

**BARRIER CRIMES LIST FOR DBHDS DIRECT CONSUMER CARE PROVIDERS  
EFFECTIVE JANUARY 1, 2023  
§ 37.2 – 416 with Barrier Crimes listed in § 19.2-392.02**

<b>OFFENSES</b> Or Substantially Similar Offense Under the Laws of Another Jurisdiction	<b>CODE SECTION</b>
<b>Any Felony Violation</b>	
Violation of a Protective Order	16.1-253.2
<b>Any Violation</b>	
Murder, Capital	18.2-31
Murder, First and Second Degree	18.2-32
Murder of a Pregnant Woman	18.2-32.1
Killing a Fetus	18.2-32.2
Felony Homicide	18.2-33
Voluntary Manslaughter	18.2-35
Involuntary Manslaughter	18.2-36
Involuntary Manslaughter; Driving a Vehicle While Under the Influence	18.2-36.1
Involuntary Manslaughter; Operating a Watercraft While Under the Influence	18.2-36.2
Malicious Wounding by Mob	18.2-41
Assault or battery by Mob	18.2-42
<b>Any Felony Violation</b>	
Prohibited criminal street gang participation	18.2-46.2
Recruitment of persons for criminal street gang	18.2-46.3
Third or subsequent conviction of criminal street gang crimes	18.2-46.3:1
Enhanced punishment for gang activity taking place in a gang-free zone	18.2-46.3:3
<b>Any Violation</b>	
Committing, conspiring and aiding and abetting acts of terrorism prohibited	18.2-46.5
Possession, manufacture, distribution, etc. of weapon of terrorism or hoax device prohibited	18.2-46.6
Act of bioterrorism against agricultural crops or animals	18.2-46.7
Abduction (Kidnapping)	Subsection A or B of 18.2-47
Abduction for Immoral Purpose	18.2-48
Threatening, attempting or assisting in such abduction	18.2-49
Enticing, etc, another into a dwelling house with intent to commit certain felonies	18.2-50.3
Shooting, Stabbing, etc., with Intent to Maim, Kill, etc.	18.2-51
Malicious Bodily Injury to Law-Enforcement Officers, Firefighters, Search and Rescue Personnel, or Emergency Medical Service Providers	18.2-51.1
Aggravated Malicious Wounding	18.2-51.2
Reckless Endangerment of Others by Throwing Objects from Places Higher than One Story	18.2-51.3
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

<b>OFFENSES</b> Or Substantially Similar Offense Under the Laws of Another Jurisdiction	<b>CODE SECTION</b>
Strangulation of Another	18.2-51.6
Malicious Bodily Injury by Means of Any Caustic Substance or Agent or Use of Any Explosive or Fire	18.2-52
Possession of Infectious Biological Substances or Radiological Agents	18.2-52.1
Shooting, etc., in Committing or Attempting a Felony	18.2-53
Use or Display of Firearm in Committing Felony	18.2-53.1
Attempts to Poison	18.2-54.1
Adulteration of Food, Drink, Drugs, Cosmetics, etc.	18.2-54.2
Bodily Injuries Caused by Prisoners, State Juvenile Probationers, and State and Local Adult Probationers or Adult Parolees	18.2-55
Hazing of Youth Gang Members	18.2-55.1
Hazing of Student at Any School, College, or University	18.2-56
Reckless Handling of Firearms; Reckless Handling While Hunting	Any violation Subsection A or A1 of 18.2-56.1
Allowing Access to Firearms by Children	18.2-56.2
<b>Assault and Battery*</b> (Exception: DBHDS' Licensed Private Provider 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 in the scope of his employment services in a direct consumer care position.)	18.2-57
Pointing Laser at Law-Enforcement Officer	18.2-57.01
Disarming a Law-Enforcement or Correctional Officer	18.2-57.02
<b>Assault and Battery Against a Family or Household Member*</b> (Exception: DBHDS' Licensed Private Provider 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 in the scope of his employment services in a direct consumer care position.)	18.2-57.2
Robbery	18.2-58
Carjacking	18.2-58.1
Extortion by threat	18.2-59
Threats of Death or Bodily Injury	18.2-60
Threatening the Governor or his immediate family	18.2-60.1
<b>Any Felony Violation</b>	
Stalking	18.2-60.3
Violation of a Protective Order	18.2-60.4; 16.1-253.2
<b>Any Violation</b>	
Rape	18.2-61
Carnal Knowledge of Child between 13 and 15 Years of Age	18.2-63
Carnal Knowledge of Certain Minors	18.2-64.1
Carnal Knowledge of a person detained or arrested by a law-enforcement officer or an inmate, parolee, probationer, juvenile detainee, or pretrial defendant or post trial offender	18.2-64.2

