

Case Study: A Viral Picture of the Woman in Red

Ethical questions for a student journalist who took a provocative picture.

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Case Description and Synopsis

Jennifer Contreras is a rising senior at University X with a deep commitment to social advocacy and a strong passion for photography. Last fall, she proposed a service learning and research project to work with a homeless organization in a small town abroad.

In her second week abroad, an earthquake hit her small town. Her dormitory, a single story building, suffered minimal damage, but the rest of the town was not so lucky. Jennifer helped as much as she could to clear out any rubble by hand and tending to those who were injured. When she wasn't dragging stones away and helping the injured to safety, she was shooting images of the scenes with her Canon T5i dSLR and an 18-55mm wide-angle lens. She was overwhelmed by what she saw and tried to document those emotions through her photographs. One scene, in particular, caught her eye. Against the grey and brown stone of a nearby collapsed building, three workers brought out—alive—a young woman in a brilliant red dress. She moved quickly to photograph the young woman before she was removed to a waiting ambulance. With her LCD playback, she was able to see that she captured the woman's upper body and part of the body of one of the rescue-workers as he leaned over to comfort her.

The next day, after being up all night digging and shooting, she got word that University X would evacuate her back to the states. After packing up her things, she spent the rest of the day photographing what was left of the town.

Jennifer left the following morning with other foreigners on a chartered flight. A few hours after arriving home, Jennifer made the time to post the images online. She took a stab at some captions but her focus was on the images. It was then that she noticed that the woman-in-red's dress was torn, partially exposing her right breast. This was her best image, one that she felt captured what had happen to the city and its citizens.

Her parents were excited about Jennifer's photographs. Her father felt pride in his daughter's photojournalism but had unspoken reservations about the image of the woman in the red. He was proud enough to mention his daughter's photographs to colleagues at several papers. Several used a cropped version of the picture of the woman-in-red as did a

number of online news services. Then, someone posted a link to the original photo on Jennifer's social media account in a post on reddit and the photograph went viral—and quickly made it to University X and Jennifer Contreras.

Questions

1. Where within this story might one talk about responsibilities? At which point in the story was someone responsible for the decisions they made and to whom are they responsible?
2. Does Jennifer have any responsibility for second party use?
3. Do those second party users have any obligations to Jennifer or the photograph's subject?
4. Are there questions of breach of agreement or breaches of conscience/implied good faith?

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