

## 2002 SESSION

INTRODUCED

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### HOUSE BILL NO. 986

Offered January 9, 2002

Prefiled January 9, 2002

*A BILL for the relief of Victor Mottley.*

Patron—Hall (By Request)

Referred to Committee on Appropriations

Whereas, Victor Mottley is a resident of Richmond, Virginia; and  
Whereas, on April 18, 1997, Mr. Mottley was arrested for a misdemeanor criminal offense; and  
Whereas, on June 6, 1997, Mr. Mottley was subsequently convicted of the offense in the Richmond General District Court; and

Whereas, Mr. Mottley exercised his option to have a trial in the Richmond Circuit Court; and  
Whereas, on August 19, 1997, upon the trial in the Richmond Circuit Court, Mr. Mottley was completely acquitted of the criminal charge; and

Whereas, despite the arrest, conviction and subsequent acquittal, Mr. Mottley's employment as a licensed private security agent and basketball referee was not adversely affected initially; and

Whereas, Mr. Mottley believed that the acquittal was properly indicated on his record; and

Whereas, Mr. Mottley did not realize that the conviction remained on his record until June 19, 1998, when he was notified that his previous conviction was the basis for denial of his application for a volunteer position as a citizen ride-along with the City of Richmond Police Department; and

Whereas, Mr. Mottley attempted to have the record corrected by giving the Richmond Police Department a certified copy of the order stating that he had been acquitted, but the document was not accepted; and

Whereas, Mr. Mottley had to hire an attorney and incur other expenses to have his record expunged; and

Whereas on August 27, 1998, the Richmond Circuit Court entered an order expunging the conviction from his record; and

Whereas, even after having the order entered, Mr. Mottley continued to experience problems resulting from the erroneous conviction record including the rejection of an application for employment with the City of Richmond as an animal control officer; and

Whereas, in November of 1998, Mr. Mottley was also notified by the Department of Criminal Justice Services that his license as a private security agent could not be renewed because of the conviction; and

Whereas, the license was renewed on February 3, 1999, only after Mr. Mottley provided a copy of the order evidencing that the conviction had been expunged; and

Whereas, Mr. Mottley had to incur expenses and legal fees in the amount of \$599 in order to have the conviction removed from his record; and

Whereas, Victor Mottley has no other means to obtain adequate relief except by action of this body; now, therefore,

#### **Be it enacted by the General Assembly of Virginia:**

*1. § 1. That there is hereby appropriated from the general fund of the state treasury the sum of \$ 599 for the relief of Victor Mottley, to be paid by check issued by the State Treasurer on warrant of the Comptroller upon execution of a release of all claims Mr. Mottley may have against the Commonwealth or any agency, instrumentality, office, employee or political subdivision in connection with the aforesaid occurrence.*

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