

BARRIER CRIMES FOR CHILDREN'S RESIDENTIAL FACILITIES

Code of Virginia 63.2-1726

The following offenses fall within the screening criteria and would result in a "Not Eligible" letter if an applicant was convicted of one or more or if the applicant has a pending charge for one or more. Exception: Please refer to the assault and battery sections below for additional information.

OFFENSE	CODE SECTION
Abduction with Intent to Extort Money or for Immoral Purpose	18.2-48
Abduction (Kidnapping)	18.2-47 A or B
Abuse and Neglect of Children	18.2-371.1
Abuse and Neglect of Incapacitated Adults	18.2B369
Adulteration of Food, Drink, Drugs, Cosmetics, etc.	18.2-54.2
Aggravated Malicious Wounding	18.2-51.2
Aggressive Use of a Machine Gun	18.2-290
Assault and Battery (Exception: May hire individual convicted of not more than one misdemeanor offense if 10 years have elapsed following the conviction, unless the person committed such offense in the scope of employment in a direct consumer care position.)	18.2-57
Assault and Battery Against a Family or Household Member (Exception: May hire individual convicted of not more than one misdemeanor offense if 10 years have elapsed following the conviction, unless the person committed such offense in the scope of employment in a direct consumer care position.)	18.2-57.2
Assault and Battery Against Law Enforcement (Pertains to convictions prior to 1997 when law was repealed)	18.2-57.1
Attempted Aggravated Sexual Battery	18.2-67.5
Attempted Forcible Sodomy	18.2-67.5
Attempted Object Sexual Penetration	18.2-67.5
Attempted Rape	18.2-67.5
Attempted Sexual Battery	18.2-67.5
Attempts to Poison	18.2-54.1
Bodily Injuries Caused by Prisoners, Probationers or Parolees	18.2-55
Breaking and Entering Dwelling House with Intent to Commit Other Misdemeanor	18.2-92

Burglary	18.2-89
Burning Building or Structure While in such Building or Structure with Intent to Commit Felony	18.2-82
Burning or Destroying any Other Building or Structure	18.2-80
Burning or Destroying Dwelling House, etc.	18.2-77
Burning or Destroying Meeting House, etc.	18.2-79
Burning or Destroying Personal Property, Standing Grain, etc.	18.2-81
Carelessly Damaging Property by Fire	18.2-88
Carjacking	18.2-58.1
Carnal Knowledge of Certain Minors	18.2-64.1
Carnal Knowledge of Child Between 13 and 15	18.2-63
Carnal Knowledge of an Inmate, Parolee, Probationer or Pretrial or Post-trial Offender	18.2-64.2
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
Certain Premises Deemed Common Nuisance	18.2-258
Crimes Against Nature Involving Children	18.2-361
Delivery of Drugs to Prisoners	18.2-474.1
Disarming a Law Enforcement or Correctional Officer	18.2-57.02
Distribution of Certain Drugs to Persons Under Eighteen	18.2-255
Drive-By Shooting	18.2-286.1
Drug Attempts (Felony Convictions)	18.2-257
Drug Conspiracy (Felony Convictions)	18.2-256
Electronic Facilitation of Pornography	18.2-374.3
Employing or Permitting Minor to Assist in Obscenity and Related Offenses	18.2-379
Entering Bank, Armed, with Intent to Commit Larceny	18.2-93
Entering Dwelling House, etc. with Intent to Commit Larceny, Assault and Battery or Other Felony	18.2-91
Entering Dwelling House, etc. with Intent to Commit Murder, Rape, Robbery or Arson	18.2-90
Escape from Jail	18.2-477
Extortion by Threat	18.2-59
Failing to Secure Medical Attention for Injured Child	18.2-314

