

## WEAVER BRIEFING PAPER (Q & A's)

*Q. Why has the press conference been called?*

**A.** First, to announce an out of court settlement for \$9 million that has been reached between Burdines and the estate of Sue Weaver, a South Orange County resident, who was raped and murdered in her home by an air conditioning duct cleaner employed by a company acting as Burdines' agents. The employee was a convicted rapist yet no pre-hiring background check was carried out.

Second, to launch a nationwide awareness consumer safety campaign and seek legislation to try to prevent this sort of incident from ever happening again.

*Q. What was the basis for the settlement?*

**A.** The agreed settlement was for \$9 million. While Burdines ostensibly required pre-employment screening for the employees of general contractors and their sub contractors, this was never enforced. Burdines' continued failure to provide even a minimum level of oversight over its agents to ensure compliance with such a crucial requirement represented "willful negligence and conscious disregard or indifference for the life, safety and rights of its customers, and directly contributed to the murder of Sue Weaver."

*Q. What happens now?*

**A.** Funds from the settlement are being used to set up two foundations in Sue's memory.

The first is a trust that will support some of Sue's favorite charities.

The second, the **Sue Weaver Cause**, set up by Lucia Bone, Sue's sister, has two objectives:

The first is to alert consumers to the current threats to consumers' safety because of inadequate or non-existent background checks of people coming into your home.

The second objective is to press for legislation to oblige companies that send employees into homes to conduct background checks before hiring.

*Q. Why is legislation necessary?*

**A.** Sue's death was a tragedy, but it is even more alarming because this was not an isolated incident. Every year, people are sexually and physically assaulted and murdered in their homes by people who are sent into homes even though they have criminal records. It is absurd that a person with multiple convictions for sexual assaults should be engaged as a home repairman, yet it happens all the time. If companies are obliged to conduct pre-employment background checks, the hope is these people will not be hired to go into people's homes. They can, if necessary, be given other jobs where they do not pose a threat to consumers in their homes.

*Q. Do you think you can muster enough support to get legislation enacted?*

**A.** We believe that this is an issue of such importance that it will generate considerable attention and support. We have already had support expressed from a number of influential politicians at local, state and national levels and we are convinced that we will see legislation enacted state by state.

*Q. Aren't there civil rights issues involved in legislating for background checks that might deprive a person of a job?*

**A.** The practice of conducting background checks is well established in the business community and regulated by federal law, primarily the FCRA. Many companies and organizations already require pre-employment background checks and there are many firms providing these services for employment purposes. Thorough checks, including criminal history checks, are usually conducted in 72 hours or less and are not expensive, so cost is not a deterrent.

There are also many government-sponsored sites, both federal and state, that provide free access to information that is helpful in determining the suitability of an applicant for particular employment. For instance, the Florida Department of Law Enforcement has a site dedicated to known sexual predators.