

# From School to Court: Pathways into Wyoming's Juvenile Justice System



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We all want the best for Wyoming's children. Yet, Wyoming has the highest rates of incarcerated juveniles in the nation. This typically leads to worse outcomes for young community members. When children are incarcerated, their mental and physical health, education, and employment prospects worsen—and the effects can last well into adulthood.

Wyoming's juvenile justice system is decentralized and complex. Each of the state's 23 counties operates differently, and authority is divided between local and state agencies. This creates major barriers to the federal Juvenile Justice and Delinquency Prevention Act (JJDPA) standards which require consistent practices across the state. For Wyoming, this means every county must collect data the same way, follow the same procedures for detaining youth, and meet the same protections for children. With counties using different processes, resources, and facilities, it becomes difficult to ensure that every youth is treated equally.<sup>1</sup>

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## Who is in Charge?

### Single Point of Entry

District and county attorneys play a central role in deciding how a child moves through the juvenile justice system, and they ultimately have the final say.

Under W.S. § 14-6-203(f), before any citation, report, or charge involving a child can be filed in court, it must first be reviewed by the district or county attorney. After reviewing the charging documents, reports, and citations, **the county attorney decides whether to file the case and, if so, in which court. The district or county attorney serves as the single point of entry (SPE) for all children accused of committing a crime.**

In many counties, prosecuting attorneys are supported by teams that help guide these decisions. Teams often include representatives from the Department of Family Services (DFS), school districts, community service providers, and probation or diversion officers. However, the structure and level of collaboration varies county-by-county.

The SPE process is designed to ensure that every child's case is handled consistently and at the appropriate level within the justice system.

## WHICH COURTS HEAR JUVENILE MATTERS?

In Wyoming, several different courts may be involved when children come into contact with the justice system. The type of court depends on the nature of the case, whether it involves an allegation of abuse or neglect, a delinquent act, or a violation of a city ordinance. It also depends on where the child lives, since cases can be heard in juvenile court, circuit court, municipal court, district court, or tribal court. Each court has its own role, rules, and limits on the types of cases it can decide, and counties often differ in how they handle these proceedings.

### Juvenile Courts

In Wyoming, juvenile courts hear three types of cases: (1) cases in which a child has allegedly been neglected or abused by someone responsible for the child's welfare; (2) cases in which a juvenile has allegedly committed a delinquent act; and (3) Child in Need of Supervision (CHINS) petitions to determine if a child needs supervision.<sup>2</sup>

Table 1: 2022 Wyoming Juvenile Court Case Counts – Delinquency Petitions

County	Population 10-17	Delinquency Petitions	County	Population 10-17	Delinquency Petitions
Albany	2,600	10.77	Natrona	8,900	5.51
Big Horn	1,400	-	Niobrara	200	-
Campbell	6,000	14.33	Park	3,000	4.00
Carbon	1,500	8.67	Platte	800	7.50
Converse	1,600	13.13	Sheridan	3,300	8.79
Crook	800	10.00	Sublette	900	8.89
Fremont	4,700	10.00	Sweetwater	5,100	17.65
Goshen	1,200	5.83	Teton	1,900	4.74
Hot Springs	500	-	Uinta	2,800	2.86
Johnson	900	8.89	Washakie	800	-
Laramie	10,600	6.98	Weston	700	10.00
Lincoln	2,600	0.00	Wyoming	62,900	8.27

Note: A dash (-) indicates data are not shown because of low numbers.

Source: Hockenberry, S., Smith, J., and Kang, W. (2025). "Easy Access to State and County Juvenile Court Case Counts, 2022". Online. Available: <https://bit.ly/493XGC8>

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## How CHINS Cases Can Lead to the Juvenile Justice System

A CHINS case, or Child in Need of Supervision, is used when a child is engaging in concerning or unsafe behaviors. These situations usually indicate that the child or family needs support rather than punishment. When the behavior involves breaking a rule or law that would not be a crime for an adult, it is considered a status offense, such as skipping school or running away. A child may enter the CHINS process when they repeatedly do not follow rules set by parents, guardians, or other responsible adults. If these behaviors create safety concerns or disrupt the child's stability at home or school, the family or an agency may ask the court for help. The purpose of a CHINS case is to identify underlying needs and connect the child and family with services that can improve the situation.

A child in need of supervision is under the age of 18 and meets one or more of the following criteria:

- 1** Habitually doesn't follow rules set by parents, guardians, or other adults; or
- 2** Is difficult for their parent or guardian to manage or keep safe
- 3** Frequently misses school;
- 4** Has run away from home;

A CHINS case can turn into a delinquency case if the child doesn't follow the judge's orders. For example, if a judge orders a child to go to school and the child keeps skipping, the court can file a delinquency petition for not following that order.

