



Legal System	Constitution	Bill of Rights	Form of Government
Common Law Statutory Law	Written	Yes	Republic

## A. Criminal Statutes

### 1. Human Trafficking and Related Offenses

#### a. Wyo. Stat. Ann. (2020) § 6-2-702 – Human Trafficking in the First Degree

##### i. Summary

Human trafficking in the first degree occurs in Wyoming when a “person intentionally or knowingly recruits, transports, transfers, harbors, receives, provides, obtains, isolates, maintains, or entices an individual for the purpose of:

- (i) Forced labor or servitude in violation of [Wyo. Stat. Ann. §] 6-2-704;
- (ii) Sexual servitude in violation of [Wyo. Stat. Ann. §] 6-2-705; or
- (iii) Sexual servitude of a minor in violation [Wyo. Stat. Ann. §] 6-2-706.”

Wyo. Stat. Ann. § 6-2-702(a).

##### ii. Sentencing

Human trafficking in the first degree is a felony punishable by imprisonment for five to 50 years, a fine of not more than USD 10,000, or both. If the victim is a minor, it is a felony punishable by imprisonment for 25 to 50 years, a fine of not more than USD 10,000, or both. Wyo. Stat. Ann. § 6-2-702(b).

##### iii. Statute of Limitations

Wyoming has no statute of limitations for criminal prosecutions.

#### b. Wyo. Stat. Ann. § 6-2-703 (2020) – Human Trafficking in the Second Degree

##### i. Summary

“A person is guilty of human trafficking in the second degree when the person recklessly recruits, transports, transfers, harbors, receives, provides, obtains, isolates, maintains, or entices an individual for the purpose of:

- (i) Forced labor or servitude in violation of [Wyo. Stat. Ann. §] 6-2-704;
- (ii) Sexual servitude in violation of [Wyo. Stat. Ann. §] 6-2-705; or
- (iii) Sexual servitude of a minor in violation of [Wyo. Stat. Ann. §] 6-2-706.”

Wyo. Stat. Ann. § 6-2-703(a).

**ii. Sentencing**

Human trafficking in the second degree is a felony punishable by imprisonment for two to 20 years, a fine of not more than USD 10,000, or both. Wyo. Stat. Ann. § 6-2-703(b).

**iii. Statute of Limitations**

Wyoming has no statute of limitations for criminal prosecutions.

**c. Wyo. Stat. Ann. § 6-2-704 (2013) – Forced Labor or Servitude**

**i. Summary**

The crime of forced labor or servitude occurs when a “person intentionally, knowingly, or recklessly uses coercion, deception, or fraud to compel an individual to provide forced services.” Wyo. Stat. Ann. § 6-2-704(a).

**ii. Sentencing**

Forced labor or servitude is a felony punishable by imprisonment for not more than 15 years, a fine of not more than USD 10,000, or both. Wyo. Stat. Ann. § 6-2-705(b).

**iii. Statute of Limitations**

Wyoming has no statute of limitations for criminal prosecutions.

**d. Wyo. Stat. Ann. § 6-2-705 (2013) – Sexual Servitude of an Adult**

**i. Summary**

The crime of sexual servitude of an adult occurs when a “person intentionally, knowingly, or recklessly uses coercion, deception, or fraud to compel an individual eighteen (18) years of age or older to engage in commercial sexual services.” Wyo. Stat. Ann. § 6-2-705(a).

**ii. Sentencing**

Sexual servitude of an adult is a felony punishable by imprisonment for not more than three years, a fine of not more than USD 3,000, or both. Wyo. Stat. Ann. § 6-2-705(b).

**iii. Statute of Limitations**

Wyoming has no statute of limitations for criminal prosecutions.

**e. Wyo. Stat. Ann. § 6-2-706 (2013) – Sexual Servitude of a Minor**

**i. Summary**

“A person is guilty of sexual servitude of a minor when the person intentionally, knowingly, or recklessly offers, obtains, procures, or provides an individual less than eighteen (18) years of age to engage in commercial sexual services.” Wyo. Stat. Ann. § 6-2-706(a).

“It is not a defense in a prosecution under this section that the individual consented to engage in commercial sexual services or that the defendant reasonably believed the individual was at least eighteen (18) years of age.” Wyo. Stat. Ann. § 6-2-706(c).

