as set forth in Section 5(a), the Company shall notify the Division within 60 hours.
- (b) If, at any time after the Division has issued a Background Check Clearance Certificate, the Division learns of any condition that would make a driver unsuitable as set forth in Section 5, the Division shall suspend or revoke the Background Check Clearance Certificate and shall electronically notify the driver and the Company of the suspension or revocation.
- (c) If the Division notifies the Company that a driver's Background Check Certificate has been suspended or revoked, the Company shall suspend or revoke the driver's privileges to provide Transportation Network Services for the Company.

8. Non-Compliance with Suspension or Revocation Notice.

- (a) If, after having been notified by the Division that a Company driver's Background Check Clearance Certificate has been suspended or revoked, the Company fails to suspend or revoke that driver's access to provide Transportation Network Services within 60 hours, the Division may take whatever reasonable action the Division deems necessary including, without limitation, refusing to certify additional drivers,

issuing a monetary penalty to the Company, or suspending or revoking the Company's privilege to provide Transportation Network Services within the Commonwealth. In determining the amount of any monetary penalty, the Division shall consider, without limitation, the size of the TNC based on the TNC's intrastate operating revenues for the previous calendar year, the gravity of the violation, and the degree to which the TNC exercised good faith in attempting to achieve compliance or to remedy non-compliance.

- (b) If, after having been notified by the Division that a driver's Background Check Clearance Certificate has been suspended or revoked, the driver continues to provide Transportation Network Services, state or local law enforcement officials may issue a citation for any such violation in the manner provided for in G.L. c. 90 and the RMV may suspend the driver's license.

9. Deadline for Compliance.

Notwithstanding Sections 2, 3, 4 and 5, any Company driver may provide Transportation Network Services until **April 3, 2017**, provided that:

- (a) The Division has not determined that the Company driver is unsuitable; and
- (b) For all drivers operating in the Commonwealth as of the effective date of this Memorandum, the Company has completed the background check required by Section 3 and submitted the identifying information pursuant to Section 4 not later than **January 6, 2017**.
- (c) For all drivers who begin providing Transportation Network Services for the Company after the effective date of this Memorandum, the Company has completed the background check required by Section 3 and submitted the identifying information pursuant to Section 4 on **January 6, 2017** or **7 days** after the driver has started providing Transportation Network Services for the Company, whichever is later.

10. Trade Dress.

- (a) No later than **January 6, 2017**, the Company shall issue trade dress to its drivers and a copy shall be provided to the Division. Such trade dress shall be applied to the front and back of the vehicle at all times while the vehicle is providing Transportation Network Services. The trade dress must be reflective, illuminated, or otherwise visible at night or in low-light environments.
- (b) The Company shall require a Company driver who ceases to be certified to provide Transportation Network Services for any reason to immediately cease using any trade dress.
- (c) After **January 6, 2017**, any driver providing Transportation Network Services who is not in compliance with this section shall be deemed to have committed a civil motor vehicle infraction, as defined by G.L. c. 90C, §1. State or local law enforcement

officials may issue a citation for any such violation in the manner provided for in G.L. c. 90. If the driver is cited under this subsection, the TNC for which the driver was providing Transportation Network Services at the time of the citation shall be subject to a fine of \$500.

11. Insurance.

The Company shall provide to the Division proof that it has disclosed the following information to each Company driver and driver applicant:

- (a) The insurance coverage, including types of coverage and limits for each coverage, that the Company provides while a Company driver is providing Transportation Network Services; and
- (b) A statement that the driver's own automobile insurance policy might not provide coverage while the driver is providing Transportation Network Services, depending on the policy.

The Company may satisfy this requirement by providing the Division with a copy of the relevant section of its partnership agreement.

12. Confidentiality.

The Division shall ensure that any information provided by the Company is treated as confidential to the fullest extent permitted under the Massachusetts Public Records law, G.L. c. 66, §10, and G.L. c. 159A½, §8(e).

The Division agrees that Company's list of drivers is a trade secret of Company is exempt from disclosure under G.L. c. 4, § 7(26)(g), and further that driver personal information is private information of drivers exempt from disclosure under G.L. c. 4, §7(26)(c).

13. Amendments.

No amendment to this Memorandum shall be effective unless it is in writing and signed by duly authorized representatives of all Parties. Any such duly executed amendment shall be incorporated and made a part of this Memorandum.

14. Choice of Law.

This Memorandum has been made in, and shall be construed under and governed by the laws of the Commonwealth of Massachusetts, notwithstanding any countervailing choice of law principles that might otherwise apply. The Parties agree to commence any action arising to which the Company and the Division are parties in the Superior Court Department of the Trial Court, Suffolk County, unless requirements of jurisdiction or venue require a different forum, provided, however, that in no event may the Parties resort to a court outside the Commonwealth of Massachusetts.