## Circuit Courts

Circuit courts are located in all 23 Wyoming counties, but their authority is limited. In criminal cases, they handle all misdemeanors. A circuit court may also take on the role of a municipal court to hear ordinance violations if a city or town requests it. In short: while circuit courts mainly handle misdemeanors for adults, they sometimes hear cases involving children, depending on the county and type of offense.<sup>3</sup>

## District (Adult) Courts

District courts are Wyoming's main trial courts. The most serious cases, such as serious criminal cases (felonies), major civil cases, and appeals from lower courts are decided here. While their focus is on adult matters, district courts can also be involved in juvenile cases. This happens when a child is charged as an adult for a serious offense, when a case is transferred from a lower court because of its seriousness, or when the court is reviewing an appeal.<sup>4</sup>

## Municipal Courts

Municipal courts operate in some Wyoming cities and towns, but are separate from the state court system. They only handle cases involving violations of local city or town ordinances, which can include children. Examples are curfew violations or other city-level offenses.

## Tribal Courts

The Wind River Tribal Court serves members of the Eastern Shoshone and Northern Arapaho Tribes on the Wind River Reservation. It has general civil and criminal jurisdiction and enforces the Shoshone and Arapaho Law and Order Code. Juvenile justice cases are handled under Title III, the Children's Code, which gives the Tribal Court exclusive authority over American Indian and Alaska Native (AIAN) children.<sup>5</sup>

# FEDERAL FRAMEWORK FOR JUVENILE JUSTICE REFORM: THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

## What is the Juvenile Justice and Delinquency Prevention Act

The Juvenile Justice and Delinquency Prevention Act (JJDPA) is a federal law that sets standards for state juvenile justice systems. Its goals are to support efforts that prevent children from entering the system in the first place and to ensure those who do come into contact with the system are kept safe.<sup>6</sup>

The JJDPA has four Core Protections. These protections are designed to keep children safe and to make sure the justice system treats them fairly. To ensure states uphold these protections, the law also requires regular checks to confirm that practices meet federal standards.<sup>7</sup> Currently, Wyoming is one of only two states, along with Texas, that have chosen not to participate in the JJDPA.

The four core protections of the JJDPA are:

**1**

### Deinstitutionalization of Status Offenders (DSO)

Status offenses are behaviors that are only considered illegal because of a child's age. Common examples include skipping school, running away from home, breaking curfew, or vaping nicotine. Those working with children know these behaviors often stem from personal or family struggles and unmet needs. For example, a child who runs away may be trying to escape other problems. Under the JJDPA, children who commit status offenses should not be placed in secure detention or locked facilities. Instead, they should receive community-based services that meet their needs.

**2**

### Separation of Juveniles from Adult Inmates

When children are housed near adult inmates, they face serious risks of intimidation, abuse, and harm. The JJDPA's Sight and Sound Separation rule requires that children in custody be kept completely apart from adults. This protection is meant to keep children safe and to reduce the lasting trauma that can come from exposure to adult inmates. Under the JJDPA, if a child must be held in the same building as adults, they cannot be placed where they can see or hear the adult inmates.

**3**

### Removal of Juveniles from Adult Jails and Lockups

Children who are held in adult jails or prisons face serious risks. They are more likely to struggle with mental health and to be harmed by adult inmates. In addition, their access to age-appropriate education and rehabilitation is extremely limited. The JJDPA requires that children, even those charged as adults, should not be held in adult jails.

**4**

### Identifying and Reducing Racial and Ethnic Disparities

There is a clear gap between the proportion of White children and children of color who come into contact with the juvenile justice system. Black, Indigenous, Hispanic, Asian, and other children of color are involved in the system at disproportionately high rates.



These children are also more likely to face harmful consequences, including harsher penalties and higher rates of incarceration, even in Wyoming. Under the JJDPA states address this problem by identifying and reducing racial and ethnic disparities. Under this core protection, states must look closely at how their juvenile justice systems operate, pinpoint the areas that create unfair outcomes, and make changes to reduce those disparities. Importantly, states are required to consider both race and ethnicity when collecting and analyzing data and when planning justice reforms.

## How Wyoming Measures Up

Even though Wyoming is not a participating state under the JJDPA, the state still receives limited financial support from Office of Juvenile Justice and Delinquency Prevention. These resources allow Wyoming to carry out activities that move the state closer to meeting the JJDPA core protections and improving outcomes for children. Prior to 2022, Volunteers of America Northern

Rockies administered Wyoming's nonparticipating state funding.