## ii. Sentencing

Sexual servitude of a minor is a felony punishable by imprisonment for not more than five years, a fine of not more than USD 5,000, or both. Wyo. Stat. Ann. § 6-2-706(b).

## iii. Statute of Limitations

Wyoming has no statute of limitations for criminal prosecutions.

### f. Wyo. Stat. Ann. § 6-2-707 (2013) – Patronizing a Victim of Sexual Servitude

#### i. Summary

“A person is guilty of patronizing a victim of sexual servitude when the person pays, agrees to pay, or offers to pay anything of value so that the person or another may engage in sexual activity with an individual when the person knows that the individual is a victim of sexual servitude in violation of [Wyo. Stat. Ann. §] 6-2-705 or [§] 6-2-706.” Wyo. Stat. Ann. § 6-7-707(a).

#### ii. Sentencing

“Patronizing a victim of sexual servitude is a felony punishable by a fine of not more than five thousand dollars ([USD] 5,000), imprisonment for not more than three (3) years, or both.” Wyo. Stat. Ann. § 6-7-707(b).

#### iii. Statute of Limitations

Wyoming has no statute of limitations for criminal prosecutions.

### g. Wyo. Stat. Ann. § 6-2-710 (2013) – Restitution

“[U]pon conviction for any felony under this article, the court shall order a defendant to pay mandatory restitution to each victim ....” Wyo. Stat. Ann. § 6-7-710(a).

“If the victim of human trafficking to whom restitution has been ordered dies before restitution is paid, any restitution ordered shall be paid to the victim’s heir or legal representative, provided that the heir or legal representative has not benefited in any way from the trafficking.” Wyo. Stat. Ann. § 6-7-710(b).

### h. Wyo. Stat. Ann. § 6-2-711 (2013) – Asset Forfeiture

Assets used in committing trafficking offenses are subject to forfeiture. Wyo. Stat. Ann. § 6-2-711(a).

### i. Wyo. Stat. Ann. § 6-2-708 (2013) – Victim Defenses; Vacating Convictions

“A victim of human trafficking is not criminally liable for any commercial sex act or other criminal act committed as a direct result of, or incident to, being a victim of human trafficking in violation of [Wyo. Stat. Ann. §] 6-2-702 through [§] 6-2-707.” Wyo. Stat. Ann. § 6-2-708(a).

The court may vacate a conviction it entered if the defendant’s participation in the offense resulted from having been a victim. Wyo. Stat. Ann. § 6-2-708(c).

“A victim of human trafficking who is a minor shall be deemed a child in need of supervision in accordance with the Children in Need of Supervision Act or a neglected child in accordance with the Child Protection Act.” Wyo. Stat. Ann. § 6-2-708(b).

**j. Wyo. Stat. Ann. § 6-2-202 (1982) – Felonious Restraint**

**i. Summary**

A person is guilty of felonious restraint if the person, among other things, knowingly holds another in a condition of involuntary servitude. Wyo. Stat. Ann. § 6-2-202(a).

**ii. Sentencing**

Felonious restraint is a felony punishable by imprisonment for not more than five years. Wyo. Stat. Ann. § 6-2-202(b).

**iii. Statute of Limitations**

Wyoming has no statute of limitations for criminal prosecutions.

**2. Online Child Sexual Exploitation and Child Pornography Offenses**

Wyo. Stat. Ann. § 6-4-301 (2019) – Definitions

Wyo. Stat. Ann. § 6-4-302 (2019) – Promoting Obscenity

Wyo. Stat. Ann. § 6-4-303 (2019) – Sexual Exploitation of Children

Wyo. Stat. Ann. § 6-4-305 (2019) – Dissemination or Possession of a Nude Image of a Minor by a Minor

**3. Wyo. Stat. Ann. § 7-19-302 (2021) – Sex Offender Registration**

With some exceptions, a person found guilty of a “sex offense” must register as a sex offender. Wyo. Stat. Ann. § 7-19-302. A “sex offense” for registration purposes includes sexual exploitation of children, promoting obscene material involving the use of a minor in a sexual performance, human trafficking, and sexual servitude. Wyo. Stat. Ann. § 7-19-301.

