

WYOMING

Collateral Punishments for Marijuana Offenses

COLLATERAL PUNISHMENTS THAT HINDER FAMILY LIFE

Eligibility to Adopt a Child, or to Become a Foster Parent

Foster parent applicants must “demonstrate good moral character,” which is not defined by the state. WYO. STAT. ANN. § 14-4-104 (2006). Prospective adoptive parents must disclose all felony convictions occurring within the past ten years and all misdemeanor convictions occurring within the past five years and any probation or parole status. WYO. STAT. ANN. § 1-22-104(c)(iv) (2006). No automatic bars exist for prospective adoptive parents however. *Id.*

Eligibility for Public Housing

According to the Legal Action Center, the Cheyenne Public Housing Authority will consider arrests not leading to conviction. LEGAL ACTION CENTER, AFTER PRISON: ROADBLOCKS TO REENTRY: A REPORT ON STATE LEGAL BARRIERS FACING PEOPLE WITH CRIMINAL RECORDS, WYOMING, <http://www.lac.org/lac/main.php?view=profile&subaction1=WY> (last modified 2004). Bars to public housing in Cheyenne are instituted on the basis of any conviction relating to activity that threatens “the health, safety and well-being of other tenants” and operate indefinitely. *Id.*

Eligibility for Food Stamps and other Public Assistance

Wyoming has opted out of the federal drug ban. WYO. STAT. ANN. § 42-2-103(b)(xiii) (2006). Therefore, persons with drug convictions should presumably qualify for food stamp benefits and other state assistance provided that they meet the particular program’s requirements.

COLLATERAL PUNISHMENTS THAT HINDER PROFESSIONAL SUCCESS

Employment and Professional Licensing

Employers can both ask about and consider arrests not leading to conviction as well as misdemeanor and felony convictions. The state has no standards prohibiting employment discrimination by private or public employers, or by occupational licensing agencies based on a conviction record.

Eligibility for Educational Loans

Wyoming has a scholarship program rather than a state grant program, so they do not use the FAFSA to determine financial aid eligibility. CHRIS MULLIGAN ET AL., COALITION FOR HIGHER EDUCATION ACT REFORM, FALLING THROUGH THE CRACKS: LOSS OF STATE-BASED FINANCIAL AID ELIGIBILITY FOR STUDENTS AFFECTED BY THE FEDERAL HIGHER EDUCATION ACT DRUG PROVISION 38 (Coalition for Higher Educ. Act Reform 2006), <http://www.raiseyourvoice.com/statereport/fallingthrough.pdf> (last modified February 7, 2006). Therefore, students with past drug convictions can receive aid.

Driver’s License

Wyoming will suspend the driver’s license of a driver who is under nineteen years of age for violating any law regarding the possession, delivery, manufacture or use of a controlled substance for ninety days for the first conviction; or six months, if the person has been previously convicted within the preceding twelve months for violating any law regarding the possession, delivery, manufacture or use of a controlled substance or alcohol. WYO. STAT. ANN. § 31-7-128(f) (2006).

Collateral Punishments that Hinder Civic Participation

Right to Vote

Individuals incarcerated for felony convictions lose the right to vote. WYO. STAT. ANN. § 6-10-106 (2006). Thereafter, individuals must apply to have their rights restored and can only do so until the completion of their sentence, including probation. WYO. STAT. ANN. § 7-13-105 (2006).

Right to Sit on a Jury

An individual convicted of a felony loses the right to serve on a jury. WYO. STAT. ANN. § 6-10-106 (2006). Only the governor can restore the right to serve as a juror. WYO. STAT. ANN. § 7-13-105(a) (2006).

Right to Possess a Firearm

A felony marijuana conviction does not result in a loss of firearm privileges unless the offense involved violence. WYO. STAT. ANN. § 6-8-102 (2006).