

**ACQUISITION MANAGEMENT  
HARPERS FERRY CENTER  
ADMINISTRATIVE GUIDELINE NUMBER 14**

**PHOTO RELEASE FORM  
SEPTEMBER 2010**

**I. BACKGROUND**

Photo releases are a means to gain rights to use an individual's image under circumstances where their rights to privacy or publicity may be invoked. An individual may waive his or her right to privacy by consenting to a publication of their image by signing a Photo Release form. The U.S. Government, in general, considers it a best practice that a release be sought in all cases where a person's voice or recognizable image will be included in the Government work. It is important to remember that while a release may have been obtained for one purpose, such as a photo, it may not necessarily cover additional uses. If authorization to use a picture or video for government purposes is obtained, use for nongovernmental purposes (for example, commercial use) may require additional authorization.

**II. PURPOSE**

The purpose of this Administrative Guideline is to set forth uniform guidelines and procedures for use of the Photo Release Form.

**III. POLICY**

**A. Staged Photographs**

Staged photographs are characterized by placing subjects, whether professional models or common citizens, in a specific scene and/or pose. Obviously an agreement would need to exist between the photographer and the subjects to allow the taking of a staged photograph. In this case, the agreement between the parties should always include a photo release.

**B. Unstaged Public Photographs**

Unstaged photos of persons, whether adult or child, out in public do not generally require a photo release because privacy rights are waived when an individual has voluntarily placed themselves in public view. However, many people erroneously believe that a public photo of themselves or their children is prohibited. For this reason and as a best practice, photo releases should be obtained whenever possible, especially when children are involved. At the very least, it is always best to get an individual's verbal permission prior to taking their picture.

Even though privacy rights are waived when an individual goes out in public, publicity rights are not. Therefore, if a photo containing identifiable individuals will be used for a commercial purpose, such as advertising or endorsement, then a photo release must be obtained.

Attachment