**B. Civil Liability Statutes**

**1. Wyo. Stat. Ann. § 7-9-110 (2014) – Civil Lawsuit**

**a. Summary**

No Wyoming statute provides a specific civil lawsuit for victims of human trafficking. Under Wyoming statutory law, generally criminal proceedings do not limit the rights of victims to sue and recover damages from the defendant in a separate civil action. Wyo. Stat. Ann. § 7-9-110(a). “The fact that restitution was required or made shall not be admissible as evidence in a civil action unless offered by the defendant.” Wyo. Stat. Ann. § 7-9-110(b).

**b. Damages and Other Relief**

“Any restitution payment by the defendant to a victim shall be set off against any judgment in favor of the victim, however, in a civil [lawsuit] arising out of the same facts or event.” Wyo. Stat. Ann. § 7-9-110(a).

**c. Statute of Limitations**

A civil lawsuit based upon sexual assault against a minor (as defined by Wyo. Stat. Ann. § 6-2-301(a)(v)) may be brought within the later of: (1) eight years after the minor’s eighteenth birthday, or (2) three years after discovery. Wyo. Stat. Ann. § 1-3-105(b).

## C. Additional Statutes Specific to Human Trafficking

### 1. Wyo. Stat. Ann. § 6-2-709 (2013) – Victims’ Rights to Confidentiality, Services, and Compensation

Victims of human trafficking have the right to keep their identities confidential and the right to state services and compensation provided for victims. A law enforcement officer must notify the Victim Services Division of the Attorney General’s office as soon as possible after encountering a person who appears to be a victim of human trafficking.

### 2. Wyo. Stat. Ann. § 27-4-101 to §27-4-508 (2001) – Wages

An aggrieved employee may bring a civil lawsuit to recover unpaid minimum wages. A prevailing employee may recover the amount of unpaid minimum wages in addition to reasonable attorney’s fees and costs. Wyo. Stat. Ann. § 27-4-204. An employer that fails to comply with this section may face additional civil and criminal penalties. Wyo. Stat. Ann. § 27-4-103. Most claims for unpaid wages are asserted after the employment ends. At that time, an employee may bring a civil lawsuit to recover all unpaid wages plus interest and reasonable attorney’s fees and costs. Wyo. Stat. Ann. § 27-4-104. An employer that willfully violates section 27-4-104 may face additional criminal penalties. Wyo. Stat. Ann. § 27-4-105.

More information is available at: <http://www.wyomingworkforce.org/workers/labor/>.

## D. Significant Cases

No significant cases regarding Wyoming’s trafficking statutes were found.

## E. Academic Research/Papers

Note, *Remedying the Injustices of Human Trafficking Through Tort Law*, 119 HARV. L. REV. 2575 (2006).

## F. Resources

Terry Coonan, Human Trafficking: *What Wyoming Judges Need to Know* (Apr. 2016):

[http://www.htcourts.org/wp-content/uploads/WY\\_HT\\_Materials.pdf](http://www.htcourts.org/wp-content/uploads/WY_HT_Materials.pdf)

National Human Trafficking Hotline (Wyoming):

<https://humantraffickinghotline.org/state/wyoming>

Shared Hope International, Wyoming Report Card (2019):

[http://sharedhope.org/PICframe9/reportcards/PIC\\_RC\\_2019\\_WY.pdf](http://sharedhope.org/PICframe9/reportcards/PIC_RC_2019_WY.pdf)

Shared Hope International, Wyoming Analysis and Recommendations (2019):

[http://sharedhope.org/PICframe9/analysis/PIC\\_AR\\_2019\\_WY.pdf](http://sharedhope.org/PICframe9/analysis/PIC_AR_2019_WY.pdf)

U.S. Department of Health & Human Services, *Wyoming: Efforts to Combat Human Trafficking* (2017):

[https://www.acf.hhs.gov/sites/default/files/documents/otip/wyoming\\_profile\\_efforts\\_to\\_combat\\_human\\_trafficking.pdf](https://www.acf.hhs.gov/sites/default/files/documents/otip/wyoming_profile_efforts_to_combat_human_trafficking.pdf)

Wyoming Attorney General Division of Victim Services:

<https://dvs.wyo.gov/home>

Wyoming Coalition Against Domestic Violence and Sexual Assault, Wyoming Human Trafficking Resources:

<https://www.wyomingdvsa.org/human-trafficking-resources>

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