

# SB331

Measure Title: RELATING TO MOVIE THEATERS.

Report Title: Deaf and Blind Task Force; Motion Picture Theaters; Accommodations; Open Movie Captioning.

Description: Makes permanent the requirement for certain motion picture theater owners and operators to provide open movie captioning for at least two showings per week, one of which occurs on a Saturday or Sunday. Repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

Companion:

Package: Deaf and Blind Task Force

Current CPH, JDC

Referral:

Introducer(s): K. RHOADS, RUDERMAN, Harimoto



**LATE**

## DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813  
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • TTY (808) 586-8162

JANUARY 30, 2019

### TESTIMONY TO THE SENATE COMMITTEE ON CONSUMER PROTECTION AND HEALTH

#### Senate Bill 331 – Relating to Movie Theaters

The Disability and Communication Access Board (DCAB) supports Senate Bill 331, which will strengthen our state's law relating to the provision of open captioning movie showings for the deaf and hard of hearing population.

The Legislature passed Act 39 (2015) requiring movie theaters with more than two locations to offer each movie produced with captions to have two showings/week with open captioning, similar to subtitles. Open captioned showtimes were at the discretion of the theater. This state law augmented the federal requirements to offer an assistive technology option to view movies with closed captioning. Act 211 (2017) restricted the rights in Act 39 (2015) to (a) require one, versus two, viewings per week, and (b) allow no open captioned viewings if the theater offered lightweight glasses as an alternative.

Senate Bill 331 essentially seeks to return the statute what was initially provided in Act 39 (2015) without a sunset date and with some additional conditions on the movie screening times.

These changes to the law would afford individuals who are deaf or hard of hearing an equal opportunity to attend open captioned movies and follow the audio aspects of movies exhibited in motion pictures similar to the general public. In Hawaii, a community that readily accepts subtitled foreign language movies and television programs, open captioning is a natural expansion of that concept.

Our support for the bill is based upon two factors:

- The deaf community strongly prefers open captioning to any type of eyewear, even if lightweight. It is a myth that the current federal law with closed captioning was preferred at the federal level by the deaf and hard of hearing community; it was a compromise to the industry. When a person uses the lightweight glasses, they are labeled as deaf, whereas when captions are shown, the deaf individual is not singled out.
- Identifying a specific type of technology in statute is not appropriate. Federal law allows theaters to use any option to view closed captions while our state law limits viewing to one option. With rapid technological advances occurring, there

may be a better solution developed in the future other than lightweight glasses. With the specificity in our current statute, Hawaii would be limited by a reference to obsolete technology in the law.

We offer the following comments related to what the two movie theaters cited in their prior testimony on the issue of captioned movies:

- (1) The theaters state that the bill will deprive patrons the option to seeing the closed captioning at any show time on any day and will leave them with no choice but attend limited open captioned shows. This is NOT true. Under federal law, all the showings that are not open captioned must still have the option to be viewed with assistive technology. This bill will not negate federal law but supplement it. This bill is about providing CHOICE to consumers who prefer open captioning to using any assistive device. For any given show in a week, there would still be approximately thirty shows without open captioning.
- (2) The theaters also stated that there has been an increase in the use of personal captioning devices between 2015 and 2017. This is, in part, because they were not available before such time and the availability coincided with the passage of the federal law requiring movie theaters to have a specific number of assistive devices.
- (3) The theaters claim that they have lost revenue due to lower attendance at open captioned movies, as stated in a Department of Business, Economic Development, and Tourism study from December 2017. Their inference is misleading, as the open captioned showings have consistently been at non-peak times where attendance is lower in general. It would be inappropriate to infer causation – that the difference in attendance was attributed to the captioning. Furthermore, it is not possible to measure whether patrons simply selected another showtime with an overall net impact of zero.

The proposed amendments to the current law would address the discriminatory effects of communication barriers at movie theaters encountered by individuals who are deaf or hard of hearing, ensuring equal opportunity to enjoy motion picture showings. We ask that you pass Senate Bill 331 out of Committee.

Thank you for the opportunity to testify.

Respectfully submitted,



FRANCINE WAI  
Executive Director



# HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

January 30, 2019  
Rm. 229, 9:00 a.m.

