

Wyoming

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The letter grades reflect Polaris' evaluation of existing laws designed to provide survivors of human trafficking with a realistic pathway to clear their criminal records. For more information on the criteria graded, please read [here](#) and examples of model legislation for each criteria can be found [here](#). If you have any questions or issues, please contact policy@polarisproject.org.

GOOD FOR SURVIVORS:

Offenses Covered:

Wyoming does not limit offenses eligible for relief. This is ideal as many survivors are arrested for and convicted of a variety of offenses resulting from their trafficking experience, and not creating a barrier to offenses eligible means that more survivors can access record relief.

Time Limitations and Wait Times:

Wyoming has no time limit, restriction, or wait time for survivors to clear their criminal records.

Procedural Confidentiality:

Wyoming includes an automatic mechanism that places the survivor's petition for criminal record relief and any records of the proceedings under seal.

Official Documentation Creates Presumption of Victim Status:

Official documentation is not required for criminal record relief; however, if a survivor provides official documentation, the presumption of victimization prevents them from sharing their experience repeatedly in different settings, which is emotionally challenging and can re-traumatize the survivor. Wyoming's statute includes this provision and is beneficial for survivors.

NEEDS IMPROVEMENT:

Trafficking Nexus:

Survivors in Wyoming must prove the underlying offense and subsequent record was "proximately caused by" or "as a direct result of" being trafficked. Ideally, legislators in Wyoming would change the statute to utilize less restrictive statutory language like "as a result" of trafficking or "while they were a victim" of trafficking.

Burden of Proof:

Wyoming is silent on the issue of burden of proof. Wyoming should include a burden of proof in the statute, specifically "preponderance of the evidence", which is the most clear and most helpful to trafficking survivors.

Arrests and Adjudication Relief:

Relief in Wyoming only applies to convictions, adjudications, and other declarations of guilt. Ideally, the statute should cover the full range of interactions a survivor has with the criminal justice system, including any records of arrest, incident reports, and non-prosecuted cases.

