



WYOMING LEGISLATIVE SERVICE OFFICE

Memorandum

DATE July 20, 2023

TO Joint Judiciary Committee

FROM Brian Fuller, Senior Staff Attorney

SUBJECT Sexual Exploitation of Children Statutes/Computer Images

At the Committee's April 2023 meeting, the Committee inquired about whether computer-generated images were included in the offense of sexual exploitation of children. Generally, Wyoming's sexual-exploitation law (W.S. 6-4-303) prohibits any person from causing, inducing, permitting, or coercing a child to engage in, or be used for, the making of child pornography or any explicit sexual misconduct.¹ In addition to the inquiry, the Committee requested a bill draft to ensure that computer-generated images were covered under that offense.

The section creating the offense defines "child pornography"; included in that definition are express references to "computer or computer-generated" images or pictures.² The full definition is included below:

(ii) "Child pornography" means any visual depiction, including any photograph, film, video, picture, **computer or computer-generated image or picture**, whether or not made or produced by electronic, mechanical or other means, of explicit sexual conduct, where:

(A) The production of the visual depiction involves the use of a child engaging in explicit sexual conduct;

¹ W.S. 6-4-303(b).

² W.S. 6-4-303(a)(ii).

(B) The visual depiction is of explicit sexual conduct involving a child or an individual virtually indistinguishable from a child; or

(C) The visual depiction has been created, adapted or modified to depict explicit sexual conduct involving a child or an individual virtually indistinguishable from a child.³

For reference, the exploitation offense concerning child pornography is included below:

(b) A person is guilty of sexual exploitation of a child if, for any purpose, he knowingly:

(i) Causes, induces, entices, coerces or permits a child to engage in, or be used for, the making of child pornography;⁴

Please let me know if you have any questions.

³ W.S. 6-4-303(a)(ii) (emphasis added).

⁴ W.S. 6-4-303(b)(i).