

1 HOUSE BILL NO. 641  
2 AMENDMENT IN THE NATURE OF A SUBSTITUTE  
3 (Proposed by the House Committee on Appropriations  
4 on \_\_\_\_\_)  
5 (Patron Prior to Substitute--Delegate Sullivan)

6 A BILL for the relief of David Wayne Kingrea, relating to compensation for wrongful incarceration; sex  
7 offender registry.

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

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

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

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

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

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

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

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

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

