

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act for the relief of Keshawn Clarence Duffy, relating to claims; compensation for wrongful incarceration.

[H 2691]

Approved

Whereas, Keshawn Clarence Duffy (Mr. Duffy) was convicted in 2019 in the Circuit Court of the City of Hampton of two counts of the felony offense of forcible sodomy with A.R., the minor son of his then-girlfriend, a crime that he did not commit; and

Whereas, Mr. Duffy was sentenced to life without parole on March 22, 2019; and

Whereas, Mr. Duffy served approximately five years in the custody of the Virginia Department of Corrections; and

Whereas, A.R. testified at Mr. Duffy's trial that Mr. Duffy sexually abused him on multiple occasions; and

Whereas, A.R. recanted his testimony in June 2020; and

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

Whereas, Mr. Duffy pursued a writ of actual innocence in the Virginia Court of Appeals on February 8, 2023; and

Whereas, the Virginia Court of Appeals granted Mr. Duffy's petition and issued a writ of actual innocence, vacating his convictions on May 21, 2024, pursuant to Chapter 19.3 (§ 19.2-327.10 et seq.) of Title 19.2 of the Code of Virginia; and

Whereas, Mr. Duffy, as a result of his wrongful incarceration, lost five years of his freedom and countless life experiences and opportunities, including family relations, the opportunity to further his education, and the opportunity to earn potential income from gainful employment during the time of his incarceration; and

Whereas, Mr. Duffy 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 Keshawn Clarence Duffy, 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.