Felonies by Prisoners	53.1-203
Firearms – Allowing Access by Children	18.2-56.2
Hazing	18.2-56
Homicide	18.2-33
Incest	18.2-366
Involuntary Manslaughter	18.2-36
Involuntary Manslaughter; operating a watercraft while under the influence	18.2-36.2
Maiming, etc. of Another Resulting from Driving While Intoxicated	18.2-51.4
Maiming, etc. of another resulting from operating a watercraft while intoxicated	18.2-51.5
Maintaining a Fortified Drug House (Felony Convictions)	18.2-258.02
Malicious Bodily Injury by Means of any Caustic Substance or Agent or Use of any Explosive	18.2-52
Malicious Bodily Injury to Law Enforcement Officers	18.2-51.1
Malicious Wounding by Mob	18.2-41
Manufacture, Possession, Use, etc. of Fire Bombs or Explosive Materials or Devices	18.2-85
Manufacturing, Selling, Giving, or Distributing a Controlled Substance or an Imitation Controlled Substance (Felony Convictions)	18.2-248
Manufacturing, Selling, Giving, or Distributing or Possessing with Intent to Manufacture, Sell, Give, or Distribute Methamphetamine (Felony Convictions)	18.2-248.03
Manufacturing, Selling, Giving, Distributing or Possessing with Intent to Manufacture, Sell, Give, or Distribute Any Anabolic Steroid (Felony Convictions)	18.2-248.5
Money Laundering (Pertains to convictions prior to 1999 when law was repealed)	18.2-248.7
Murder, Capital	18.2-31
Murder, First and Second Degree	18.2-32
Murder of a Pregnant Woman	18.2-32.1
Obtaining Drugs, Procuring Administration of Controlled Substances, etc. by Fraud, Deceit or Forgery (Felony Convictions)	18.2-258.1
Pandering (See Taking, Detaining, etc. Person for Prostitution etc. or Consenting Thereto)	18.2-355
Pointing Laser at Law Enforcement	18.2-57.01
Possession and Distribution of Flunitrazepam	18.2-251.2
Possession and Distribution of Gamma-Butyrolactone or 1, 4 – Butanediol	18.2-251.3

Possession of Burglarious Tools, etc.	18.2-94
Possession, Reproduction, Distribution, or Facilitation of Child Pornography	18.2-374.1:1
Possession of Drugs (Felony) and Continue on Probation or Parole or Have Failed to Pay Required Court Costs	18.2-248/250
Possession of Drugs (Felony) in the Five Years Prior to Application Date	18.2-248/250
Possession of Infectious Biological Substances	18.2-52.1
Possession or Use of a Sawed-Off Shotgun or Rifle in a Crime of Violence	18.2-300 A
Production, Publication, Sale, Possession with Intent to Distribute, Financing etc. of Sexually Explicit Items Involving Children	18.2-374.1
Rape	18.2-61
Reckless Endangerment	18.2-51.3
Reckless Handling of Firearms; Reckless Handling While Hunting	18.2-56.1
Robbery	18.2-58
Sale of Drugs on or near Certain Properties (Felony Convictions)	18.2-255.2
Setting Fire to Woods, Fences, Grass, etc.	18.2-86
Setting off Chemical Bombs Capable of Producing Smoke	18.2-87.1
Setting Woods, etc. on Fire Intentionally Whereby Another is Damaged or Jeopardized	18.2-87
Sexual Abuse of a Child Under 15 years of Age	18.2-67.4:2
Sexual Battery	18.2-67.4
Sexual Battery - Aggravated	18.2-67.3
Sexual Battery - Infected	18.2-67.4:1
Sexual Penetration - Object	18.2-67.2
Shooting, etc. in Committing or Attempting a Felony	18.2-53
Shooting, Stabbing, etc. with Intent to Maim, Kill, etc.	18.2-51
Sodomy - Forcible	18.2-67.1
Stalking (Felony)	18.2-60.3
Strangulation of Another	18.2-51.6
Taking, Detaining, etc. Person for Prostitution etc. or Consenting Thereto (See Pandering)	18.2-355
Taking Indecent Liberties with Child by Person in Custodial or Supervisory Relationship	18.2-370.1
Taking Indecent Liberties with Children	18.2-370

Threats of Death or Bodily Injury	18.2-60
Threats to Bomb or Damage Buildings or Means of Transportation; False Information as to Danger to Such Buildings, etc.	18.2-83
Transporting Controlled Substances into the Commonwealth	18.2-248.01
Use of a Machine Gun in a Crime of Violence	18.2-289
Use or Display of Firearm in Committing Felony	18.2-53.1
Violation of a Protective Order (Felony Convictions)	16.1-253.2 or 18.2-60.4
Voluntary Manslaughter	18.2-35

Note: The complete version of the *Code of Virginia* is accessible through the Internet via the Legislative Information System at <http://leg1.state.va.us/000/src.htm>

If you need help in determining if an offense is considered a barrier crime, you may contact the Office of Background Investigations at (804) 726-7098.