Beginning in 2022, this funding shifted to the University of Wyoming, which now oversees these funds and the related activities.

The most recent data, from 2016, show that if Wyoming had been participating in the JJDPA, it would not have met the Act's core requirements. For example, **children were detained for status offenses at a rate more than four times higher than permitted under the JJDPA. Children were also not consistently kept fully separated from adults in detention**, despite the JJDPA's requirement that there be no violations of sight and sound separation under any circumstances. In addition, Wyoming placed children in adult jails at a rate nearly seven times higher than the JJDPA limit.

On the fourth protection, reducing racial and ethnic disparities, Wyoming is still in the early stages. Data show that children of color, especially **American Indian and Alaska Native children, are much more likely to be locked up. They are detained at almost five times the rate of White children and committed to facilities (secure or residential placements where youth are held under juvenile justice authority) at more than 15 times the rate of White children.**<sup>8</sup>

Table 2: 2016 Violation Rates of JJDPA Core Protections

	2016 Maximum Violation Rate (per 100,000)	2016 Wyoming Violation Rate
Deinstitutionalization of Status Offenders	4.87	20.31
Separation of Juveniles from Adult Inmates	0.00	34.51
Removal of Juveniles from Adult Jails and Lockups	5.4	39.51

Note: These figures reflect the most recently available data

Source: 2016 Maximum Violation Rate - Office of Juvenile Justice and Delinquency Prevention. (2017, January 17). Juvenile Justice and Delinquency Prevention Act Formula Grant Program (Docket No. 2017-00740). Federal Register, 82(10), 4783-4802. <https://bit.ly/3Jd9UxR>; 2016 Wyoming Violation Rate – Volunteers of America Northern Rockies

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# Why It Matters

Meeting the requirements of the JJDPA is key to making sure children in Wyoming are treated fairly and kept safe. Here's how:

## Protects Children



The law sets important guidelines that prevent children from being housed with adults, it encourages the use of community-based alternatives and supports programs that help children stay on the right path.

## Promotes Fairness



Staying in line with the JJDPA helps improve safety, fairness, and outcomes for all children across Wyoming. It ensures that detention is used only when necessary and that communities receive funding to build stronger supports for children.

## Federal Funding for Community-Based Services



If Wyoming becomes a participating state and agrees to meet the requirements of the JJDPA, it will become eligible for additional federal funding that support local programs and services for children and families. These funds can be used to improve detention alternatives, expand prevention and diversion programs, provide training for law enforcement and juvenile justice staff, and collect better data to guide decisions. Being out of compliance with the JJDPA limits the state's ability to invest in community-based options that keep children safe, supported, and connected to positive opportunities.

# How Wyoming Can Become Compliant with the JJDPA



## Resume regular checks to improve systems.

Collect and review data to learn where and when children are being detained. Regular check-ins help identify problem areas early and ensure the state meets important standards.



## Adopt policies and procedures that keep children safe when detention is necessary.

Clear rules and training should ensure children are never housed with adults and that their rights and well-being are protected while in custody.



## Increase access to juvenile detention centers.

Make sure every county has access to a safe, child-appropriate juvenile detention facility or space. This prevents children from being held in adult jails simply because no juvenile facility is available nearby.



## Commit to a better path for status offenders.

Children who commit status offenses, behaviors that are not crimes for adults, should not be placed in detention. Research consistently shows that youth have better outcomes when they remain in their communities.



## Invest in detention alternatives.

Expand community-based options such as therapeutic foster care, crisis shelters, group homes, and technology-assisted supervision that allows children to remain safely in their communities.

### Endnotes

- 1 Juvenile Justice and Delinquency Prevention Act (JJDPA) Pub. L. No. 93-415, 42 U.S.C. § 5601 et seq. (1978)
- 2 Wyoming Judicial Branch. (n.d.). What is Juvenile Court? <https://bit.ly/3LA2tCb>
- 3 Wyoming Judicial Branch. (n.d.). Circuit Courts. <https://bit.ly/49xkGls>
- 4 Wyoming Judicial Branch. (n.d.). District Courts. <https://bit.ly/4sGFZjA>
- 5 Wyoming Judicial Branch. (n.d.). Wind River Tribal Court. <https://bit.ly/49GZ2BK>
- 6 Ibid.
- 7 Ibid.
- 8 Office of Juvenile Justice and Delinquency Prevention (n.d.). Easy Access to the Census of Juveniles in Residential Placement (EZACJRP) Methods. <https://bit.ly/4qYft3I>



# From School to Court:

## Pathways into Wyoming's Juvenile Justice System

<https://wysac.uwyo.edu/wysac/>

<https://wycf.org/>

