HOUSE BILL NO. HB0051

Prohibiting the release of mugshots unless convicted.

Sponsored by: Representative(s) Banks and LeBeau and Senator(s) Kolb

A BILL

for

- 1 AN ACT relating to criminal history records; limiting the
- 2 dissemination of photographs of arrested individuals taken
- 3 during the admitting process as specified; and providing
- 4 for an effective date.

5

6 Be It Enacted by the Legislature of the State of Wyoming:

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- 8 Section 1. W.S. 7-19-106(m)(ii) and by creating a new
- 9 subsection (o) is amended to read:

10

- 11 7-19-106. Access to, and dissemination of,
- 12 information.

13

- 14 (m) Notwithstanding any other provision of this act,
- 15 the Wyoming department of corrections and county jails may

1

1 release the following information regarding any individual,

2 except juveniles charged with a status offense as defined

3 by W.S. 14-6-201(a)(xxiii), who is or has been committed to

4 the supervision or custody of the department or county

5 jails, unless release of the information could compromise

6 the physical safety of the individual:

7

8 (ii) Photograph and physical description. The

9 release of a photograph taken during the process of

10 <u>admitting</u> an <u>arrested</u> individual into <u>custody</u> shall <u>be</u>

11 subject to subsection (o) of this section;

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(o) Notwithstanding any other provisions of this act,

14 the Wyoming department of corrections and county jails

15 shall not release a photograph taken of an arrested

16 individual during the process of admitting the individual

17 <u>into custody unless:</u>

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(i) The individual is convicted of a criminal

20 offense based upon the conduct for which the individual was

21 incarcerated at the time the photograph was taken;

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1	(ii) A judge orders the release or dissemination
2	of the photograph based on a finding that the release or
3	dissemination is in furtherance of a legitimate law
4	enforcement interest; or
5	
6	(iii) A criminal justice agency requests the
7	release of the photograph after determining that:
8	
9	(A) The individual is a fugitive or an
10	imminent threat to an individual or to public safety; and
11	
12	(B) Releasing or disseminating the
13	photograph will assist in apprehending the individual or
14	eliminating the threat posed by the individual.
15	
16	Section 2. This act is effective July 1, 2022.
17	
18	(END)

нв0051

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