

Afterword

Legal Questions and Answers

These points are personal views of the editor and not legal advice. Feel free to submit corrections.

This section will probably be moved to its own page.

Q. If you post photos that came from people's social media pages, does that mean that the social media companies own them?

A. Sometimes yes, sometimes no. But it doesn't really matter. See the next question.

Q. Don't you need permission to post photos that somebody else owns? Isn't it against the law to do so without permission?

A. If the circumstances meet the conditions for something called Fair Use, no, certainly not.

The rights-holder can demand a temporary take-down through a DMCA filing but a website editor can file a counter-notice. The rights-holder then has 14 days to file an actual lawsuit or lose the case.

DMCA must be filed by the rights-holder, not somebody who simply feels aggrieved. It can be a prosecutable crime to do a DMCA filing under false pretenses.

Q. Isn't it illegal to post somebody's street address, either office or residence, online without their permission?

A. In the general case, no. In fact, you can post more significant information such as Social Security Numbers. The editor for this website has done so on Haggis Hell.

However, some important rules apply.

There are special cases such as professions that are protected from the disclosure of residence addresses per se. For example, it's illegal in some States to post the residence addresses of judges, prosecutors, and/or law enforcement officers.

It can also be highly illegal to disclose personal information of most types if you're a State or Federal employee or a health-care worker or similar employee and you obtain such information from protect-

ed documents.

One rule which applies to the general case is that legitimate and reasonable purposes are a shield against most civil and/or criminal allegations that an aggrieved subject might try to make. Not an absolute shield, but a pretty good one.

It's certainly legal to post a street address or other factual information, short of something such as a photo that falls separately under copyright rules, which the subject of the information has posted themselves.

One interesting legal point is the question of how far the preceding rule goes.

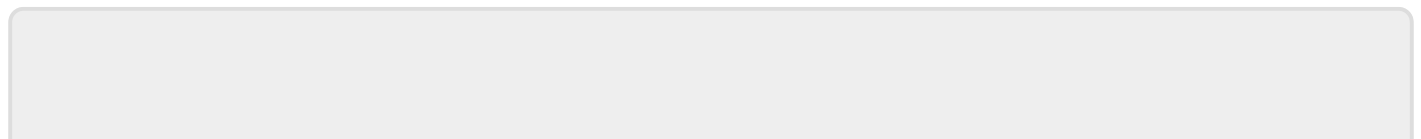
If Person A is in a protected status of some type, for example, and they make their street address public, it should be legal for Person B for link to the public disclosure and/or to post a screenshot of it.

However, Person A would disagree. The problem with Person A's position, in this case, is that subsequent to the initial disclosure, violation of protected status is basically a thought crime. The definition of what does and doesn't constitute a violation would seem to get into some sticky areas.

The editor, OldCoder, encountered the preceding situation personally in 2012. He was directed by a Court not to "seek" the street address of his father. The problem with this was that the order came in a document which had his father's street address in it right on the first page. So, naturally, OldCoder posted a screenshot of that and asked the other side to comment.

Oddly, no comments were ever received.

This is a stand-alone essay related to the Overcomers project itself. To jump to the start and the index, [click here](#).



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