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December 22, 2015

Representative Aaron Michlewitz
Chair, Joint Committee on Financial Services
Massachusetts State House, Room 254
Boston, MA 02133

Senator James B. Eldridge
Chair, Joint Committee on Financial Services
Massachusetts State House, Room 218
Boston, MA 02133

Dear Chairman Michlewitz, Chairman Eldridge, and Members of the Committee:

We are writing on behalf of the Massachusetts Chiefs of Police Association ("MCOPA") and the Massachusetts Major City Chiefs ("MMCC") to express our organizations' support for the background check requirements proposed by Boston Police Commissioner William B. Evans in his testimony before the Joint Committee on Financial Services on September 15, 2015 concerning Transportation Network Companies (TNCs). To that end, the MMCC and MCOPA ask that any bill that emerges from the Committee include a requirement that an applicant for a TNC Driver's License submit to a government administered background check, which includes electronic fingerprinting.

There are many advantages to requiring applicants to make an in person appointment to submit fingerprints. First, fingerprints provide a reliable verification of an applicant's identity and ensure that the applicant's criminal history will be vetted prior to making a determination of the applicant's suitability to transport members of the public. Without a fingerprint requirement, a TNC driver applicant could provide false documentation of his or her identity, which would render any subsequent background check meaningless. Additionally, requiring applicants to submit fingerprints ensures that the designated reviewing agency will be

able to review an applicant's entire criminal history, including state and federal charges, prior to making a determination on the applicant's suitability.

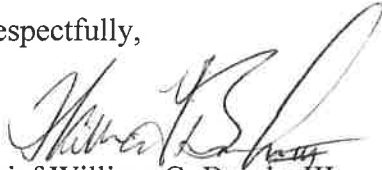
There is no dispute that biometrics, like fingerprints, serve as the best way to identify any individual, and this standard has been used throughout the country to screen both taxi drivers and TNC drivers. Specifically, New York City, Los Angeles, Phoenix, San Francisco, Chicago, Washington, DC, Miami, and all municipalities in Texas (through the Texas Department of Public Affairs, which administers fingerprinting) require taxi drivers to submit fingerprints in connection with their application process. Moreover, this model is already in place for TNC drivers in New York City, where Uber has agreed to submit to fingerprint based background checks. Accordingly, all Uber drivers who operate in New York City are required to submit fingerprints to the New York City Taxi and Livery Commission as part of the application process. Consumers in Massachusetts deserve to have the same level of comfort that their driver has been properly vetted when stepping into a vehicle for hire. The criminal history review conducted through an electronic fingerprint check is considerably more comprehensive than the "name check" review of Massachusetts Criminal Offender Record Information ("CORI") proposed in Governor Baker's bill. Specifically, a Massachusetts CORI check will only search an applicant's criminal history in Massachusetts or federal cases brought in the Commonwealth of Massachusetts. A fingerprint based check will search an applicant's entire federal and state (national) criminal history, ensuring that applicants who have engaged in criminal conduct outside the Commonwealth of Massachusetts will be properly vetted.

Finally, in addition to municipalities potentially performing the fingerprinting for TNC drivers, it is our understanding that a statewide system is already in place that could be used to process biometric background checks for applicants for a TNC Driver's License. The Commonwealth's Executive Office of Public Safety currently oversees the Statewide Applicant Fingerprint Identification Services ("SAFIS") program at dozens of processing centers across the Commonwealth. Massachusetts Department of Early Education and Care licensed, approved, or funded programs, and all public and private school

employees, vendors/contractors, transportation providers, and designated volunteers, are being processed under SAFIS to meet the requirements set forth in Chapter 77 of the Acts of 2013, "An Act Relative to Background Checks." The SAFIS program currently processes thousands of prospective employees each year at approximately twenty nine (29) locations throughout the Commonwealth, with a typical turnaround time of seventy two (72) hours. Logically, the Commonwealth and the affected local municipalities could absorb these checks in the interest of ensuring the safety of the public.

Thank you for your consideration of the MCOPA and MMCC's request. Please feel free to contact Chief Brooks directly at 781-440-5150, or Chief Kyes directly at 617-466-4810 with any additional questions.

Respectfully,



Chief William G. Brooks III
President
Massachusetts Chiefs of Police Association



Chief Brian Kyes
President
Massachusetts Major City Chiefs