15. Headings and Interpretations.

The headings used herein are for reference and convenience only and shall not be a factor in the interpretation of this Memorandum. All terms contained herein shall be construed, whenever the context of this Memorandum so requires, so that the singular number shall include the plural, and the plural the singular, and the use of any gender shall include all gender.

16. Final Expression.

The terms of this Memorandum are intended by the Parties as the final expression of their agreement and such terms may not be contradicted by evidence of any prior agreement or contemporaneous oral agreement. No extrinsic evidence may be introduced in any dispute concerning this Memorandum.

17. Waiver.

The obligations and conditions imposed by this Memorandum can be waived only by written agreement. The waiver of any breach of these conditions shall not be construed to be a continuing waiver of any subsequent breach.

18. Severability.

If any part of this Memorandum is declared or found to be illegal, void, or unenforceable, then both Parties shall be relieved of all obligations under that provision. The remainder of this Memorandum shall be enforced to the fullest extent permitted by law.

19. Counterparts.

This Memorandum may be signed in any number of counterparts, each of which shall be considered an original and all of which taken together shall form one document.

20. Exhibits.

The following exhibits are attached hereto and incorporated by reference herein and are made a part of this Memorandum for all purposes:

**Exhibit A—Disqualifying Conditions.**

**Exhibit B—CORI Consent and Authorization**

21. Nothing Contrary to Statutory Authority.

Nothing in this Memorandum creates any obligations of the Parties that are inconsistent with or contrary to their statutory authority.

22. No Third Party Rights or Benefits.

Nothing in this Memorandum shall create any benefit or right for any third party.

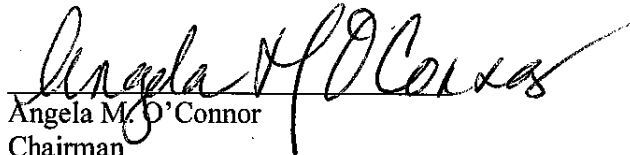
23. Effective Date and Termination.

(a) This Memorandum is effective upon signature of both Parties and shall remain in effect as to each signatory until the date of the Department's promulgation of regulations under G.L. c. 159A½.

(b) This Memorandum may be terminated by either Party based on a material breach of any provision of this Memorandum.

In witness whereof, the following officials have caused their duly authorized representatives to execute this Memorandum of Understanding, as follows:


Massachusetts Department of Public  
Utilities



Angela M. O'Connor  
Chairman

Date: 11/28/16

Rasier, LLC



---

Karen Walker  
Manager

Date: 11/18/16

**Exhibit A**  
**DISQUALIFYING CONDITIONS**

<b>Violent Crimes</b>	
<i>Definition</i>	Any violent crime, as defined in G.L. c. 140, §121, punishable by 10 years or more in state prison, or conspiracy, solicitation, attempt, or accessory to the same.
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited
<b>Violent Crimes 2</b>	
<i>Definition</i>	Any violent crime, as defined 140, §121, or any assault or assault and battery, or any threat to commit such a crime, or any violation of a G.L. c. 209A restraining order, or any crime involving the illegal use or possession of weapons.
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	7 years
<b>OUI</b>	
<i>Definition</i>	G.L. c. 90, §24 (Operating M/V Under the Influence)
	G.L. c. 90, §24G (OUI motor vehicle homicide)
	G.L. c. 90, §24L (OUI causing serious bodily injury)
	G.L. c. 90B, §§ 8, 8A, 8B (operating watercraft under the influence)
	G.L. c. 90F, §11 (OUI by commercial operator)
	G.L. c. 265, §13½ (OUI manslaughter)
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited for OUI/motor vehicle homicide, OUI/serious bodily injury, OUI/manslaughter  7 years for all others
<b>Multiple Serious Driving Offenses</b>	
<i>Definition</i>	Two or more convictions or continuations without a finding for operating under the influence or leaving the scene, or any offense under G.L. c. 90, §24(2)(a), or any combination thereof.
<i>Disposition</i>	Conviction or CWOFF

