

# Privacy Policy

Effective date: February 9 2023

American Legion Post 721 (*we/us/our*) operates the *AmericanLegionPost721.org* website (*the Service*) to provide useful information to and for the members of American Legion Post 721.

This page informs you of our policies regarding the collection, use, and disclosure of personal data when you use our Service and the choices you have associated with that data.

We use your data to provide and improve the Service. By using the Service, you agree to the collection and use of information in accordance with this policy.

- **Information Collection and Use**

We do not collect any personally identifiable information about you when you visit our website unless you choose to provide it to us voluntarily. The Membership/Renewal Form is one example of voluntary submission of personally identifiable information. However, we may collect non-personally identifiable information automatically when you visit our website, such as the type of browser you are using, the domain name of your Internet service provider, page clicks or other site improving analytics.

- **Use of Data**

We use the collected data for various purposes:

- To improve and maintain the Service
- To notify you about changes to our Service
- To provide support
- To monitor the usage of the Service
- To detect, prevent and address technical issues

- **Transfer of Data**

Your information, including Personal Data, may be transferred to — and maintained on — computers located outside of your state, province, country or other governmental jurisdiction where the data protection laws may differ than those from your jurisdiction.

If you are located outside United States and choose to provide information to us, please note that we transfer the data, including Personal Data, within the United States and process it there.

Your consent to this Privacy Policy followed by your submission of such information represents your agreement to that transfer.

- **Disclosure of Data**

We do not disclose your personal Data to any third party unless we are required to do so by law or have your explicit consent. The American Legion Post 721 Membership Application and Renewal Form contents are transferred to The American Legion National Headquarters. This Data is then held under the jurisdiction of National and their rather extensive privacy policy can be found at this link. <https://www.legion.org/privacy>. When a person joins the American Legion they are accepting National's privacy policy.

- **Security of Data**

The security of your data is important to us, but remember no method of transmission over the Internet, or method of electronic storage is to be considered 100% safe or completely under our control. American Legion Post 721 will take reasonable efforts to secure and protect the privacy, accuracy, and reliability of your information and to protect such information from loss, misuse, unauthorized access, disclosure, alteration and destruction. The storage of personal information beyond public photos and names will be restricted to information you have consented to provide and publish.

## **What is Personally Identifiable Information (PII)?**

Personally Identifiable Information (PII) includes:

“(1) any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records; and (2) any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.”<sup>1</sup>

Examples of PII include, but are not limited to:

- Name: **full name**, maiden name, mother's maiden name, or alias
- Personal characteristics: **photographic images** (particularly of face or other identifying characteristics), fingerprints, or handwriting
- Personal identification numbers: social security number (SSN), passport number, driver's license number, taxpayer identification number, patient identification number, financial account number, or credit card number
- Personal address information: street address, or email address
- Personal telephone numbers
- Biometric data: retina scans, voice signatures, or facial geometry
- Information identifying personally owned property: VIN number or title number
- Asset information: Internet Protocol (IP) or Media Access Control (MAC) addresses that consistently link to a particular person

The following examples on their own do not constitute PII as more than one person could share these traits. However, when linked or linkable to one of the above examples, the following could be used to identify a specific person:

- Branch of Service
- Date of birth or age
- Date of Service
- Business telephone number
- Business mailing or email address
- Race
- Religion
- Geographical indicators
- Employment information
- Medical information<sup>2</sup>
- Education information<sup>3</sup>
- Financial information

## References

<sup>1</sup> [https://itlaw.fandom.com/wiki/Personally\\_identifiable\\_information](https://itlaw.fandom.com/wiki/Personally_identifiable_information)

<sup>2</sup> Medical information may be subject to additional HIPAA requirements

<sup>3</sup> Education information may be subject to additional FERPA requirements

## Have your rights been violated?

There are three ways that photos or videos we've posted without your consent may be violations of your privacy rights. These would be **invasion of privacy, defamation, or a violation of right of publicity**. These three methods of recourse are unique. If you believe you can site one or more of these three violations, contact our [Webmaster@americanlegionpost721.org](mailto:Webmaster@americanlegionpost721.org) immediately.

1. **Invasion of Privacy** – If Post 721 were to publish your photo or video in a way that portrays you falsely or in an offensive manner, then you can take the appropriate action. For instance, if the local sheriff's department has a "Ten Most Wanted" list and the Legion adds your photo to it, that would be an invasion of privacy. Another example is using your photograph to create a page on a pornographic website.

Taking a photo of you in a public setting is not an invasion of privacy, if the Legion captures you in your home and then uses it on social media without your consent, you have legal recourse. An attorney may classify this type of action as defamation as well.

2. **Defamation** – To prove defamation, the photo posted by the American Legion Post 721 would have to defame you. That means the image would harm your reputation or create a false impression of you. For example, if a photo or video makes it appear you committed a crime when, in fact, you did not, and you or your business suffered as a result, that would fall into the category of defamation.

- 3. Right of Publicity** – In this case, the Legion uses a photo of you for commercial purposes. In other words, if your image is posted to promote a product or service online or as an endorsement on a business site without your permission, the Legion would be violating your right of publicity. For this type of violation to occur, the public must be able to identify you in the photo used.

Taking pictures at Legion meetings or other public social events and subsequently displaying the photos on our website is not an invasion of your privacy. If, however, you feel we've gone beyond acceptable limits or you suspect we've violated one of the three privacy invasion tests listed above, please contact our [Webmaster@americanlegionpost721.org](mailto:Webmaster@americanlegionpost721.org) immediately.

American Legion Post 721 wants all members to enjoy using the website and to find it useful and entertaining. That said, it is important that you enjoy it too. This is your website. We want you to be proud of it and the content. If you see a photo of yourself or a mention of your name and you would prefer it not be posted, contact the Webmaster or the Post Commander to have it modified or taken down. We will respond to your personal concerns.