

*Enrolled
Act # 136*

Alan K. Simpson, J. T.
Langdon, Steve
Majhanovich

A BILL

for

AN ACT to create the Wyoming state police department; providing for the appointment of a state police board and providing for the internal organization, compensation and duties; providing for appointment of a superintendent of the state police and defining his compensation and duties; providing for classification of ranks and grades of state police officers and employees; defining the appointment and employment of personnel; limiting political activities of members of the state police; providing for organization of a training school or academy; providing procedures for discharge, demotion, suspension and disciplinary measures of employees; providing of equipment and uniforms to said employees; providing for expenses, lodging and subsistence for employees; providing for establishment of necessary headquarters and stations for employees; defining police powers and duties; creating a separate bureau of criminal identification and investigation and a director thereof; defining procedures, duties and record keeping practices; providing procedures for cooperation with other state, county and municipal authorities; prescribing duty of penal institutions and local law enforcement officials to furnish requested information; providing

authorization to assist prosecuting attorneys; providing for the taking of fingerprints and identifying marks; providing for an appropriation and preservation of present pension and retirement rights; repealing Section 31-7, Wyoming Statutes 1957, Compiled 1967; repealing Section 31-8, Wyoming Statutes 1957, Compiled 1967; repealing Section 31-9, Wyoming Statutes 1957, Compiled 1967; repealing Section 31-10, Wyoming Statutes 1957, Compiled 1967; repealing Section 31-11, Wyoming Statutes 1957, Compiled 1967, as amended and re-enacted by Section 1 and 2 of Chapter 186, Session Laws of Wyoming 1969 relating to the Wyoming Highway Patrol; repealing Chapter 61, Session Laws of Wyoming 1963 relating to the Wyoming state board of identification and providing an effective date. 043

Jan. 28, 1971 Introduced
Jan. 28, 1971 Read first time
Jan. 28, 1971 Referred to Com. No. 7
Jan. 28, 1971 Delivered to Printing Com.

Jan. 29, 1971 Returned from Printing Com.
Jan. 29, 1971 Delivered to Com. No. 7

Feb. 9, 1971 Returned
Recommended Amend and Do Pass
Placed on General File

Feb. 11, 1971 Considered in Com. of Whole
Standing Com. Amendment

Adopted

Amended as follows

H.B. No. 344 C of W #2 Page 9, line 1,
before the word "laws" insert the word
"traffic".

Page 10, line 6, strike the words "secretary of state" and insert the words
"attorney general" Page 12, line 9,
strike the word "prisoners" and insert
the word "persons"

Page 14, line 4, strike the words "state
police department" and insert the words
"Wyoming highway patrol"

Adopted

Recommended Do Pass

Feb. 12, 1971 Read Second Time

Amended as follows

H.B. No. 344 2nd reg amend #1

strike the standing committee amendment
on Page 13, line 33 and insert the following:
"Only that portion of those fees, excises and license taxes on vehicles and fuel used for the expense of enforcing State traffic laws, as defined in Article 15, Section 16 of the Constitution of the State of Wyoming, shall continue to be allocated to the department by the Wyoming Highway Commission"

Adopted

Engrossed

FEB 13 1971 Read Third Time

PASSED

Ayes 44 Noes 14 Excused 2 Absent 1

Sent to Senate

FEB 15 1971

Received from House

Read First Time FEB 15 1971

Referred to Comm. No. 2Delivered to Comm. No. 2

FEB 17 1971

COM. RECOMMENDATION AMEND AND DO PASS

H. B. No. 344 Rec. 2/20/71Typed by: SWW

Proofed by: _____

Proofed/signed Attorney

Hammer

Date returned: _____

FEB 18 1971

CONSIDERED IN COM. OF WHOLE

STANDING COM. AMDT. ADOPTED

RECOMMENDED DO PASS AS AMENDED
COM. OF WHOLE REPORT ADOPTED

FEB 19 1971

READ SECOND TIME

FEB 20 1971

Read third time

AYES 22 NOES 8 **PASSED** EXCUSED 0 ABSENT 1

SENT TO HOUSE

FEB 20 1971

Received Amended

House did concur on Senate Amendments

Ayes 53 Noes 4 Excused 3 Absent 1

Received

Delivered to Enrolling Section

HEA No. Signed by Speaker

..... Signed by President

..... Approved by Governor

Chapter No. Session Laws of Wyoming

AND FURTHER AMENDED

Senate Com. of Whole Amdt. #1
H. B. 344

Page 10, strike the sentence
between the periods in lines
26 and 28

- Page 1, Line 15 - Before the word "bureau" insert the word "separate"
- Page 2, Line 19 - After the word "for" insert the word "staggered"
- Page 3, Line 4 - After the word "governor" insert a comma and the words "by and with the approval of the board,"
- Page 3, Line 9 - Strike all language except the words "to be"
- Page 3, Line 19 - Insert a comma after the word "supplies" and insert the word "services"
- Page 3, Line 21 - After the word "be" insert the words "leased or"
- Page 3, Line 32 - Strike the word "office" and insert in lieu thereof the word "officer"
- Page 4, Line 33 - After the word "department" insert the following language: "without reference or regard to political affiliation" and strike the balance of the line
- Page 4, Lines 34 and 35 - Strike all language
- Page 5, Lines 1 2 and 3 - Strike all language
- Page 5, Line 4 - Strike all language through the period
- Page 5, Line 23 - After the comma insert the following language: #1 "in violation of any state or federal laws regarding political activities of public employees,". Strike rest of line
- Page 5, Line 24 - Strike the words "duties and voting at the election."
- Page 5, Line 25 - Strike the words and figure "less than one hundred dollars (\$100.00)"
- Page 5, Line 26 - Strike the word "nor"
- Page 5, Line 34 - Strike the words "less than one hundred dollars"
- Page 5, Line 35 - Strike the figure and word "(\$100.00) nor"
- Page 6, Line 7 - After the word "than" insert the word "for"
- Page 6, Line 21 - Before the word "disciplinary" insert a comma
- Page 7, Line 29 - After the word "treasury" strike the balance of the line and insert the following language: "as a special fund to be used for the purchase of new equipment."
- Page 8, Lines 8 and 9 - Strike all language
- Page 8, Line 10 - Strike the words "from time to time" and insert in lieu thereof the words "with the cooperation of the Wyoming highway commission"
- Page 8, Line 11 - Insert a comma after the word "headquarters" and insert the words "offices, laboratories"
- Page 8, Line 19 - After the period insert the following new sentence: #2 "Maintenance, servicing, repair and storage of spare vehicles may be accomplished in the shops, garages and facilities of the Wyoming highway commission wherever possible, under contractual arrangements by the commission and the board."
- Page 8, Line 23 - Insert a comma after the word "purchase" and strike the word "and"
After the word "install" insert the words "or contract for"
- Page 8, Line 24 - After the word "equipment" insert the words "or services"
- Page 8, Line 27 - Correct the spelling of the word "destroy"
- Page 9, Line 20 - After the period insert the following new sentence: #3 "The costs and expenses of extradition proceedings shall be borne by the office of the Wyoming attorney general."
- Page 9, Line 22 - Strike the words "the tenor thereof" and insert in lieu thereof the words "its terms"
- Page 10, Line 1 - Strike the words "secretary of state" and insert in lieu thereof the words "attorney general of the state of Wyoming"
- Page 10, Line 12 - After the word "a" insert the word "separate"
- Page 10, Line 13 - After the period insert the following new sentence: #4 "No funds for the operation and administration of this bureau shall be received from the highway user receipts in violation of Article 15, Section 16, of the Constitution of the State of Wyoming."
- Page 10, Line 22 - Capitalize the word "Bertillon"
- Page 10, Line 23 - Strike the period and insert in lieu thereof a comma and insert the words "by and with the approval of the board."
- Page 11, Line 26 - Strike the words "give such instruction" and insert in lieu thereof the word "instruct"
- Page 11, Line 27 - Strike the words "assistance to" and insert in lieu thereof the word "assist"
- Page 13, Line 33 - After the period insert the following new sentence: #5 "All highway user receipts as described in Article 15, Section 16 of the Constitution of the State of Wyoming shall continue to be allocated to the department by the Wyoming highway commission, for the purpose of enforcing the state traffic laws."
- Page 13, Line 34 - Before the word "property" insert the word "personal"
- Page 14, Line 12 - Strike the word "state" and insert in lieu thereof the words "Wyoming highway patrol"
- Page 14, Line 13 - Strike the words "police department"
- Page 14, Line 14 - After the word "plans" insert the words "for eligible employees"
- Page 14, Line 15 - Insert a period after the word "Act" and strike the balance of the line
- Page 14, Line 16 - Strike all language
- HB #344