**Exhibit A**  
**DISQUALIFYING CONDITIONS**

<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited
<b>Reckless Operation of Motor Vehicle</b>	
<i>Definition</i>	G.L. c. 90, §24(2)(a) - reckless operation - negligent operation to endanger - leaving the scene of property damage - false statement to RMV - use without authority
	G.L. c. 90, §24(2)(a½)(1) (leaving the scene of an accident causing personal injury)
	G.L. c. 90, §24(2)(a½)(2) (leaving the scene of an accident causing death)
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	7 years
<b>Sex, Abuse, and Exploitation Offenses</b>	
<i>Definition</i>	"Sex Offense" as defined in G.L. c. 6, §178C (incl. conspiracy, solicitation, attempt, or accessory to same)
	G.L. c. 209A, §7 (Violation of an Abuse Prevention Order)
	G.L. c. 265, §13L (Child Endangerment)
	G.L. c. 265, §43 (stalking)
	G.L. c. 265, §43A (criminal harassment)
	G.L. c. 272, §6 (owner of place inducing or suffering person to resort in such place for sexual intercourse)
	G.L. c. 272, §7 (Support From, or Sharing, Earnings of Prostitute)
	G.L. c. 272, §8 (Soliciting for Prostitute)
	G.L. c. 272, §12 (Procuring Person to Practice, or Enter a Place for Prostitution; Employment Office Procuring Person)
	G.L. c. 272, § 13 (Detaining, or Drugging to Detain, Person in Place for Prostitution)
	G.L. c. 272, § 16 (Open and Gross Lewdness and Lascivious Behavior)
	G.L. c. 272, §53 (Indecent Exposure)

**Exhibit A**  
**DISQUALIFYING CONDITIONS**

	G.L. c. 272, §53 (Accosting or Annoying a Person of the Opposite Sex)
	G.L. c. 272, §53A (Engaging in Sexual Conduct for a Fee)
	G.L. c. 272, §105 (Upskirting)
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited
<b>Sex Offender Registration</b>	
<i>Definition</i>	Required to register as sex offender
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited
<b>Felony Convictions</b>	
<i>Definition</i>	Any offense with an available maximum penalty of more than 2½ years' imprisonment.
<i>Disposition</i>	Conviction
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	7 years
<b>"Felony Robbery"</b>	
<i>Definition</i>	G.L. c. 265, §14 (armed burglary)
	G.L. c. 265, §17 (armed robbery)
	G.L. c. 265, §18 (assault to rob)
	G.L. c. 265, §19 (unarmed robbery)
	G.L. c. 265, §21 (stealing by confining or putting in fear)
	G.L. c. 265, §21A (carjacking)
	Attempt, solicitation or conspiracy to commit these offenses, or being an accessory thereto.
<i>Disposition</i>	Conviction or CWOFF
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Unlimited

**Exhibit A**  
**DISQUALIFYING CONDITIONS**

<b>"Felony Fraud"</b>	
<i>Definition</i>	<p>G.L. c. 266, §§30 (Larceny – over \$250 only), 30B (unlawful possession of theft detection shielding device or deactivator), 30C (use of counterfeit receipt with intent to defraud), 30D (organized retail crime), 31 (obtaining signature by false pretenses), 32 (fraudulent conversion of property by captain of vessel), 33 (larceny by false pretenses relating to contracts, banking transactions or credit), 35A (false material statements in connection with mortgage lending), 37 (uttering fraudulent checks), 37C (fraudulent use of credit cards – felony form only), 40 (common and notorious thief), 39 (destruction or concealment of will), 50 (fraud or embezzlement by state treasury employee), 51 (fraud or embezzlement by city, town or county employee), 52 (fraud or embezzlement by bank officer or employee), 53A (misconduct by bank officer or employee), 55 (embezzlement by liquidating agent or receiver), 56 (embezzlement by broker or agent), 57 (embezzlement by fiduciary), 60A (buying or selling stolen trade secrets), 66 (fraudulent issue of stock), 67 (false entry in corporate books), 67A (false statement in procurement), 67B (presentation of false claims), 67C (false entry in records relating to capital construction projects), 73 (obtaining goods under false pretenses), 74 (fraudulent use of corporate credit), 75 (obtaining property by trick – over \$250 only), 76 (gross fraud or cheat at common law), 110 (false invoice of cargo), 111 (false affidavit or protest), 111A, 111B, 111C (insurance fraud)</p> <p>G.L. c. 267, §§1 (false or forged records), 2 (forged tickets), 3 (forged seal of land court), 4 (forged railroad company stamp), 5 (uttering false record), 6 (uttering forged ticket), 7 (forged bill of credit issued by treasurer), 8 (forged bank bill or note), 9 (possession of ten or more counterfeit notes), 10 (uttering counterfeit note), 11 (common utterer), 12 (possession of counterfeit notes), 13 (possession of tools for counterfeiting), 17 (possession of ten or more counterfeit coins), 18 (possession of fewer than ten counterfeit coins), 19 (common utterer of counterfeit coins), 20 (tools for making counterfeit coin), 27 (possession of worthless bank notes), 28 (uttering worthless bank notes).</p> <p>G.L. c. 268, §§1 (perjury), 2 (subornation of perjury), 3 (attempt to procure perjury), 6 (report before state departments), 13 (corrupting masters, auditors, jurors, arbitrators), 13B (willfully misleading to obstruct a criminal investigation), 13E (tampering with record document for use in judicial proceeding), 36 (compounding or concealing a felony), 39 (perjury related to motor vehicle theft)</p> <p>Or Attempt, Solicitation or Conspiracy to commit these offenses, or being an Accessory thereto</p>
<i>Disposition</i>	Conviction or CWOFF

