

BARRIER CRIMES FOR CHILD DAY PROGRAMS

- Including:**
- Licensed Child Day Centers
 - Religiously Exempt Child Day Centers
 - Certified Pre-Schools
 - Licensed Family Day Homes
 - Voluntarily Registered Family Day Homes
 - Licensed Family Day Systems
 - Licensed System-Approved Family Day Homes
 - The Following if Receiving Federal, State, or Local Child Care Funds:
 - Local Ordinance – approved family day homes
 - Programs of recreational activities offered by local governments
 - Unregulated family day homes (including in-home care)

Va Code Ann. §§ 63.2-17171(E)(7); 63.2-1719; 63.2-1720; 63.2-1720.1; 63.2-1721; 63.2-1721.1; 63.2-1725

<p>In addition to the offenses listed below, the following are also barrier crimes: 1) a conviction of any offense set forth in § 9.1-902 or a finding that a person is not guilty by reason of insanity in accordance with Chapter 11.1 of Title 19.2 of an offense set forth in § 9.1-902 that results in the person’s requirement to register with the Sex Offender and Crimes Against Minors Registry pursuant to § 9.1-901, or any similar registry in any other state; 2) a conviction of any other felony unless 5 years have elapsed since the conviction; and 3) a founded complaint of child abuse or neglect within or outside the Commonwealth.</p> <p>Convictions include prior adult convictions and juvenile convictions or adjudications of delinquency based on a crime that would be a felony if committed by an adult within or outside the Commonwealth.</p> <p>Exceptions: See Assault and Battery below</p>	<p>63.2-1719</p>
--	-------------------------

OFFENSE Or Equivalent Offense in Another State	VA CODE SECTION
Abduction (Kidnapping)	Subsection A or B of 18.2-47
Abduction for Immoral Purposes	18.2-48
Abuse and Neglect of Children	18.2-371.1
Abuse and Neglect of Incapacitated Adults	18.2-369
Aggressive Use of a Machine Gun	18.2-290

Arson	Article 1 (18.2-77 et seq.) of Chapter 5 of Title 18.2
Arson – Burning Building or Structure While in Such Building or Structure with Intent to Commit Felony	18.2-82
Arson – Burning or Destroying Any Other Building or Structure	18.2-80
Arson – Burning or Destroying Dwelling House, Etc.	18.2-77
Arson – Burning or Destroying Meeting House, Etc.	18.2-79
Arson – Burning or Destroying Personal Property, Standing Grain, Etc.	18.2-81
Arson- Carelessly Damaging Property by Fire	18.2-88
Arson – Causing, Inciting, Etc. Threats to Bomb or Damage Buildings or Means of Transportation; False Information as to Danger to Such Buildings, Etc.	18.2-84
Arson – Manufacture, Possession, Use, Etc. of Fire Bombs or Explosive Materials or Devices	18.2-85
Arson – Setting Fire to Woods, Fences, Grass, Etc.	18.2-86
Arson – Setting Off Chemical Bombs Capable of Producing Smoke in Certain Public Buildings	18.2-87.1
Arson – Setting Woods, Etc., on Fire Intentionally Whereby Another is Damaged or Jeopardized	18.2-87
Arson – Threats to Bomb or Damage Buildings or Means of Transportation; False Information as to Danger to Such Buildings, Etc.	18.2-83
Assaults and Bodily Wounding	Article 4 (18.2-51 et seq.) of Chapter 4 of Title 18.2
Assaults and Bodily Wounding – Adulteration of Food, Drink, Drugs, Cosmetics, Etc.	18.2-54.2
Assaults and Bodily Wounding – Aggravated Malicious Wounding	18.2-51.2
Assaults and Bodily Wounding – Allowing Access to Firearms by Children	18.2-56.2
Assaults and Bodily Wounding – Assault and Battery (<u>Exception</u> : A child day center may hire for compensated employment persons who have been convicted of not more than 1 misdemeanor offense under § 18.2-57 if 10 years have elapsed following the conviction, unless the person committed such offense while employed in a child day center or the object of the offense was a minor. § 63.2-1720.1)	18.2-57
Assaults and Bodily Wounding – Assault and Battery Against a Family or Household Member	18.2-57.2
Assaults and Bodily Wounding – Attempts to Poison	18.2-57.2
Assaults and Bodily Wounding – Bodily Injuries Caused by Prisoners, State Juvenile Probationers, and State and Local Adult Probationers or Adult Parolees	18.2-55
Assaults and Bodily Wounding – Disarming a Law-Enforcement or Correctional Officer	18.2-57.02
Assaults and Bodily Wounding – Hazing of a Student at Any School, College, or University	18.2-56
Assaults and Bodily Wounding – Hazing a Youth Gang Members	18.2-55.1