Page 2, line 13 -- Before the word "there" insert "(a)".

Page 2, line 27 -- Before the word "As" insert "(b)".

Page 4, line 2 -- Before the first word "the" insert "(a)".

Page 4, line 15 -- Before the first word "The" insert "(b)".

Page 4, line 25 -- Before the first word "The" insert "(a)".

Page 5, line 11 -- Before the word "Any" insert "(b)".

Page 5, line 14 -- Before the "Whoever" insert "(c)".

Page 5, line 24 -- Before the word "Whoever" insert "(d)".

Page 6, line 9 -- Before the word "The" insert "(a)".

Page 6, line 20 -- After the word "employee" start a new paragraph and insert "(b)" before the word "Pursuant".

Page 6, line 31 -- Before the word "Any" insert "(c)".

Page 7, line 7 -- Before the first word "The" insert "(d)".

Page 7, line 13 -- Before the word "Probationers" insert "(e)".

Page 7, line 15 -- Before the word "No" insert "(f)".

Page 7, line 19 -- Before the word "Nothing" insert "(g)".

Page 8, line 8 -- Before the first word "The" insert "(a)".

Page 8, line 21 -- After the word "Board." start a new paragraph and insert "(b)" before the word "The".

Page 8, line 35 -- Before the first word "The" insert "(a)".

Page 9, line 9 -- After the word "state." start a new paragraph and insert "(b)" before the word "It".

Page 9, line 20 -- After the word "general." start a new paragraph and insert "(c)" before the word "Any".

Page 10, line 10 -- Before the word "There" insert "(a)".

Page 10, line 15 -- Before the word "The" insert "(b)".

Page 10, line 31 -- Before the word "It" insert "(a)".

Page 11, line 13 -- After the word "laws." start a new paragraph and insert "(b)" before the word "The".

Page 13, line 30 -- Before the word "The" insert "(a)".

Page 14, line 6 -- After the word "Act." start a new paragraph and insert "(b)" before the word "Nothing".

Page 14, line 28 -- Strike the figure "1971" and in lieu thereof insert "1973".

Capital letters indicate new material to be added to existing statute. Dashes through the words indicate deletions from existing statute.
 DP—do pass, DNP—do not pass, WR—without recommendation, IP—killed

SENATE ACTION		HOUSE ACTION	
Date		Date	
_____ Introduced, to Comm. No. _____		<u>1/28/71</u> Introduced, to Comm. No. <u>7</u>	
_____ Comm. Report: DP _____ DNP _____		_____ Comm. Report: DP _____ DNP _____	
_____ WR _____ Amend _____		_____ WR _____ Amend _____	
_____ Comm. of Whole: DP _____ DNP _____		_____ Comm. of Whole: DP _____ DNP _____	
_____ IP _____ Amend _____		_____ IP _____ Amend _____	
_____ 2nd reading _____ Amend _____		_____ 2nd reading _____ Amend _____	
_____ 3rd reading: Ayes _____ Nays _____		_____ 3rd reading: Ayes _____ Nays _____	
_____ Amend _____		_____ Amend _____	

H. B. No. 344 Introduced by: Alan K. Simpson, J. T. Langdon, Steve Majhanovich

A BILL
for

1 AN ACT to create the Wyoming state police department; providing for
 2 the appointment of a state police board and providing for the
 3 internal organization, compensation and duties; providing for
 4 appointment of a superintendent of the state police and defining
 5 his compensation and duties; providing for classification of
 6 ranks and grades of state police officers and employees; defining
 7 the appointment and employment of personnel; limiting political
 8 activities of members of the state police; providing for
 9 organization of a training school or academy; providing procedures
 10 for discharge, demotion, suspension and disciplinary measures of
 11 employees; providing of equipment and uniforms to said employees;
 12 providing for expenses, lodging and subsistence for employees;
 13 providing for establishment of necessary headquarters and stations
 14 for employees; defining police powers and duties; creating a separate
 15 bureau of criminal identification and investigation and a director
 16 thereof; defining procedures, duties and record keeping practices;
 17 providing procedures for cooperation with other state, county and
 18 municipal authorities; prescribing duty of penal institutions and
 19 local law enforcement officials to furnish requested information;
 20 providing authorization to assist prosecuting attorneys; providing
 21 for the taking of fingerprints and identifying marks; providing

1 for an appropriation and preservation of present pension and
2 retirement rights; repealing Section 31-7, Wyoming Statutes 1957,
3 Compiled 1967; repealing Section 31-8, Wyoming Statutes 1957,
4 Compiled 1967; repealing Section 31-9, Wyoming Statutes 1957,
5 Compiled 1967; repealing Section 31-10, Wyoming Statutes 1957,
6 Compiled 1967; repealing Section 31-11, Wyoming Statutes 1957,
7 Compiled 1967, as amended and re-enacted by Sections 1 and 2 of
8 Chapter 186, Session Laws of Wyoming 1969 relating to the Wyoming
9 Highway Patrol; repealing Chapter 61, Session Laws of Wyoming
10 1963 relating to the Wyoming state board of identification and
11 providing an effective date. 043

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WYOMING:

13 Section 1. (a) There is hereby created the Wyoming state police
14 department, hereinafter referred to as "the department". The
15 administration, management and control of said department is hereby
16 vested in a board which shall be known as the state police board and
17 shall consist of four (4) members, not more than two (2) of whom
18 shall belong to the same political party. All members of said board
19 shall be appointed by the governor for staggered terms of four (4) years each,
20 except when appointed to fill vacancies for unexpired terms. All
21 members appointed to said board shall serve during their respective
22 terms and until their respective successors have been appointed and
23 qualified. Any member of said board may be removed by the governor
24 for inefficiency, incompetency or neglect of duty after he has been
25 accorded a hearing by the governor upon reasonable notice of the
26 charge being made against him.

