

SENATE FILE NO. SF0025

District courts-release of information.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to criminal procedure; providing that
2 specified information relating to a sexual assault shall
3 not be released prior to the filing of an information or
4 indictment in a district court; conforming language; and
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 6-2-310(a) and (b) and 6-2-319(a) and
10 (b) are amended to read:

11

12 **6-2-310. Names not to be released; restrictions on**
13 **disclosure or publication of information; violations;**
14 **penalties; effect of disclosure; "minor victim".**

15

16 (a) Prior to the filing of an information or
17 indictment in district court, neither the names of the

1 alleged actor or victim of a sexual assault nor any other
2 information reasonably likely to disclose the identity of
3 the victim shall be released or negligently allowed to be
4 released to the public by any public employee except as
5 authorized by the judge with jurisdiction over the criminal
6 charges. The actor's name may be released to the public to
7 aid or facilitate an arrest.

8
9 (b) After the filing of an information or indictment
10 in district court and absent a request to release the
11 identity of a minor victim by the victim or another acting
12 on behalf of a minor victim, the trial court shall restrict
13 the disclosure or publication of information reasonably
14 likely to identify the minor victim.

15
16 **6-2-319. Names not to be released; restrictions on**
17 **disclosures or publication of information; violations;**
18 **penalties.**

19
20 (a) Prior to the filing of an information or
21 indictment in district court charging a violation of W.S.
22 6-2-314 through 6-2-318, neither the names of the ~~person~~
23 ~~accused~~ alleged actor or the victim of a sexual assault nor
24 any other information reasonably likely to disclose the

1 identity of the victim shall be released or negligently
2 allowed to be released to the public by any public employee
3 except as authorized by the judge with jurisdiction over
4 the criminal charges. The actor's name ~~of the person~~
5 ~~accused~~ may be released to the public to aid or facilitate
6 an arrest.

7
8 (b) After the filing of an information or indictment
9 in district court and absent a request to release the
10 identity of a minor victim by the minor or another acting
11 on behalf of a minor victim, the trial court shall, to the
12 extent necessary to protect the welfare of the minor
13 victim, restrict the disclosure of the name of the minor
14 victim, unless the name has been publicly disclosed by the
15 parent or legal guardian of the minor or by law enforcement
16 in an effort to find the victim. The trial court may, to
17 the extent necessary to protect the welfare of the minor
18 victim, restrict disclosure of the information reasonably
19 likely to identify the minor victim.

20
21 **Section 2.** This act is effective July 1, 2009.

22
23 (END)