**Exhibit A**  
**DISQUALIFYING CONDITIONS**

<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	7 years
<b>Open Cases</b>	
<i>Definition</i>	Any outstanding or unresolved criminal proceedings, the conviction for which would result in a negative suitability determination by the Division.
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Present
<b>Open Warrants</b>	
<i>Definition</i>	Any outstanding warrant for arrest
<i>Jurisdiction</i>	Any jurisdiction
<i>Look-back period</i>	Present
<b>Habitual Traffic Offender</b>	
<i>Definition</i>	G.L. c. 90, §24 (Habitual Traffic Offender)
<i>Jurisdiction</i>	Any jurisdiction
<i>Look Back Period</i>	7 years
<b>Licensed Driver</b>	
<i>Definition</i>	If under 23 years of age, have not held a valid US driver's license for at least 3 years. If 23 years of age or older, have not held a valid US driver's license for at least 1 year.
<i>Jurisdiction</i>	Any jurisdiction
<b>Open or Unresolved Driving Infractions</b>	
<i>Definition</i>	Any outstanding or unresolved driving infractions that would result in a negative suitability determination by the Division.
<i>Jurisdiction</i>	Any jurisdiction
<b>Suspension of Driver's License</b>	
<i>Definition</i>	Any suspension of driver's license for reasons related to the operation of a motor vehicle.
<i>Jurisdiction</i>	Any jurisdiction
<i>Look back period</i>	7 years



**Exhibit A**  
**DISQUALIFYING CONDITIONS**

<b>Multiple Violations of Traffic Laws or At Fault Accidents</b>	
<i>Definition</i>	More than 4 violations of the Traffic Laws and/or At Fault Accidents (211 CMR 134).
<i>Jurisdiction</i>	Any jurisdiction
<i>Look back period</i>	3 years
<b>Interlock Device</b>	
<i>Definition</i>	Interlock device present in an applicant's vehicle.
<i>Jurisdiction</i>	Massachusetts
<i>Look back period</i>	Present

**Exhibit B**  
**CORI CONSENT AND AUTHORIZATION**

As a prospective or current Transportation Network Driver, I understand that the Department of Public Utilities' Division of Transportation Network Companies ("Division") shall review Criminal Offender Record Information, Sex Offender Registry Information, and Registry of Motor Vehicles driving record information ("Background Information") from the Department of Criminal Justice Information Services for the purpose of evaluating whether I am suitable to perform Transportation Network Services ("Suitability Review"). I hereby acknowledge that the Division is authorized to review Background Information and provide permission to Rasier, LLC to submit my information to the Division for the purpose of performing this Suitability Review [and for the purposes of testing the Suitability Review system].

This authorization is valid for one year from the date of my signature or until the conclusion of my affiliation with the Company, whichever comes first. I understand that the Division may perform a Suitability Review multiple times during this period of time.

I may withdraw this authorization at any time by providing [Company] and the Division with written notice of my intent to withdraw my consent. By withdrawing my consent, or if my Suitability Review Consent and Authorization form is not renewed after this one-year period, I understand that (1) the Division may make an adverse decision on my Background Check Clearance Certificate, including suspending or revoking my Background Check Clearance Certificate, and (2) the Company may make an adverse decision on my suitability to perform Transportation Network Services, including suspending or revoking my Background Check Clearance Certificate.

By clicking "Accept," I provide my consent to Rasier, LLC to submit my information to the Division, and I consent to the Division's use of this information to perform a Suitability Review [and for the purposes of testing the Suitability Review system]. I affirm that the information I have provided to conduct a Suitability Review is true and accurate.

# APPENDIX G



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# Thousands of current Uber, Lyft drivers fail new background checks



CRAIG F. WALKER/GLOBE STAFF/FILE

**The state said 8,206 drivers out of 70,789 were rejected for infractions ranging from violent crimes and sexual offenses to suspended licenses.**

**By Adam Vaccaro and Dan Adams** | GLOBE STAFF APRIL 05, 2017

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More than 8,000 drivers for ride-hailing companies such as Uber and Lyft have been pulled off Massachusetts roads after failing a new state background check, for infractions that range from license suspensions to violent crimes and sexual offenses, according to records released Wednesday.

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The state reviewed the criminal and driving records of nearly 71,000 drivers who had already passed reviews by the companies, and rejected 8,206 — about 11 percent.

Hundreds were disqualified for having serious crimes on their record, including violent or sexual offenses, and others for driving-related offenses, such as drunken driving or reckless driving, according to the state Department of Public Utilities.

The agency said it rejected 51 applications from sex offenders and 352 for incidents related to “Sex, Abuse, and Exploitation.”

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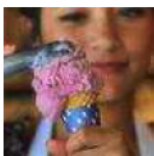
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