27 (b) As compensation for his service, each member of the board shall
28 be entitled to receive the sum of twenty dollars (\$20.00) per day
29 for each and every day or fraction thereof during which he is engaged
30 in transacting the business of the board, and, in addition thereto,
31 his actual traveling and other expenses necessarily incurred in
32 discharging the duties of his office. As soon as practicable after
33 the members of the board shall have been appointed, they shall meet,
34 upon the call of the governor, and shall organize by the election of
35 a president and a secretary from among their own membership, each of
36 whom shall serve for a term of one (1) year. Three (3) members of

1 the board shall constitute a quorum for the transaction of business.
2 The board shall hold such regular monthly meetings and such special
3 meetings throughout the year as may be deemed necessary to transact
4 the business of the department. The governor, by and with the approval
5 of the board, shall appoint a superintendent of the state police, who
6 shall be the executive officer and who shall have general charge of the
7 work of the department. The superintendent shall serve at the pleasure
8 of the governor, and the salary of the superintendent shall be fixed by
9 the governor, to be paid by the month, and the superintendent shall be
10 removable by the governor with or without cause. The state police
11 department shall be organized in conformity with such rules and regulations
12 as shall be prescribed and adopted, from time to time, by the board. The
13 superintendent shall be selected on the basis of training and experience,
14 and shall have served at least five (5) years as a police executive,
15 or have had five (5) years' experience in the management of military,
16 semi-military or police bodies of men, to equip him for the position and
17 shall possess training in police affairs or public administration. All
18 personal property, supplies, services and equipment which may be needed
19 from time to time by the department shall be leased or purchased by the
20 state purchasing agent or his successor; all capital expenditures shall
21 be made with the approval of the budget committee, and the salaries and
22 compensation of the several police employees and other employees shall
23 be fixed by the board, with the approval of the personnel commission and
24 the governor.

25 Section 2. Definitions as used in this Act:

26 (1) The term "department" means the Wyoming state police
27 department created by this Act;

28 (2) The term "employee" means any employee of the department,
29 including police employees;

30 (3) The term "police employee" means any employee who is
31 assigned police work as a peace officer, pursuant to the provisions
32 of Section 10 of this Act;

33 (4) The term "civilian employee" means any employee assigned to a
34 position other than one having police rank as a peace officer; and

1 (5) The term "board" means the state police board.

2 Section 3. ^(a) The superintendent, with the approval of the board,
3 shall have authority to formulate and adopt and put into effect
4 such rules and regulations for the government of the department as,
5 from time to time, seem fit to him. He shall, with the approval
6 of the board, establish a classification of ranks and grades and
7 positions in the department, and for each rank, grade and position
8 he shall designate the authority and responsibility within the limits
9 of this Act. For each such rank, grade and position so established,
10 the superintendent shall set standards of qualifications, in
11 conformity with the most approved plans and standards adopted in
12 other states, and he shall fix the prerequisites of training,
13 education and experience; and the board shall, with the approval
14 of the personnel commission, prescribe the salaries to be paid.
15 ^(b) The superintendent with the approval of the board shall, from
16 time to time, in accordance with the rules and regulations promulgated
17 by him, designate the rank, grade and position, to be held by each
18 employee of the department, until such person shall be by him
19 designated to hold another rank, grade or position. He shall have
20 authority to assign and reassign each employee of the department to
21 serve at such stations, and within the limits of this Act to perform
22 such duties as he shall designate. He shall have the authority to
23 determine the conditions and amounts of bonds to be required in
24 appropriate cases.

25 Section 4. ^(a) The superintendent shall, with the approval of the
26 board and within the limits of any appropriation made available for
27 such purpose, and subject only to provisions of Section 5 hereof
28 appoint such personnel to the ranks, grades and positions of the
29 department as are deemed by him to be necessary for the efficient
30 administration of the department. Appointment, insofar as is
31 consistent with the satisfaction of prescribed standards and pre-
32 requisites, shall be made to the ranks, grades and positions of the
33 department without reference or regard to political affiliation.

34

1 No person discharged from the department or withdrawing before the
2 completion of a two (2) year period of appointment shall afterwards be
3 eligible for reappointment. The superintendent shall devise and administer
4 examinations designed to test applicants in the qualifications required
5 for the rank, grade or position, and only those applicants shall be
6 appointed who best meet the prescribed standards and prerequisites.
7 All employees appointed to the department shall be probationers and
8 on probation for a period of one (1) year from the date of appointment;
9 Provided, that the board may extend such probationary status, for cause,
10 for any period not exceeding one (1) additional year.

11 (b) Any prospective employee of the department, otherwise qualified,
12 shall not be disqualified from such employment solely for the reason
13 of his previous resignation from the Wyoming highway patrol.

14 (c) Whoever being an appointee or an employee of the department,
15 including the superintendent, participates in any manner in the
16 activities or interests of any political party or of any candidate
17 for public office or for the nomination therefor, or participates
18 in any manner in any political campaign for the nomination or election
19 of candidates for public office, in violation of any state or federal
20 laws regarding political activities of public employees, shall be guilty
21 of a misdemeanor and shall be fined in a sum not more than five hundred
22 dollars (\$500.00) to which may be added imprisonment for a period not
23 to exceed six (6) months.

24 (d) Whoever solicits or accepts from any person who is an appointee or
25 employee of the department, including the superintendent, any money, property
26 or thing of value as a contribution or gift to be used in support of any
27 political campaign, political party, candidate for public office or for
28 the nomination therefor, or for any political purpose, shall be deemed
29 guilty of a misdemeanor and shall upon conviction be fined in a sum of
30 not more than five hundred dollars (\$500.00) to which may be
31 added imprisonment for a period of not to exceed six (6) months.

1 Section 5. The superintendent, with the approval of the board,
2 is authorized and hereby directed to organize and maintain a training
3 school or academy for police employees of the department. No police
4 employee shall be assigned to regular active duty until he shall
5 have received training and successfully passed the course for pro-
6 bationers prescribed by the superintendent. Training courses, other than
7 for the probationers, shall be prescribed and conducted by the
8 superintendent for all police employees of the department.

9 Section 6. ^(a) The superintendent may discharge, demote or
10 temporarily suspend any employee of the department, for cause,
11 after preferring charges in writing. Such charges may be based
12 on any violation of the laws of the state of Wyoming or any
13 violation of the regulations of the department which have been
14 approved by the board. A copy of such charges shall be personally
15 delivered to the employee so charged by his immediate commanding
16 officer. Any employee so charged shall have a right to answer such
17 charges in a personal appearance before the superintendent and said
18 appearance shall be set by the superintendent not less than five (5)
19 days after the delivery of the copy of the written charges to such
20 employee. ^(b) Pursuant to such charges and after such personal appear-
21 ance, disciplinary action taken by the superintendent shall be subject
22 to review at a public hearing before the board if such hearing is
23 demanded by the disciplined employee within fifteen (15) days after
24 receiving notice of such disciplinary action. Such notice shall be
25 by certified mail, return receipt requested, and shall be addressed
26 to the employee at his last known place of residence. If any such
27 employee fails to request a hearing before the board within fifteen
28 (15) days after receiving notice of disciplinary action, as herein
29 provided, the decision and action of the superintendent shall be
30 final and not subject to review.

