

# USE OF PHOTOS OF J. ALLEN

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By James Allen

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## POLICY STATEMENT

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Effort to suggest that failure to present photographs of persons with military service in the United States Armed Forces for commercial purposes to prove or show their participation, is guilty of a misdemeanor where those demands seek to violate the privacy and security of such persons, subject them to abuse, or direct incitement of harm to support any crime, including Concealing Persons to Avoid Habeas Corpus evident in CUSTODIAL INTERFERENCE during ORDERED POSSESSION and fraud to support such child abuse and exploit such child abuse for commercial harm or advantage.

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## OKLAHOMA STATE STATUTORY LAW, TITLE 21 CRIMINAL CODE

*For citation in prior article as criminal protection by right – not legal advice or use in court filings.*

### **§21-835. Concealing persons to avoid habeas corpus.**

Every person having in his custody or power, or under his restraint, a party who by the provisions of law relating to habeas corpus, would be entitled to a writ of habeas corpus, or for whose relief such writ has been issued, who, with intent to elude the service of such writ, to avoid the effect thereof, transfers the party to the custody, or places him under the power or control of another, or conceals or changes the place of his confinement, or who, without lawful excuse, refuses to produce him, is guilty of a misdemeanor.

*R.L.1910, § 2394.*

### **§21-836. Assisting in concealing person to avoid habeas corpus.**

Every person who knowingly assists in the violation of the preceding section is guilty of a misdemeanor.

*R.L.1910, § 2394.*

### **§21-837. Intimidating laborers.**

Every person who, by use of force, threats or intimidation, prevents or endeavors to prevent any hired foreman, journeyman, apprentice, workman, laborer, servant or other person employed by another, from continuing or performing his work, or from accepting any new work or employment, or induces such hired person to relinquish his work or employment, or to return any work he has in hand, before it is finished, is guilty of a misdemeanor.

Every person who, by use of force, threats, or intimidation, prevents or endeavors to prevent any farmer or rancher from harvesting, handling, transporting or marketing any agricultural products, is guilty of a misdemeanor.

*R.L.1910, § 2396; Laws 1968, c. 213, § 1, emerg. eff. April 23, 1968.*

**§21-838. Intimidating employers.**

Every person who, by use of force, threats or intimidation, prevents or endeavors to prevent another from employing any person, or to compel another to employ any person, or to force or induce another to alter his mode of carrying on business, or to limit or increase the number of his hired foremen, journeymen, apprentices, workmen, laborers, servants or other persons employed by him, or Oklahoma Statutes - Title 21. Crimes and Punishments Page 209 their rate of wages or time of service, is guilty of a misdemeanor.

*R.L. 1910, § 2397.*

**§21-839.1. Right of privacy - Use of name or picture for advertising without consent - Misdemeanor.**

Any person, firm or corporation that uses for the purpose of advertising for the sale of any goods, wares or merchandise, or for the solicitation of patronage by any business enterprise, the name, portrait or picture of any person, without having obtained, prior or subsequent to such use, the consent of such person, or, if such person is a minor, the consent of a parent or guardian, and, if such person is deceased, without the consent of the surviving spouse, personal representatives, or that of a majority of the deceased's adult heirs, is guilty of a misdemeanor.

*Laws 1965, c. 431, § 1, emerg. eff. July 9, 1965.*

**§21-839.1A. Use of name or picture of Armed Forces member for advertising without consent - Misdemeanor.**

Any person, firm, or corporation that uses for the purpose of advertising for the sale of any goods, wares, or merchandise, or for the solicitation of patronage by any business enterprise, the name, portrait, or picture of any service member of the United States Armed Forces, without having obtained, prior or subsequent to such use, the consent of the person, or, if the person is deceased, without the consent of the surviving spouse, personal representatives, or that of a majority of the adult heirs of the deceased, is guilty of a misdemeanor. This section applies to the name, portrait, or picture of both active duty members as well as former members of the Armed Forces of the United States. Every person convicted of a violation of this section shall be punished by a fine of not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for not to exceed one (1) year, or by both said fine and imprisonment.

*Added by Laws 2006, c. 69, § 1, eff. Nov. 1, 2006.*

**§21-839.2. Right of action - Damages.**

Any person whose right of privacy, as created in Section 1 hereof, is violated or the surviving spouse, personal representatives or a majority of the adult heirs of a deceased person whose name, portrait, or picture is used in violation of Section 1 hereof, may maintain an action against the person, firm or corporation so using such person's name, portrait or picture to prevent and restrain the use thereof, and may in the same action recover damages for any injuries sustained, and if the defendant in such action shall have knowingly used such person's name, portrait or picture in such manner as is declared to be unlawful, the jury or court, if tried without a jury, in its discretion may award exemplary damages.

*Laws 1965, c. 431, § 2, emerg. eff. July 9, 1965.*