<b>OFFENSES</b> Or Substantially Similar Offense Under the Laws of Another Jurisdiction	<b>CODE SECTION</b>
Forcible Sodomy	18.2-67.1
Object Sexual Penetration	18.2-67.2
Aggravated Sexual Battery	18.2-67.3
Sexual Battery	18.2-67.4
Infected Sexual Battery	18.2-67.4:1
Sexual Abuse of a Child under 15 Years of Age	18.2-67.4:2
Attempted rape, forcible sodomy, object sexual penetration, aggravated sexual battery, sexual battery	18.2-67.5
Repeat offender (felony conviction after prior misdemeanor convictions of sexual battery in violation of § 18.2-67.4, attempted sexual battery in violation of § 18.2-67.5.C, a violation of § 18.2-371 involving consensual intercourse, anal intercourse, cunnilingus, fellatio, or anilingus with a child, indecent exposure of himself or procuring another to expose himself in violation of § 18.2-387, or a violation of § 18.2-130)	18.2-67.5:1
Repeat offender (maximum sentence for offense based on prior sexual assault convictions)	18.2-67.5:2
Repeat offender (life imprisonment for offense based on prior violent sexual assault convictions)	18.2-67.5:3
Burning or Destroying Dwelling House, etc.	18.2-77
Burning or Destroying Meeting House, etc.	18.2-79
Burning or Destroying any Other Building or Structure	18.2-80
Burning or Destroying Personal Property, Standing Grain, etc.	18.2-81
Burning Building or Structure While in such Building or Structure with Intent to Commit Felony	18.2-82
Threats to Bomb or Damage Buildings or Means of Transportation; False Information as to Danger to Such Buildings, etc.	18.2-83
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
Manufacture, Possession, Use, etc. of Firebombs or Explosive Materials or Devices	18.2-85
Setting Fire to Woods, Fences, Grass, etc.	18.2-86
Setting Woods, etc. on Fire Intentionally Whereby Another is Damaged or Jeopardized	18.2-87
Setting off Chemical Bombs Capable of Producing Smoke in Certain Public Buildings	18.2-87.1
Carelessly Damaging Property by Fire	18.2-88
<b>Any Felony Violation</b>	
Discharging Firearms or missiles within or at building or dwelling house	18.2-279
Willfully discharging firearms in public places	18.2-280
Setting spring gun or another deadly weapon	18.2-281
Pointing, holding, or brandishing firearm, air or gas operated weapon or object similar in appearance	18.2-282
Brandishing a machete or other bladed weapon with intent to intimidate	18.2-282.1
Shooting from vehicles to endanger persons	18.2-286.1
Wearing of body armor while committing a crime	18.2-287.2

<b>OFFENSES</b> Or Substantially Similar Offense Under the Laws of Another Jurisdiction	<b>CODE SECTION</b>
<b>Any Violation</b>	
Use of machine gun for crime of violence	18.2-289
Use of machine gun for aggressive purpose	18.2-290
Possession or use of "sawed-off" shotgun or rifle.	18.2-300
Possession of firearms while in possession of certain substances	18.2-308.4
Failing to secure medical attention for injured child	18.2-314
<b>Any Felony Violation</b>	
Prostitution; solicitation; commercial exploitation of a minor	18.2-346.01
<b>Any Violation</b>	
Taking, detaining, etc., person for prostitution, etc., or consenting thereto; human trafficking	18.2-355
Receiving money for procuring person	18.2-356
Receiving money from earnings of male or female prostitutes	18.2-357
Commercial sex trafficking	18.2-357.1
Crimes against nature (only subsection B)	Any violation of subsection B of 18.2-361
<b>Any Violation</b>	
Adultery and fornication by persons forbidden to marry; incest	18.2-366
Abuse and Neglect of Incapacitated Adults	18.2-369
Taking Indecent Liberties with Children	18.2-370
Taking indecent liberties with child by person in custodial or supervisory relationship	18.2-370.1
Sex Offenses prohibiting proximity to children	18.2-370.2
Sex offenses prohibiting residing in proximity to children	18.2-370.3
Sex offenses prohibiting working on school property	18.2-370.4
Sex offenses prohibiting entry onto school or other property	18.2-370.5
Penetration of mouth of child with lascivious intent	18.2-370.6
Abuse and Neglect of Children	18.2-371.1
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 - Possession, reproduction, distribution, solicitation, and facilitation of child pornography	18.2-374.1:1
Employing or Permitting a Minor to Assist in - Use of communications systems to facilitate certain offenses involving children.	18.2-374.3
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 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 - Creation of Image of Another	18.2-386.1
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 - Indecent exposure (included because of 18.2-379)	18.2-387
Employing or Permitting a Minor to Assist in - Obscene sexual display	18.2-387.1