Assaults and Bodily Wounding – Maiming, Etc., of Another Resulting From Driving While Intoxicated	18.2-51.4
Assaults and Bodily Wounding – Maiming, Etc., of Another Resulting From Operating a Watercraft While Intoxicated	18.2-51.5
Assaults and Bodily Wounding – Malicious Bodily Injury by Means of Any Caustic Substance or Agent or Use of Any Explosive or Fire	18.2-52
Assaults and Bodily Wounding – Malicious Bodily Injury to Law-Enforcement Officers, Firefighters, Search and Rescue Personnel, or Emergency Medical Service Providers	18.2-51.1
Assaults and Bodily Wounding – Pointing Laser at Law-Enforcement Officer	18.2-57.01
Assaults and Bodily Wounding – Possession of Infectious Biological Substances or Radiological Agents	18.2-52.1
Assaults and Bodily Wounding – Reckless Endangerment of Others by Throwing Objects from Places Higher than One Story	18.2-51.3
Assaults and Bodily Wounding – Reckless Handling of Firearms; Reckless Handling While Hunting	18.2-56.1
Assaults and Bodily Wounding – Shooting, Etc. in Committing or Attempting a Felony	18.2-53
Assaults and Bodily Wounding – Shooting, Stabbing, Etc. With Intent to Maim, Kill, Etc.	18.2-51
Assaults and Bodily Wounding – Strangulation of Another	18.2-51.6
Assaults and Bodily Wounding – Use or Display of Firearm in Committing a Felony	18.2-53.1
Burglary	Article 2 (18.2-89 et seq.) of Chapter 5 of Title 18.2
Burglary – Breaking and Entering Dwelling House with Intent to Commit Other Misdemeanor	18.2-92
Burglary – Entering Bank, Armed, with Intent to Commit Larceny	18.2-93
Burglary – Entering Dwelling House, Etc., with Intent to Commit Larceny, Assault and Battery, or Other Felony	18.2-91
Burglary – Entering Dwelling House, Etc., with Intent to Commit Murder, Rape, Robbery, or Arson	18.2-90
Burglary – Possession of Burglarious Tools, Etc.	18.2-94
Carjacking	18.2-58.1
Crimes Against Nature Involving Children	18.2-361
Delivery of Drugs to Prisoners	18.2-474.1
Drive-By Shooting	18.2-286.1
Electronic Facilitation of Pornography	18.2-374.3
Employing or Permitting a Minor to Assist in an Act Constituting an Offense Under Article 5 (18.2-372 et seq.) of Chapter 8 of Title 18.2	18.2-379
Employing or Permitting a Minor to Assist in – Advertising, Etc., Obscene Items, Exhibitions, or Performances	18.2-376
Employing or Permitting a Minor to Assist in – Coercing Acceptance of Obscene Articles or Publications	18.2-378
Employing or Permitting a Minor to Assist in – Creation of an Image of Another	18.2-386.1
Employing or Permitting a Minor to Assist in – Display of Child Pornography or Grooming Video or Materials to a Child	18.2-374.4

Employing or Permitting a Minor to Assist in – Indecent Exposure	18.2-387
Employing or Permitting a Minor to Assist in – Obscene Exhibitions and Performances	18.2-375
Employing or Permitting a Minor to Assist in – Obscene Sexual Display	18.2-387.1
Employing or Permitting a Minor to Assist in – Possession, Reproduction, Distribution, Solicitation, and Facilitation of Child Pornography	18.2-374.1:1
Employing or Permitting a Minor to Assist in – Production, Publication, Sale, Financing Etc., of Child Pornography	18.2-374.1
Employing or Permitting a Minor to Assist in – Production, Publication, Sale, Possession, Etc., of Obscene Items	18.2-374
Employing or Permitting a Minor to Assist in – Unlawful Dissemination or Sale of Images of Another	18.2-386.2
Employing or Permitting a Minor to Assist in – Use of Communications Systems to Facilitate Certain Offenses Involving Children	18.2-374.3
Escape from Jail	18.2-477
Extortion by Threat	18.2-59
Failure to Secure Medical Attention for an Injured Child	18.2-314
Felonies by Prisoners	53.1-203
Incest	18.2-366
Malicious Wounding by Mob	18.2-41
Murder or Manslaughter	18.2-30 et seq. Article 1 of Chapter 4 of Title 18.2
Murder or Manslaughter – Felony Homicide	18.2-33
Murder or Manslaughter – Involuntary Manslaughter	18.2-36
Murder or Manslaughter – Involuntary Manslaughter; Driving a Vehicle While Under the Influence	18.2-36.1
Murder or Manslaughter – Involuntary Manslaughter; Operating a Watercraft While Under the Influence	18.2-36.2
Murder or Manslaughter – Killing a Fetus	18.2-32.2
Murder or Manslaughter – Murder, Capital	18.2-31
Murder or Manslaughter – Murder, First and Second Degree	18.2-32
Murder or Manslaughter – Murder of a Pregnant Woman	18.2-32.1
Murder or Manslaughter – Voluntary Manslaughter	18.2-35
Obscenity Offenses	18.2-374.1
Pandering	18.2-355
Possession of Child Pornography	18.2-374.1:1
Possession or Distribution of Drugs (Felony Convictions)	Article 1 (18.2-247 et seq.) of Chapter 7 of Title 18.2

