



# Clergy Privacy FAQs



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## Wyoming

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Chaplains and campus ministers can often provide confidential support for people in campus communities who have experienced sexual and domestic violence. Because of mandatory reporting laws and Title IX reporting requirements on campus, privileged communications may provide the most privacy protection for these survivors. Privileged communications may be possible with victim advocates and medical staff on campuses in certain jurisdictions, but sometimes chaplains and campus ministers are the only privileged professionals on campus who are not required to report a disclosed sexual assault.<sup>1</sup> Office on Violence Against Women (OVW)-funded victim service providers (VSPs) who work on campuses need to be able to explain to the people they serve how private any communication with chaplains or campus ministers will be and when these clergy may be required to report abuse, neglect, or sexual assault. These FAQs are meant to help VSPs understand the legal parameters for these communications.

These FAQs describe the clergy-penitent privilege and the mandatory reporting laws in the identified jurisdiction. We include legal citations so that you can read more about the laws and make sure they are current. None of the information in these FAQs is legal advice and you should always check with an attorney about how these laws work in your jurisdiction. The FAQs are a part of our Campus Privacy Toolkit. To receive an electronic copy of the Toolkit, or to ask privacy questions related to your OVW-funded work, please email us at [TA@victimrights.org](mailto:TA@victimrights.org).

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**What is the clergy-penitent privilege in Wyoming?** A clergyman or priest shall not testify “concerning a confession made to him in his professional character if enjoined by the church to which he belongs.” Wyo. Stat. Ann. § 1-12-101 (a)(ii).

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<sup>1</sup> Even if a communication is protected from campus reporting by clergy privilege, jurisdictions may require clergy to report abuse of minors, elders, and persons with disabilities.

**How are clergy excepted from, or included in, Wyoming’s mandatory reporting laws?** (This is not necessarily an exhaustive list of the abuse, neglect, or injuries that must be reported in this jurisdiction.)

Type of abuse or neglect	Rule and exceptions
<p><b>Child abuse or neglect</b></p>	<p>“Any person who knows or has reasonable cause to believe or suspect that a child has been abused or neglected or who observes any child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, shall immediately report it to the child protective agency or local law enforcement agency or cause a report to be made.” Wyo. Stat. Ann. § 14-3-205.</p> <p>While evidence regarding a child in any judicial proceeding resulting from a child abuse report generally shall not be excluded on the basis of privilege, there is a carve-out for the clergy privilege and the attorney-client privilege. Wyo. Stat. Ann. § 14-3-210(a)(ii) (“Evidence regarding a child in any judicial proceeding resulting from a report made pursuant to [Wyo. Stat. Ann. § 14-3-205] shall not be excluded on the ground it constitutes a privileged communication [when] claimed under any provision of law other than [the attorney-client or clergy-penitent privileges].”)</p>
<p><b>Vulnerable adult abuse, neglect, exploitation, intimidation, or abandonment</b></p>	<p>“Any person or agency who knows or has reasonable cause to believe that a vulnerable adult is being or has been abused, neglected, exploited, intimidated or abandoned or is committing self neglect shall report the information immediately to a law enforcement agency or the department.” Wyo. Stat. Ann. § 35-20-103(a).</p> <p>“The duty to report imposed by Wyo. Stat. Ann. § 35-20-103 applies without exception to a person or agency who knows, or has sufficient knowledge which a prudent and cautious man in similar circumstances would have to believe, that a vulnerable adult has been or is being abused, neglected, exploited, intimidated or abandoned, or is committing self neglect.” Wyo. Stat. Ann. § 35-20-111(a).</p> <p>A “vulnerable adult” is defined as “any person eighteen (18) years of age or older who is unable to manage and take care of himself or his money, assets or property without assistance as a result of advanced age or physical or mental disability.” Wyo. Stat. Ann. § 35-20-102(xviii).</p>

