

POLICY for GRAPHIC and SENSITIVE IMAGES MISSOURI DIGITAL HERITAGE

The Missouri State Archives policy related to graphic and sensitive images applies to all Missouri Digital Heritage hosted collections. The policy does not apply to linked collections hosted by the originating institution.

The Missouri State Archives considers there to be three types of graphic images: 1) disturbing images, 2) obscene and salacious images and 3) crime scene images. The Archives treats images as sensitive if they show human skeletal remains or have offensive or harmful content.

PART 1: Graphic Images

Disturbing Images

The Archives considers disturbing images to be the results of violence (intentional or accidental), especially gore and dead human bodies (non-skeletonized). There is no state or federal rule or law closing or restricting disturbing images to the public (some states have statutes governing autopsy photographs; Missouri does not).

Disturbing images are not closed records, but are instead restricted (available in full upon request). No viewer should stumble upon them without a warning.

Obscene Images

Obscenity has been codified into federal law through several court cases and can be identified by a three-pronged test. More information is available from the US Department of Justice: <https://www.justice.gov/criminal-ceos/citizens-guide-us-federal-law-obscenity>.

Essentially, obscene images generally have some sort of perverted sexual content. The Archives will not place obscene images on Missouri Digital Heritage.

Salacious Images

Photographs of real people that show private body parts will always be restricted and redacted online. Public art not intended to be erotic will go online, unredacted and with no disclaimer.

Crime Scene Photographs

In 2016, a Missouri state statute was passed addressing crime scene photographs where the victim was **dismembered, decapitated or where his/her genitals are exposed**. RSMo § 610.205 makes these photographs (and video recordings) CLOSED records that can only be opened by court order a) to a next of kin or b) for the public interest according to subsection 2.

All other crime scene photographs will be treated according to normal graphic image policy.

PART 2: Sensitive Images

A “sensitive” image is something that does not rise to the level of graphic, but could still be offensive or harmful to the public. These are things like white power symbols, offensive stereotypes, photos of human

bones or anything generally inordinately gruesome. Sensitive images do not need to be redacted for the public, but are given a disclaimer.

Offensive/Harmful Images

Is your image a symbol for a hate group? Is it of people in blackface or characterized in a stereotypical manner? If so, it is sensitive and an offensive/harmful image and will be marked with a disclaimer.

Human Skeletal Remains

Images of human bones can still be offensive or harmful, especially if they are pictured on display or in a mocking manner. In an attempt to be sensitive to cultures and descendants, all images of human skeletal remains at the Archives will be marked as such with a clear disclaimer.

Examples of How Graphic Images Will Appear on Missouri Digital Heritage



Item Description

Title	MSP Inmates
Contributor/Photographer	unknown
Description	Two men sit on a bed inside a cell. One wall is painted red and has posters of women and a shelf. A dresser top holds a lamp with a wood guitar carved at its base, cassette tapes and a cassette player.
Note	This image has been redacted due to graphic content. Contact the Archives with access questions.

A statement will be added to the MDH notes field, “This image has been redacted due to graphic content. Contact the [institution] with access questions.”

Examples of How Sensitive Images Will Appear on Missouri Digital Heritage

The photograph will be turned into a compound object of two images. The first item will be a .jpg of the statement, “This image contains offensive or potentially harmful content.” The second image will be the photograph itself, unredacted. The thumbnail that shows up in browsing will be the statement rather than the photograph.