31 ^(c) Any employee who requests a hearing before the board as herein
32 provided may be represented by counsel. The attorney general shall
33 appear in all such cases representing the interests of the people of
34 the state of Wyoming and the state shall carry the burden of proving
35 any charges giving rise to such hearing. The procedure in all

1 hearings before the board shall be informal and without recourse to
2 the technical common law rules of evidence required in proceedings in
3 judicial courts. The board shall designate a reporter for said
4 hearing and after all evidence has been introduced the board shall
5 make an informal finding of facts and a determination based upon
6 said facts.

7 (d) The board shall notify the employee of its findings and
8 determination by certified mail, return receipt requested, addressed
9 to the employee at his last known place of residence and any employee
10 aggrieved by such determination may seek administrative and judicial
11 review by following the applicable provisions of the Wyoming
12 administrative procedures Act.

13 (e) Probationers may be discharged, demoted or temporarily suspended
14 without right to a hearing before the board.

15 (f) No employee shall be discharged, demoted, temporarily suspended
16 or disciplined because of political affiliation, nor shall any such
17 action be carried out after his probationary period, except as
18 provided in this Act.

19 (g) Nothing in this Act shall be construed so as to prevent the
20 exercise of disciplinary measures by commanding officers within the
21 department pursuant to the regulations approved by the board.

22 Section 7. The police board shall provide for the employees of
23 the department within the amount of appropriations therefor, the
24 uniforms and equipment necessary to the performance of their respective
25 duties, but all such uniforms and equipment shall remain the property
26 of the state. The board shall have the authority to sell such
27 uniforms and equipment with the consent of the governor as they shall
28 become unfit for use, and all moneys received therefor shall be paid
29 into the state treasury as a special fund to be used for purchase of new
30 equipment. The board shall charge against any employee of the department the
31 value of any property of the department lost or destroyed through
32 carelessness or neglect of such employee, and if it shall be determined
33 by the board that such loss or destruction was due to carelessness or
34 neglect, then the value of such equipment shall be deducted from the
35 pay of such employee.

1 Section 8. The superintendent shall have the authority to approve
2 vouchers in payment of expenses incurred by employees of the department
3 in the discharge of their duties, and such vouchers shall be audited
4 and paid out of the appropriations for the department in the manner
5 provided by law. Allowances for lodging and subsistence while away
6 from official station may be paid to the employees of the department
7 under such terms and conditions as the superintendent may prescribe.

8 Section 9. ^(a)The superintendent shall, with the cooperation of the
9 Wyoming highway commission, establish headquarters, offices, laboratories
10 and stations in such localities as he shall deem advisable for the
11 enforcement of the laws of the state, and to that end, and within the
12 limits of appropriations, he may purchase, lease or otherwise acquire
13 suitable places, lands, buildings or rooms as local headquarters, and
14 erect and equip such buildings and headquarters as may be necessary.
15 He may also purchase or otherwise acquire motor equipment, horses, and
16 other services, commodities and equipment deemed by him essential for the
17 needs of the employees of the department in carrying out their duties.
18 Maintenance, servicing, repair and storage of spare vehicles may be
19 accomplished in the shops, garages and facilities of the Wyoming highway
20 commission wherever possible, under contractual arrangements by the commission
21 and the board. ^(b)The superintendent may, in his discretion, discontinue any
22 headquarters or stations, when such action seems to him to be desirable for
23 the proper enforcement of the laws of the state. The superintendent shall
24 also have the authority to purchase, install or contract for any approved
25 standard mechanical devices or equipment or services for the instantaneous
26 or rapid transmission or broadcasting of any information relative to crime
27 or the apprehension of criminals. The superintendent, with the approval of
28 the board, shall have the authority to sell, dispose of or destroy such
29 property as shall have become unnecessary or unfit for further use by the
30 department. Any money or funds received from such sale shall be deposited
31 in the state treasury as a special fund to be used for the purchase of new
32 equipment. Such fund shall not revert to the general fund. Such authority as
33 is vested in the superintendent in this Section of this Act shall be
34 exercised with the approval of the board.

35 Section 10. ^(a)The officers and police employees of the department are
36 hereby vested with all necessary police powers to enforce the provisions

1 of the traffic laws of the state of Wyoming for the regulation and use of
2 automobiles, motor vehicles and other vehicles, and the laws for the
3 safeguarding and protection of the surface or other physical portion of
4 the highways of the state of Wyoming and without writ of warrant for
5 violation thereof when committed in their presence; Provided, however,
6 that nothing herein shall be construed to prevent the Wyoming highway
7 commission from adopting rules and regulations for the safeguarding of travel
8 on the state highways of the state, not inconsistent with the laws of this
9 state. ^(b) It shall also be the duty of police employees of the department to
10 prevent and detect crime, to apprehend criminals, to enforce the criminal
11 and traffic laws of the state, and to perform such other related duties as
12 may be imposed upon them by the laws of the state, and to this end, police
13 employees of the department shall be peace officers and shall have in any
14 part of the state the same powers with respect to criminal matters and the
15 enforcement of the laws relating thereto as sheriffs and police officers
16 have in their respective jurisdictions, and shall have power and authority
17 to act as agents for the state of Wyoming on return of parolees, fugitives
18 from justice and persons extradited to Wyoming for crime. The costs and
19 expenses of extradition proceedings shall be borne by the office of the
20 Wyoming attorney general. ^(c) Any warrant of arrest or search warrant issued
21 by proper authority of the state may be executed by any police employee of
22 the department in any part of the state, according to its terms, without
23 endorsement. They shall be subject to the call of the governor, and the
24 governor may, from time to time, assign to the department such other
25 police duties as the executive department may deem advisable or necessary.
26 They shall have full power to arrest without warrant any person committing
27 or attempting to commit in their presence or view a breach of peace or any
28 other violation of any of the laws of the state of Wyoming. And, under order
29 of the superintendent, they are empowered to cooperate with any other
30 department of the state of Wyoming or with local authorities. They
31 shall not exercise their powers within the limits of any city in
32 labor disputes, nor to suppress rioting and disorder except by
33 direction of the governor, or upon the request of the mayor of any
34 such city with the approval of the governor or if the governor is

1 not available, with the approval of the attorney general of the state
2 of Wyoming. And without the limits of any city of the state they shall not
3 exercise their power and authority in labor disputes except by direction of
4 the governor, or the request of the judge of the district court of the
5 county with the approval of the governor or if the governor is not available,
6 with the approval of the attorney general. The control or direction of the
7 officers or members of the department hereby created shall not be trans-
8 ferred or delegated to any other department, commission, agency or officer
9 of the state or any subdivision hereof.

10 Section 11^(a) There is hereby created and established within the depart-
11 ment a separate bureau, which shall be known as the bureau of criminal identi-
12 fication and investigation. No funds for the operation and administration of
13 this bureau shall be received from the highway user receipts in violation of
14 Article 15, Section 16, of the Constitution of the State of Wyoming.