Possession or Distribution of Drugs – Allowing a Minor or Incapacitated Person to be Present During Manufacture or Attempted Manufacture of Methamphetamine (Felony Convictions)	18.2-248.02
Possession or Distribution of Drugs – Assisting Individuals in Unlawfully Procuring Prescription Drugs (Felony Convictions)	18.2-258.2
Possession or Distribution of Drugs – Certain Premises Deemed Common Nuisance (Felony Convictions)	18.2-258
Possession or Distribution of Drugs – Distributing Certain Drugs to Persons under 18 (Felony Convictions)	18.2-255
Possession or Distribution of Drugs – Drug Attempts (Felony Convictions)	18.2-257
Possession or Distribution of Drugs – Drug Conspiracy (Felony Convictions)	18.2-256
Possession or Distribution of Drugs – Maintaining a Fortified Drug House (Felony Convictions)	18.2-258.02
Possession or Distribution of Drugs – Manufacturing, Selling, Giving, Distributing, or Possessing with the Intent to Distribute the Substances Gamma-Butyrolactone or 1, 4-Butanediol When Intended for Human Consumption (Felony Convictions)	18.2-251.3
Possession or Distribution of Drugs – Manufacturing, Selling, Giving, Distributing, or Possessing with the Intent to Manufacture, Sell, Give, or Distribute Any Anabolic Steroid (Felony Convictions)	18.2-248.5
Possession or Distribution of Drugs – Manufacturing, Selling, Giving, Distributing, or Possessing with Intent to Manufacture, Sell, Give, or Distribute a Controlled Substance or an Imitation Controlled Substance (Felony Convictions)	18.2-248
Possession or Distribution of Drugs – Manufacturing, Selling, Giving, Distributing, or Possessing with Intent to Manufacture, Sell, Give, or Distribute Methamphetamine (Felony Convictions)	18.2-248.03
Possession or Distribution of Drugs – Obtaining Drugs, Procuring Administration of Controlled Substances, Etc., by Fraud, Deceit, or Forgery (Felony Convictions)	18.2-258.1
Possession or Distribution of Drugs – Possession and Distribution of Flunitrazepam (Felony Convictions)	18.2-251.2
Possession or Distribution of Drugs – Possession of Controlled Substances (Felony Convictions)	18.2-250
Possession or Distribution of Drugs – Sale, Gift, Distribution, or Possession with Intent to Sell, Give, or Distribute Marijuana (Felony Convictions)	18.2-248.1
Possession or Distribution of Drugs – Sale or Manufacture of Drugs On or Near Certain Properties (Felony Convictions)	18.2-255.2
Possession or Distribution of Drugs – Transporting Controlled Substances into the Commonwealth (Felony Convictions)	18.2-248.01
Robbery	18.2-58
Sexual Assault	Article 7 (18.2-61 et seq.) of Chapter 4 of Title 18.2
Sexual Assault – Aggravated Sexual Battery	18.2-67.3
Sexual Assault – Attempted Aggravated Sexual Battery	18.2-67.5
Sexual Assault – Attempted Forcible Sodomy	18.2-67.5

Sexual Assault – Attempted Object Sexual Penetration	18.2-67.5
Sexual Assault – Attempted Rape	18.2-67.5
Sexual Assault – Attempted Sexual Battery	18.2-67.5
Sexual Assault – Carnal Knowledge of Certain Minors	18.2-64.1
Sexual Assault – Carnal Knowledge of a Child Between 13 and 15 Years of Age	18.2-63
Sexual Assault – Carnal Knowledge of an Inmate, Parolee, Probationer, Detainee, or Pretrial or Post Trial Offender	18.2-64.2
Sexual Assault – Forcible Sodomy	18.2-67.1
Sexual Assault – Infected Sexual Battery	18.2-67.4:1
Sexual Assault – Object Sexual Penetration	18.2-67.2
Sexual Assault – Rape	18.2-61
Sexual Assault – Sexual Abuse of a Child under 15 Years of Age	18.2-67.4:2
Sexual Assault – Sexual Battery	18.2-67.4
Stalking (Felony Convictions)	18.2-60.3
Taking Indecent Liberties with Children	18.2-370; 18.2-370.1
Threats of Death or Bodily Injury	18.2-60
Use of a Machine Gun in a Crime of Violence	18.2-289
Use of a Sawed-Off Shotgun in a Crime of Violence	Subsection A of 18.2-300
Violation of a Protective Order (Felony Convictions)	18.2-60.4; 16.1-253.2