

VIRGINIA ACTS OF ASSEMBLY -- 2024 SESSION

CHAPTER 143

An Act for the relief of David Wayne Kingrea, relating to compensation for wrongful incarceration; sex offender registry.

[H 641]

Approved March 26, 2024

Whereas, David Wayne Kingrea (Mr. Kingrea) was convicted in 2014 in the Montgomery County Circuit Court of the felony offense of taking indecent liberties with Mr. Smith, the minor son of his then-girlfriend, a crime that he did not commit; and

Whereas, Mr. Kingrea was sentenced to 12 months in jail for such conviction and was required to register as a sex offender; and

Whereas, Mr. Kingrea served 12 months in the custody of the Virginia Department of Corrections; and

Whereas, Mr. Kingrea spent over 8 years as a registered sex offender; and

Whereas, Mr. Smith testified at Mr. Kingrea's trial that Mr. Kingrea sexually abused him on multiple occasions; and

Whereas, Mr. Smith recanted his testimony in October 2020; and

Whereas, Mr. Kingrea began pursuing exoneration at that time; and

Whereas, Mr. Kingrea pursued a writ of actual innocence in the Virginia Court of Appeals on August 19, 2021; and

Whereas, the Virginia Court of Appeals granted Mr. Kingrea's petition and issued a writ of actual innocence, vacating his convictions on June 6, 2022, pursuant to Chapter 19.3 (§ 19.2-327.10 et seq.) of Title 19.2 of the Code of Virginia; and

Whereas, Mr. Kingrea, as a result of his wrongful registration on the sex offender registry, lost countless life experiences and opportunities, including relationships with friends and family, and suffered unjustified discrimination as a result of such registration; and

Whereas, Mr. Kingrea 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 an amount to be provided in the appropriation act for the relief of David Wayne Kingrea, to be paid by check issued by the State Treasurer on warrant of the Comptroller in accordance with the provisions of Article 18.2 (§ 8.01-195.10 et. seq.) of Chapter 3 of Title 8.01 of the Code of Virginia.*

2. *That the provisions of § 8.01-195.12 of the Code of Virginia shall apply to any compensation awarded under this act.*