15 ^(b) The bureau of criminal identification and investigation shall be
16 under the immediate charge and supervision of an officer who shall be known
17 as the director thereof and who shall work closely with and coordinate his
18 efforts with the superintendent of state police. The director shall be a
19 person who is well qualified to discharge the duties which are devolved upon
20 him by the provisions of this Act, who at the time of appointment shall have
21 had at least five (5) years' experience as a police officer and can qualify
22 as to classifying Bertillon measurements and fingerprints, and shall be
23 appointed by the superintendent of state police, by and with approval of the
24 board. The superintendent of state police, shall appoint such clerks, steno-
25 graphers and other employees as may be necessary to discharge the duties and
26 perform the work of the bureau. ~~The director shall give bond in the sum of~~
27 ~~five thousand dollars (\$5,000.00) for the faithful performance of~~
28 ~~his duties.~~ The salary of the director shall be fixed by the board.
29 The salaries of the clerks, stenographers and other employees shall
30 be fixed in said bureau as those of other employees of the department.

31 Section 12^(a) It shall be the duty of the bureau of criminal
32 identification and investigation to install and maintain complete
33 systems for the identification of criminals, including the finger-
34 print system and the modus operandi system. The bureau shall obtain
35 from whatever source procurable, and shall file and preserve for

1 record, such plates, photographs, outline pictures, fingerprints,
2 measurements, descriptions, modus operandi statements and such other
3 information about, concerning or relating to any and all persons who
4 have been or who shall hereafter be convicted of a felony or who
5 shall attempt to commit a felony within this state, or who are well
6 known and habitual criminals, or who have been convicted of any of the
7 following felonies or misdemeanors: illegally carrying, concealing
8 or possessing a pistol or any other dangerous weapon; buying or
9 receiving stolen property; unlawful entry of a building; escaping
10 or aiding an escape from prison; making or possessing a fraudulent
11 or forged check or draft; petit larceny; and unlawfully possessing
12 or distributing narcotic drugs or other controlled substances under
13 Wyoming laws. ^(h) The bureau may also obtain like information concerning
14 persons who have been convicted of violating any of the military,
15 naval or criminal laws of the United States, or who have been con-
16 victed of the commission of a crime in any other state, country,
17 district or province which, if committed within this state, would be
18 a felony. The bureau shall make a complete and systematic record
19 and index of all information obtained for the purpose of providing
20 a convenient and expeditious method of consultation and comparison.

21 Section 13. The bureau shall assist the respective county
22 sheriffs of the state in the establishment of a system for making
23 identifications of criminals in each county, and shall give the
24 respective sheriffs such assistance and instruction in the operation
25 and use of such system as may be requested or as may be deemed
26 necessary. The bureau may likewise instruct, advise
27 and assist chiefs of police and other peace officers as may be
28 deemed wise for the purpose of securing the establishment and
29 operation of local identification systems. It shall be the duty of
30 the respective county sheriffs, chiefs of police and other peace
31 officers to cooperate with the bureau in establishing and maintaining
32 an efficient and coordinating system of identification.

33 Section 14. The bureau of criminal identification and investi-
34 gation shall cooperate with similar bureaus or agencies of the other
35 states, and with the national bureau in the department of justice in

1 Washington, District of Columbia, for the purpose of developing and
2 carrying on a complete interstate, national and international system
3 of criminal identification and investigation.

4 Section 15. It shall be the duty of the wardens of the state
5 penitentiary and the state industrial school and the superintendent
6 of the Wyoming girls' school to make and furnish to the bureau, in
7 such manner and according to such methods as the bureau may prescribe,
8 photographs, fingerprints, modus operandi statements and other required
9 identification of all persons who are confined in the respective
10 institutions, at the time of the taking effect of this Act, or who
11 are hereafter confined therein.

12 Section 16. The bureau shall cooperate with the respective
13 sheriffs, marshals, police and other peace officers of the state in
14 the detection of crime and the apprehension of criminals throughout
15 the state and shall, on the direction of the governor, conduct such
16 investigations as may be deemed necessary to secure the evidence
17 which may be essential to the conviction of alleged violators of
18 criminal laws of the state.

19 Section 17. The director is hereby authorized to assist any
20 prosecuting attorney in the prosecution of any criminal case which
21 may, in his judgment, require such cooperation.

22 Section 18. Every sheriff, chief of police, marshal, and every
23 other law enforcement officer in this state shall make and furnish
24 to the bureau, immediately upon request, fingerprints, photographs,
25 comprehensive descriptions and such other data as to identification
26 as the bureau may require of all persons who are arrested and who,
27 in the judgment of the director of the bureau, are persons wanted
28 for serious crime. This Section shall not be construed to include
29 violators of city, town or other local ordinances, or persons who
30 are arrested for the commitment or alleged commitment of a misde-
31 meanor unless the officer making the arrest or the director of the
32 bureau has reason to believe that such violators are also implicated
33 in the commission of a felony.

34 Section 19. The director of the bureau, with the approval of
35 the superintendent and the board, shall make and promulgate such rules

1 and regulations from time to time as may be found necessary and proper
2 for the efficient operation of the bureau and the successful administration
3 of the provisions of this Act.

4 Section 20. The members of the department shall have the
5 authority and duty to take fingerprints, and such other identification
6 data as shall be prescribed by the superintendent of all persons
7 taken into custody for offenses other than those arising solely out
8 of violations of fish, game, conservation, traffic laws, or misdemeanors
9 but such members of the department shall have the authority, if they deem
10 it advisable, to take the fingerprints and such other identification
11 data as shall be prescribed by the superintendent, of all persons taken
12 into custody for offenses arising out of violations of fish, game, conserva-
13 tion, traffic laws or misdemeanors and it shall be their duty promptly
14 to transmit and file such fingerprints and other identification data
15 as the superintendent may prescribe.

16 Section 21. The employees of the department shall cooperate and
17 exchange information with any other department or authority of the
18 state or with other police forces, both within this state and outside
19 it, and with federal police forces, toward the end of achieving
20 greater success in preventing and detecting crimes and apprehending
21 criminals.

22 Section 22. Any person having charge of a jail, prison or
23 reformatory or other place of detention shall receive any prisoner
24 arrested by a police employee of the department within the jurisdiction
25 served by such jail, and shall detain him in custody until otherwise
26 ordered by a court of competent jurisdiction, or by the superintendent;
27 and such person who shall refuse to so receive any prisoner or who,
28 having received him, shall release him otherwise than as above specified,
29 shall be subject to removal from office.

30 Section 23.^(a) The unexpended balance of all appropriations made
31 for the Wyoming highway patrol and the state bureau of identification
32 is continued in force and hereby confirmed and assigned to the state
33 police department created by this Act. Only that portion of those
34 fees, excises and license taxes on vehicles and fuel used for the expense
35 of enforcing state traffic laws, as defined in Article 15, Section 16 of

1 the Constitution of the State of Wyoming, shall continue to be allocated
2 to the department by the Wyoming Highway Commission. Upon the taking
3 effect of this Act, all records, papers, files, personal property,
4 equipment and pending matters or business are hereby transferred to and
5 shall become the property of the state police department created by
6 this Act. ^(b) Nothing contained in this Act shall be construed to affect
7 pending litigation growing out of, connected with, or had under or pursuant
8 to any law or former law relating to or enforced by the Wyoming highway
9 patrol heretofore existing or any officer thereof, but the same shall
10 proceed by or against the state police department created hereby, or
11 its corresponding officer, as if this Act had not been passed. All
12 references in the Wyoming Statutes relating to the Wyoming highway patrol
13 shall, after the passage of this Act, be construed to refer to and be
14 applicable solely to the newly created Wyoming state police department,
15 as set out herein.

