



Do You Need a Photo Release? Best Practices for Church Events

Here's the general, best practice approach many dioceses and organizations use when it comes to Photography and Media Releases for adults and minors:

When Photo Releases Are Necessary:

- **Private or Sensitive Settings:** If the images are taken in sensitive environments (e.g., counseling settings, youth retreats with confidential components), you should always get a signed release. This includes any space where a person might reasonably expect privacy—such as during prayer, confession, small group discussions or medical/counseling services—or could imply private information. Always obtain written consent before capturing or sharing such images.
- **External Media:** If photos are provided to external media (TV, newspapers, third-party publications) or used in fundraising or promotional content, a signed release is strongly recommended, even if minors are not identified. This ensures compliance with Florida's right of publicity statute (F.S. § 540.08).
- **Minors Identified by Name or Other Identifying Info:** A signed parental/guardian photo release is typically required if a minor's name is visible in an image (e.g., on a name tag) or if the minor is otherwise identified in captions, associated text or other accompanying information. However, even with a release, this policy prohibits any use of photographs or videos that could endanger or compromise the safety or protection of a minor. For more information, please see Safe Environment Policy on the diocesan intranet site.
- **Individuals with Guardians:** If a participant over 18 has a legal guardian (e.g., due to cognitive disability), guardian consent must be obtained, similar to that of a minor.

When Photo Releases May Not Be Necessary:

- **Minors in crowd shots or general images without identification:** If minors are photographed in public settings like a large group at an event and they are not identified, nor prominently featured, and no sensitive information is revealed, a

separate release is generally not required.

- **Notice + Implied Consent:** It's acceptable to notify participants via:
 - A photo policy notice on the registration form with a consent checkbox (opt-in or opt-out).
 - Clear on-site signage at entry points stating: "Photography/videography is occurring. By entering this area, you consent to the use of your image by [the Diocese/Event] for informational and promotional purposes."

This serves as a reasonable notice for implied consent under general communications practices, as long as people have the opportunity to opt out.

Recommended Steps for Your Event (Best Practices):

- **Registration Form:**
 - Include a photo/video consent clause, e.g.: "I understand that photos/videos may be taken at this event for diocesan/parish communications (e.g., website, social media, publications). I consent to the use of images of myself/my child(ren) unless I notify the event coordinator."
 - Provide an opt-out checkbox or a way to indicate if a parent prefers no photos of their child be used.
- **On-Site Signage:**
 - Post clear signs at entry points and around the venue.
 - Suggested language: "Notice: Photos and videos will be taken at this event. By entering, you consent to the Diocese or Parish [Name] using your image for promotional and informational purposes."
- **Internal List:** Create a list of those who opt-out via registration and inform the diocesan photographer and staff so they can avoid capturing or using those images. Ensure that opt-out preferences are documented in a designated event file, accessible to key staff and volunteers. This ensures that no images are used of those who opted out—even in group shots.
- **No Need for Individual Releases:** For non-identified minors in public group settings with this process, a one-page release form for each child is generally not required unless potentially used in advertising or promotional campaigns.

Anything Else?

- **Communicate clearly:** Ensure all event staff and volunteers know who has opted out and the photographer(s) know who can't be photographed or videotaped. A color paper bracelet can be used so the photographer is clear who has opted out of photography/videography at the event. Other options may include color-coded name tags or badges.

- **Revocation of Consent:** If an individual wishes to revoke consent after the event, they should be given an opportunity to do so. While previously published content may not be retractable, we will make reasonable efforts to honor future requests.
- **Storage and Use of Images/Videos:**
 - Images/videos should be stored securely.
 - Use of images/videos should align with the stated purpose (e.g., church communications, promotional materials).
 - Images/videos of sensitive situations will not be publicly shared.
 - The images/videos should not be shared with any unauthorized third parties.
- **Legal Compliance:** This policy adheres to Florida's right of publicity statute (F.S. § 540.08) and other applicable laws.

Questions? Contact Kathleen Bagg at kbagg@dosafi.com or call (904) 262-1705.