

# Checks on workmen called vital: Handymen implicated in slayings; both had records

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In May 2001, Joshua Bryant and Lillian Martin went missing from their home in Deltona. A few months later, Cathy Sue Weaver was raped and killed in her Orange County home.

A common thread: The victims had work done in their homes by handymen who had criminal records -- handymen implicated in their murders.

The man convicted of Weaver's killing was hired without a background check. It was unclear if a check was made on the suspect in Martin and Joshua's vanishing, who fatally shot himself in May after a killing spree.

To help protect others from the deadly fate that investigators say Joshua, Martin and Weaver met, an advocate and a lawmaker are pushing for national legislation that requires companies to conduct background checks on service employees who enter customers' homes.

"Our biggest goal is to promote awareness, but someone has to make the employers accountable for doing the background checks," said Lucia Bone, Weaver's sister, who runs Sue Weaver Cause, a nonprofit group that plans to push for nationwide legislation requiring background checks for service employees.

If county investigators are right, Douglas McClymont, an electrician, caused the death of Joshua, 10. The boy and Martin, his 77-year-old grandmother, vanished without a trace three years ago.

Investigators found Joshua's skeletal remains in a wooded area in Cassadaga in June, several weeks after McClymont killed three people and shot himself to death. Though Martin has not been found, investigators think McClymont also killed her.

McClymont had a long history of drug abuse. His violent criminal record dated back to 1985, when he and a buddy were arrested for breaking into a neighbor's house. He served two prison sentences.

But the electrician repeatedly got jobs that required him to go into people's homes to work. McClymont had done renovation work at the home where Martin lived with Joshua, her granddaughter and son-in-law.

McClymont was working for Ted Roberts Electric of Lake Helen when Martin and Joshua vanished. Owner Ted Roberts declined to speak about McClymont.

At least one of McClymont's former employers, Frank Edwards, who owns Frank Edwards Electrical Service in Highlands, N.C., said he had no idea of McClymont's past.

"A couple of guys who worked for my competitor knew him" and recommended him, Edwards said. "I needed someone and I just didn't bother to check his references."

Before Edwards learned of McClymont's alleged crimes and his criminal history, he simply asked prospective employees about their backgrounds, checked their references and trusted that they were telling him the truth. But that's all changed now, he said.

"Up until this happened with Doug [McClymont], I pretty much took people at their word," Edwards said.

He said he has had no complaints from past customers or inquiries from North Carolina authorities about McClymont's work, but feels like he dodged a bullet. And from now on, anyone he hires will have to submit to a background check.

Sam Masters, a Daytona Beach lawyer hired by Martin's granddaughter, Joanne Miller, after Martin and Joshua vanished, said that neither Miller nor her husband, John, knew about McClymont's convictions or history of drug abuse.

For Texas state Rep. Burt Solomons, the risk of criminals being hired to do work in customers' homes is too great. Last year, Solomons helped pass a bill that could hold companies liable for employee actions if the business does not conduct a background search on at least one employee being sent into a customer's home.

The new law was a welcomed first step for Bone, who lives near Dallas and has become an advocate for requiring background checks of any employee before they are sent into a customer's home.

"It's a great start to a bill," Bone said. Bone and others say they think other states will soon follow in Texas' footsteps.

"People are going to seek additional ways to protect themselves, whether it's through their own due diligence or through legislation," said Dave Wirta, executive vice president for sales and marketing at First Advantage, a background research company based in St. Petersburg.

Wirta said most background checks range in price from about \$20 to several hundred dollars, depending on how many states an employer searches and what type of information they are looking for. Not doing searches and saving a little money up front can result in more liability.

The company that hired Jeffrey Allen Hefling, a convicted sex offender now in prison for raping and murdering Weaver, recently settled a multimillion lawsuit brought by Weaver's family. Adler Services Inc., a former subcontractor for Burdines Inc. and the company Hefling worked for, didn't conduct a background check before hiring him.

"There is a negligence liability in not doing this," Wirta said.

Bud Brewer, a spokesman for Massey Services, a Maitland-based pest control and lawn-care company, said it is not worth taking a chance on an unknown prospective employee.

"There's an awful lot that's invested so that we don't have to deal with the negative repercussions later," Brewer said.

Someone with a criminal history similar to McClymont's likely would have trouble being hired at Massey, Brewer said.

As Bone waits for national legislation, she said she recommends that people always ask about someone who is being sent into their homes.

"There are going to be no guarantees," Bone said. "Even with background checks, there's going to be people that slip through. But it's a better insurance than no background check."

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