16 Section 24. All the rights, duties and liabilities of the Wyoming
17 highway patrol and its employees, including pension, insurance and
18 retirement plans for eligible employees, are hereby continued and
19 preserved in the state police department created by this Act.

20 Section 25. That Section 31-7, Wyoming Statutes 1957, Compiled
21 1967; Section 31-8, Wyoming Statutes 1957, Compiled 1967; Section 31-9,
22 Wyoming Statutes 1957, Compiled 1967; Section 31-10, Wyoming Statutes
23 1957, Compiled 1967; Section 31-11, Wyoming Statutes 1957, Compiled
24 1967, as amended and re-enacted by Sections 1 and 2 of Chapter 186,
25 Session Laws of Wyoming 1969; and Chapter 61, Session Laws of Wyoming
26 1963, are hereby repealed.

27 Section 26. This Act shall become effective on and after July 1,
28 ~~1971~~. 1973.

Introduced by:

1. *Paul Kung*
 2. *Ramgar*
 3. *Sam M. B. B. B. B.*

A BILL

for

AN ACT to create the Wyoming state police department; providing for the appointment of a state police board and providing for the internal organization, compensation and duties; providing for appointment of a superintendent of the state police and defining his compensation and duties; providing for classification of ranks and grades of state police officers and employees; defining the appointment and employment of personnel; limiting political activities of members of the state police; providing for organization of a training school or academy; providing procedures for discharge, demotion, suspension and disciplinary measures of employees; providing of equipment and uniforms to said employees; providing for expenses, lodging and subsistence for employees; providing for establishment of necessary headquarters and stations for employees; defining police powers and duties; creating a bureau of criminal identification and investigation and a director thereof; defining procedures, duties and record keeping practices; providing procedures for cooperation with other state, county and municipal authorities; prescribing duty of penal institutions and local law enforcement officials to furnish requested information; providing authorization to assist prosecuting attorneys; providing for the taking of fingerprints and identifying marks; providing for an appropriation and preservation of present

pension and retirement rights; re-
pealing Section 31-7, Wyoming Statutes
1957, Compiled 1967; repealing Sec-
tion 31-8, Wyoming Statutes 1957,
Compiled 1967; repealing Section 31-9,
Wyoming Statutes 1957, Compiled 1967;
repealing Section 31-10, Wyoming
Statutes 1957, Compiled 1967; repeal-
ing Section 31-11, Wyoming Statutes
1957, Compiled 1967, as amended and
re-enacted by Sections 1 and 2 of
Chapter 186, Session Laws of Wyoming
1969 relating to the Wyoming Highway
Patrol; repealing Chapter 61, Session
Laws of Wyoming 1963 relating to the
Wyoming state board of identification
and providing an effective date.

JAN 28 1971	Introduced
JAN 28 1971	Read first time
JAN 28 1971	Referred to Com. No. 7
JAN 28 1971	Delivered to Printing Com.
JAN 29 1971	Returned from Printing Com.
JAN 29 1971	Delivered to Com. No. 7

FEB 9 1971 RETURNED

Recommended Amend and Do Pass.

PLACED ON GENERAL FILE

FEB 11 1971 CONSIDERED IN COM. OF WHOLE
Standing Com. Amendment

Adopted

Amended as follows

H. B. No. 344 C of W #2

Page 9, line 1, before the word "laws" insert the word "traffic".
Page 10, line 6, strike the words "secretary of state" and insert the words "attorney general".
Page 12, line 9, strike the word "prisoners" and insert the word "persons".
Page 14, line 4, strike the words "state police department" and insert the words "Wyoming highway patrol".

Adopted

RECOMMENDED DO-----PASS

FEB 12 1971

READ SECOND TIME

Amended as follows

H. B. No. 344 2nd reg amend #1

strike the standing committee amendment on Page 13, line 33 and insert the following: "Only that portion of those fees, excises and license taxes on vehicles and fuel used for the expense of enforcing state traffic laws, as defined in Article 15, Section 16 of the Constitution of the State of Wyoming, shall continue to be allocated to the department by the Wyoming Highway Commission"

Adopted

ENGROSSED

Approved by House Attorney
Date--1/22/71

7

- Page 1, Line 15 - Before the word "bureau" insert the word "separate"
- Page 2, Line 19 - After the word "for" insert the word "staggered"
- Page 3, Line 4 - After the word "governor" insert a comma and the words "by and with the approval of the board,"
- Page 3, Line 9 - Strike all language except the words "to be"
- Page 3, Line 19 - Insert a comma after the word "supplies" and insert the word "services"
- Page 3, Line 21 - After the word "be" insert the words "leased or"
- Page 3, Line 32 - Strike the word "office" and insert in lieu thereof the word "officer"
- Page 4, Line 33 - After the word "department" insert the following language: "without reference or regard to political affiliation" and strike the balance of the line
- Page 4, Lines 34 and 35 - Strike all language
- Page 5, Lines 1, 2 and 3 - Strike all language
- Page 5, Line 4 - Strike all language through the period
- Page 5, Line 23 - After the comma insert the following language: "in violation of any state or federal laws regarding political activities of public employees,". Strike rest of line
- Page 5, Line 24 - Strike the words "duties and voting at the election."
- Page 5, Line 25 - Strike the words and figure "less than one hundred dollars (\$100.00)"
- Page 5, Line 26 - Strike the word "nor"
- Page 5, Line 34 - Strike the words "less than one hundred dollars"
- Page 5, Line 35 - Strike the figure and word "(\$100.00) nor"
- Page 6, Line 7 - After the word "than" insert the word "for"
- Page 6, Line 21 - Before the word "disciplinary" insert a comma
- Page 7, Line 29 - After the word "treasury" strike the balance of the line and insert the following language: "as a special fund to be used for the purchase of new equipment."
- Page 8, Lines 8 and 9 - Strike all language
- Page 8, Line 10 - Strike the words "from time to time" and insert in lieu thereof the words "with the cooperation of the Wyoming highway commission"
- Page 8, Line 11 - Insert a comma after the word "headquarters" and insert the words "offices, laboratories"
- Page 8, Line 19 - After the period insert the following new sentence: "Maintenance, servicing, repair and storage of spare vehicles may be accomplished in the shops, garages and facilities of the Wyoming highway commission wherever possible, under contractual arrangements by the commission and the board."
- Page 8, Line 23 - Insert a comma after the word "purchase" and strike the word "and"
- Page 8, Line 24 - After the word "install" insert the words "or contract for"
- Page 8, Line 27 - After the word "equipment" insert the words "or services"
- Page 8, Line 27 - Correct the spelling of the word "destroy"
- Page 9, Line 20 - After the period insert the following new sentence: "The costs and expenses of extradition proceedings shall be borne by the office of the Wyoming attorney general."
- Page 9, Line 22 - Strike the words "the tenor thereof" and insert in lieu thereof the words "its terms"
- Page 10, Line 1 - Strike the words "secretary of state" and insert in lieu thereof the words "attorney general of the state of Wyoming"
- Page 10, Line 12 - After the word "a" insert the word "separate"
- Page 10, Line 13 - After the period insert the following new sentence: "No funds for the operation and administration of this bureau shall be received from the highway user receipts in violation of Article 15, Section 16, of the Constitution of the State of Wyoming."
- Page 10, Line 22 - Capitalize the word "Bertillon"
- Page 10, Line 23 - Strike the period and insert in lieu thereof a comma and insert the words "by and with the approval of the board."
- Page 11, Line 26 - Strike the words "give such instruction" and insert in lieu thereof the word "instruct"
- Page 11, Line 27 - Strike the words "assistance to" and insert in lieu thereof the word "assist"
- Page 13, Line 33 - After the period insert the following new sentence: "All highway user receipts as described in Article 15, Section 16 of the Constitution of the State of Wyoming shall continue to be allocated to the department by the Wyoming highway commission, for the purpose of enforcing the state traffic laws."
- Page 13, Line 34 - Before the word "property" insert the word "personal"
- Page 14, Line 12 - Strike the word "state" and insert in lieu thereof the words "Wyoming highway patrol"
- Page 14, Line 13 - Strike the words "police department"
- Page 14, Line 14 - After the word "plans" insert the words "for eligible employees"
- Page 14, Line 15 - Insert a period after the word "Act" and strike the balance of the line
- Page 14, Line 16 - Strike all language
- Struck by rdg #5 and #11*