<b>OFFENSES</b> Or Substantially Similar Offense Under the Laws of Another Jurisdiction	<b>CODE SECTION</b>
<b>Any Felony Violation</b>	
Rioting	18.2-405
Unlawful assembly	18.2-406
<b>Any Violation</b>	
Conspiracy; incitement to riot	18.2-408
Commission of certain offenses in county, city or town declared by Governor to be in state of riot or insurrection	18.2-413
Injury to property or persons by persons unlawfully or riotously assembled	18.2-414
Burning cross on property of another or public place with intent to intimidate	18.2-423
Burning object on property of another or a highway or other public place with intent to intimidate	18.2-423.01
Placing swastika on certain property with intent to intimidate	18.2-423.1
Displaying noose on property of another or a highway or other public place with intent to intimidate	18.2-423.2
Paramilitary activity prohibited	18.2-433.2
Providing false information or failing to provide registration information	18.2-472.1
Escape of, Communications with and Deliveries to Prisoners – Delivery of drugs, firearms, explosives, etc. to prisoners or committed persons	18.2-474.1
Escape of, Communications with and Deliveries to Prisoners – Prisoner escaping from jail	18.2-477
Escape of, Communications with and Deliveries to Prisoners – Escapes from juvenile facility	18.2-477.1
Escape of, Communications with and Deliveries to Prisoners – Commission of felony certain offenses while in a secure juvenile facility or detention home	18.2-477.2
Escape of, Communications with and Deliveries to Prisoners – Escape from jail or custody by force or violence without setting fire to jail	18.2-478
Escape of, Communications with and Deliveries to Prisoners – Escape without force or violence or setting fire to jail	18.2-479
Escape of, Communications with and Deliveries to Prisoners – Escape, etc., by setting fire to jail	18.2-480
Treason	18.2-481
Advocacy of change in government by force, violence, or other unlawful means	18.2-484
Conspiring to incite one race to insurrection against another race	18.2-485
Escape of persons committed to facility for sexually violent predators	37.2-917
Felonies by Prisoners	53.1-203
<b>Any Violation</b>	
Burglary	18.2-89
Entering Dwelling House, etc., with intent to commit murder, rape, robbery, or arson	18.2-90
Entering Dwelling House etc., with intent to commit larceny, assault and battery, or other felony	18.2-91
Breaking and entering dwelling house with intent to commit another misdemeanor	18.2-92
Entering Bank, Armed, with Intent to Commit Larceny	18.2-93
Possession of Burglarious Tools, etc.	18.2-94
<b>Any Felony Violation</b>	
Possession of Retail Marijuana and Retail Marijuana Products – Home cultivation of marijuana for personal use	4.1-1101

<b>OFFENSES</b> Or Substantially Similar Offense Under the Laws of Another Jurisdiction	<b>CODE SECTION</b>
Manufacturing, Selling, Giving, Distributing, or Possessing with Intent to Manufacture, Sell, Give, or Distribute a Controlled Substance or an Imitation Controlled Substance	18.2-248
Transporting Controlled Substances into the Commonwealth	18.2-248.01
Allowing a Minor or Incapacitated Person to be Present during Manufacture or Attempted Manufacture or Attempted Manufacture of Methamphetamine	18.2-248.02
Manufacturing, Selling, Giving, Distributing, or Possessing with Intent to Manufacture, Sell, Give, or Distribute Methamphetamine	18.2-248.03
Sale, Gift, Distribution, or Possessing with Intent to Sell, Give, or Distribute Marijuana	18.2-248.1
Manufacturing, Selling, Giving, Distributing, or Possessing with Intent to Manufacture, Sell, Give, or Distribute Any Anabolic Steroid	18.2-248.5
Possession and Distribution of Flunitrazepam	18.2-251.2
Possession and Distribution of Gamma-Butyrolactone; 1, 4-Butanediol	18.2-251.3
Distribution of Certain Drugs to Persons under 18	18.2-255
Sale or Manufacture of Drugs on or Near Certain Properties	18.2-255.2
Certain Premises Deemed Common Nuisance	18.2-258
Maintaining a Fortified Drug House	18.2-258.02
Obtaining Drugs, Procuring Administration of Controlled Substances, etc., by Fraud, Deceit, or Forgery	18.2-258.1
Assisting Individuals in Unlawfully Procuring Prescription Drugs	18.2-258.2
<b>Any Felony Violation</b>	
Possession of Controlled Substances – In the 5 years Prior to Application Date	18.2-250