1 the board shall constitute a quorum for the transaction of business.
2 The board shall hold such regular monthly meetings and such special
3 meetings throughout the year as may be deemed necessary to transact
4 the business of the department. The governor, by and with the approval of the
5 board, shall appoint a superintendent of the state police, who shall be the
6 executive officer and who shall have general charge of the work of the depart-
7 ment. The superintendent shall serve at the pleasure of the governor,
8 and the salary of the superintendent shall be fixed by the governor, to be
9
10 paid by the month, and the superintendent shall be removable by the
11 governor with or without cause. The state police department shall
12 be organized in conformity with such rules and regulations as shall
13 be prescribed and adopted, from time to time, by the board. The
14 superintendent shall be selected on the basis of training and
15 experience, and shall have served at least five (5) years as a
16 police executive, or have had five (5) years' experience in the
17 management of military, semi-military or police bodies of men, to
18 equip him for the position and shall possess training in police
19 affairs or public administration. All personal property, supplies, services
20 and equipment which may be needed from time to time by the department
21 shall be leased or purchased by the state purchasing agent or his successor;
22 all capital expenditures shall be made with the approval of the
23 budget committee, and the salaries and compensation of the several
24 police employees and other employees shall be fixed by the board,
25 with the approval of the personnel commission and the governor.

26 Section 2. Definitions as used in this Act:

27 (1) The term "department" means the Wyoming state police
28 department created by this Act;

29 (2) The term "employee" means any employee of the department,
30 including police employees;

31 (3) The term "police employee" means any employee who is
32 assigned police work as a peace officer, pursuant to the provisions
33 of Section 10 of this Act;

34 (4) The term "civilian employee" means any employee assigned
35 to a position other than one having police rank as a peace officer;
36 and

1 ranks, grades or positions contains at any time more than one half
2 ($\frac{1}{2}$) who are adherents of any one (1) political party, then there
3 shall be no person of such party appointed or promoted to such rank,
4 grade or position so long as such condition exists. No person
5 discharged from the department or withdrawing before the completion
6 of a two (2) year period of appointment shall afterwards be eligible
7 for reappointment. The superintendent shall devise and administer
8 examinations designed to test applicants in the qualifications required
9 for the rank, grade or position, and only those applicants shall be
10 appointed who best meet the prescribed standards and prerequisites.
11 All employees appointed to the department shall be probationers and
12 on probation for a period of one (1) year from the date of appointment:
13 Provided, that the board may extend such probationary status, for
14 cause, for any period not exceeding one (1) additional year.

15 Any prospective employee of the department, otherwise qualified,
16 shall not be disqualified from such employment solely for the reason
17 of his previous resignation from the Wyoming highway patrol.

18 Whoever being an appointee or an employee of the department,
19 including the superintendent, participates in any manner in the
20 activities or interests of any political party or of any candidate
21 for public office or for the nomination therefor, or participates
22 in any manner in any political campaign for the nomination or election
23 of candidates for public office, other than by exerting his official
24 duties and voting at the election, shall be guilty of a misdemeanor
25 and shall be fined in a sum not less than one hundred dollars (\$100.00)
26 nor more than five hundred dollars (\$500.00) to which may be added
27 imprisonment for a period not to exceed six (6) months.

28 Whoever solicits or accepts from any person who is an appointee
29 or employee of the department, including the superintendent, any
30 money, property or thing of value as a contribution or gift to be
31 used in support of any political campaign, political party, candidate
32 for public office or for the nomination therefor, or for any political
33 purpose, shall be deemed guilty of a misdemeanor and shall upon
34 conviction be fined in a sum of not less than one hundred dollars
35 (\$100.00) nor more than five hundred dollars (\$500.00) to which may
36 be added imprisonment for a period of not to exceed six (6) months.

1 Section 8. The superintendent shall have the authority to approve
2 vouchers in payment of expenses incurred by employees of the department
3 in the discharge of their duties, and such vouchers shall be audited
4 and paid out of the appropriations for the department in the manner
5 provided by law. Allowances for lodging and subsistence while away
6 from official station may be paid to the employees of the department
7 under such terms and conditions as the superintendent may prescribe.
8 The superintendent may provide lodging and subsistence for employees
9 of the department at their official stations.

10 Section 9. The superintendent shall, from time to time, establish
11 headquarters and stations in such localities as he shall deem advisable
12 for the enforcement of the laws of the state, and to that end, and
13 within the limits of appropriations, he may purchase, lease or otherwise
14 acquire suitable places, lands, buildings or rooms as local head-
15 quarters, and erect and equip such buildings and headquarters as may
16 be necessary. He may also purchase or otherwise acquire motor
17 equipment, horses, and other services, commodities and equipment
18 deemed by him essential for the needs of the employees of the depart-
19 ment in carrying out their duties. The superintendent may, in his
20 discretion, discontinue any headquarters or stations, when such action
21 seems to him to be desirable for the proper enforcement of the laws
22 of the state. The superintendent shall also have the authority to
23 purchase and install any approved standard mechanical devices or
24 equipment for the instantaneous or rapid transmission or broadcasting
25 of any information relative to crime or the apprehension of criminals.
26 The superintendent, with the approval of the board, shall have the
27 authority to sell, dispose of or destroy such property as shall have
28 become unnecessary or unfit for further use by the department. Any
29 money or funds received from such sale shall be deposited in the state
30 treasury as a special fund to be used for the purchase of new equipment.
31 Said fund shall not revert to the general fund. Such authority as is
32 vested in the superintendent in this Section of this Act shall be
33 exercised with the approval of the board.

34 Section 10. The officers and police employees of the department are
35 hereby vested with all necessary police powers to enforce the provisions

1 of the laws of the state of Wyoming for the regulation and use of
2 automobiles, motor vehicles and other vehicles, and the laws for the
3 safeguarding and protection of the surface or other physical portion
4 of the highways of the state of Wyoming and without writ of warrant
5 for violation thereof when committed in their presence: Provided,
6 however, that nothing herein shall be construed to prevent the Wyoming
7 highway commission from adopting rules and regulations for the
8 safeguarding of travel on the state highways of the state, not incon-
9 sistent with the laws of this state. It shall also be the duty of
10 police employees of the department to prevent and detect crime, to
11 apprehend criminals, to enforce the criminal and traffic laws of the
12 state, and to perform such other related duties as may be imposed upon
13 them by the laws of the state, and to this end, police employees of
14 the department shall be peace officers and shall have in any part of
15 the state the same powers with respect to criminal matters and the
16 enforcement of the laws relating thereto as sheriffs and police officers
17 have in their respective jurisdictions, and shall have power and
18 authority to act as agents for the state of Wyoming on return of
19 parolees, fugitives from justice and persons extradited to Wyoming
20 for crime. Any warrant of arrest or search warrant issued by proper
21 authority of the state may be executed by any police employee of the
22 department in any part of the state, according to the tenor thereof,
23 without indorsement. They shall be subject to the call of the
24 governor, and the governor may, from time to time, assign to the
25 department such other police duties as the executive department may
26 deem advisable or necessary. They shall have full power to arrest
27 without warrant any person committing or attempting to commit in
28 their presence or view a breach of peace or any other violation of
29 any of the laws of the state of Wyoming. And, under order of the
30 superintendent, they are empowered to cooperate with any other
31 department of the state of Wyoming or with local authorities. They
32 shall not exercise their powers within the limits of any city in
33 labor disputes, nor to suppress rioting and disorder except by
34 direction of the governor, or upon the request of the mayor of any
35 such city with the approval of the governor or if the governor is

1 not available, with the approval of the secretary of state. And
2 without the limits of any city of the state they shall not exercise
3 their power and authority in labor disputes except by direction of
4 the governor, or the request of the judge of the district court of
5 the county with the approval of the governor or if the governor is
6 not available, with the approval of the secretary of state. The
7 control or direction of the officers or members of the department
8 hereby created shall not be transferred or delegated to any other
9 department, commission, agency or officer of the state or any
10 subdivision hereof.

11 Section 11. There is hereby created and established within
12 the department a bureau, which shall be known as the bureau of
13 criminal identification and investigation.

14 The bureau of criminal identification and investigation shall
15 be under the immediate charge and supervision of an officer who
16 shall be known as the director thereof and who shall work closely
17 with and coordinate his efforts with the superintendent of state
18 police. The director shall be a person who is well qualified to
19 discharge the duties which are devolved upon him by the provisions
20 of this Act, who at the time of appointment shall have had at
21 least five (5) years' experience as a police officer and can qualify
22 as to classifying bertillon measurements and fingerprints, and shall
23 be appointed by the superintendent of state police. The superintendent
24 of state police, shall appoint such clerks, stenographers and other
25 employees as may be necessary to discharge the duties and perform
26 the work of the bureau. The director shall give bond in the sum of
27 five thousand dollars (\$5,000.00) for the faithful performance of
28 his duties. The salary of the director shall be fixed by the board.
29 The salaries of the clerks, stenographers and other employees shall
30 be fixed in said bureau as those of other employees of the department.

31 Section 12. It shall be the duty of the bureau of criminal
32 identification and investigation to install and maintain complete
33 systems for the identification of criminals, including the finger-
34 print system and the modus operandi system. The bureau shall obtain
35 from whatever source procurable, and shall file and preserve for

1 and regulations from time to time as may be found necessary and
2 proper for the efficient operation of the bureau and the successful
3 administration of the provisions of this Act.

4 Section 20. The members of the department shall have the
5 authority and duty to take fingerprints, and such other identification
6 data as shall be prescribed by the superintendent of all persons
7 taken into custody for offenses other than those arising solely out
8 of violations of fish, game, conservation, traffic laws, or misde-
9 meanors but such members of the department shall have the authority,
10 if they deem it advisable, to take the fingerprints and such other
11 identification data as shall be prescribed by the superintendent, of
12 all persons taken into custody for offenses arising out of violations
13 of fish, game, conservation, traffic laws or misdemeanors and it shall
14 be their duty promptly to transmit and file such fingerprints and
15 other identification data as the superintendent may prescribe.

16 Section 21. The employees of the department shall cooperate and
17 exchange information with any other department or authority of the
18 state or with other police forces, both within this state and outside
19 it, and with federal police forces, toward the end of achieving
20 greater success in preventing and detecting crimes and apprehending
21 criminals.

22 Section 22. Any person having charge of a jail, prison or
23 reformatory or other place of detention shall receive any prisoner
24 arrested by a police employee of the department within the jurisdiction
25 served by such jail, and shall detain him in custody until otherwise
26 ordered by a court of competent jurisdiction, or by the superintendent;
27 and such person who shall refuse to so receive any prisoner or who,
28 having received him, shall release him otherwise than as above specified,
29 shall be subject to removal from office.

30 Section 23. The unexpended balance of all appropriations made
31 for the Wyoming highway patrol and the state bureau of identification
32 is continued in force and hereby confirmed and assigned to the state
33 police department created by this Act. Upon the taking effect of this
34 Act, all records, papers, files, property, equipment and pending
35 matters or business are hereby transferred to and shall become the

1 property of the state police department created by this Act. Nothing
2 contained in this Act shall be construed to affect pending litigation
3 growing out of, connected with, or had under or pursuant to any law
4 or former law relating to or enforced by the state police department
5 heretofore existing or any officer thereof, but the same shall proceed
6 by or against the state police department created hereby, or its corres-
7 ponding officer, as if this Act had not been passed. All references
8 in the Wyoming Statutes relating to the Wyoming highway patrol shall,
9 after the passage of this Act, be construed to refer to and be
10 applicable solely to the newly created Wyoming state police department,
11 as set out herein.

12 Section 24. All the rights, duties and liabilities of the state
13 police department and its employees, including pension, insurance and
14 retirement plans, are hereby continued and preserved in the state
15 police department created by this Act and those eligible to its
16 benefits, as though this Act had not been passed.

17 Section 25. That Section 31-7, Wyoming Statutes 1957, Compiled
18 1967; Section 31-8, Wyoming Statutes 1957, Compiled 1967; Section 31-9,
19 Wyoming Statutes 1957, Compiled 1967; Section 31-10, Wyoming Statutes
20 1957, Compiled 1967; Section 31-11, Wyoming Statutes 1957, Compiled
21 1967, as amended and re-enacted by Sections 1 and 2 of Chapter 186,
22 Session Laws of Wyoming 1969; and Chapter 61, Session Laws of Wyoming
23 1963, are hereby repealed.

24 Section 26. This Act shall become effective on and after July 1,
25 1971.