To: The Honorable Rosalyn H. Baker, Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 331

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services (on the basis of disability). The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

S.B. No. 331 amends H.R.S. § 489-9(a), to restore the statutory requirement originally enacted as a provision of Act 39, L. 2015, that covered movie theaters provide open captioning during at least two showings per week of each motion picture that is produced and offered with open captioning. The bill deletes the amendment of that provision effected by Act 211, L. 2017, reducing the requirement to one showing per week with open captioning, and eliminating that requirement for theaters that opt to provide “[a] personal closed captioning system by means of lightweight eyewear for a motion picture that is produced and offered with closed captioning content.”

S.B. No. 331 also amends H.R.S. § 489-9(a) to require that at least one of the two showings per week featuring open captioning shall be on a Saturday or Sunday.

And, S.B. No. 331 amends Act 39, Session Laws of Hawaii 2015, as amended by Act 211, Session Laws of Hawaii 2017, to eliminate the “sunset” of the statute on January 1, 2020.

The HCRC has enforcement jurisdiction over H.R.S. chapter 489, including § 489-9. Under § 489-9(c), a violation of the open captioning and audio description requirements is an unlawful discriminatory practice.

H.R.S. § 489-9, as enacted in Act 39 in 2015, was intended to establish its state requirements in addition to and supplementing federal ADA Title III requirements under US DOJ rules, which require covered movie theaters to provide *closed captioning* and audio description for digital movies produced, distributed or available with those features, accessed by use of individual movie captioning and audio devices at individuals' seats.

As enacted in 2015, Act 39 was considered landmark legislation for the deaf community, the first of its kind in the nation, specifically because it required the limited number (2) of open captioned showings per week, that were not required by federal law. Many of the 2015 testifiers on H.B. No. 1272, which was enacted as Act 39, testified that closed captioning was not an effective accommodation for everyone to enjoy a movie viewing experience, noting that the "cupholder" closed caption reading device required the viewer to simultaneously look down at the text and up at the screen, the use of available eyewear to read closed captions was uncomfortable and disorienting, and that the eyewear for reading closed captions could not be worn by viewers who need and use prescription eyeglasses.

Act 211, enacted in 2017, reduced the required number of open captioned showings from two to one per week. However, by inserting the "or" between the amended H.R.S. § 489-9(a)(1) and (2), it effectively eliminated the requirement for any open captioned showings for theaters that provide closed captioning systems by means of lightweight eyewear. It did so without defining "lightweight eyewear," or any numerical requirement for the number of lightweight eyewear units a theater would have to provide at each theater or megaplex location. (The US DOJ federal rule requires a megaplex with 8-15 auditoriums to have 8 captioning devices, which could be eyewear or other captioning devices used by patrons at their seats.)

Act 211 effectively eliminated the open captioned showing requirement that made the current law additive and supplemental to the federal requirements. The HCRC has consistently opposed rollback, erosion, and elimination of existing civil rights protections.

S.B. No. 331 will help to ensure that members of the deaf community have full, equal, and nondiscriminatory access to and enjoyment of motion pictures with open captioning.

The HCRC strongly supports S.B. No. 331.

**SB-331**

Submitted on: 1/27/2019 8:54:08 AM

Testimony for CPH on 1/30/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darlene Ewan	Testifying for Aloha State Association of the Deaf	Support	Yes

Comments:

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair

Commerce, Protection, and Health

Hawaii State Capitol

Room #230

415 South Beretania Street

Honolulu, Hawaii 96813

Dear Senator Baker,

Aloha State Association of the Deaf (ASAD) writes to express our support for the Open Movie Captioning bill. We urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

Some theaters use a “captioning box,” which is placed in an attendee’s cup holder. The moviegoer then has to look back and forth between the box and the movie screen to understand what is happening. This causes strained necks and eyes and increases the likelihood that Deaf, Deaf-Blind and Hard of Hearing moviegoers miss portions of the film. These devices are also unreliable due to battery failure and lack of proper connectivity too.

Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.

Sincerely,

Darlene Ewan

President



**S E A C**  
**Special Education Advisory Council**  
**1010 Richards Street, Room 118**  
**Honolulu, HI 96813**  
**Phone: 586-8126 Fax: 586-8129**  
**email: spin@doh.hawaii.gov**

January 30, 2019

**Special Education  
Advisory Council**

Ms. Martha Guinan, *Chair*  
Ms. Dale Matsuura, *Vice Chair*  
Dr. Patricia Sheehey, *Vice  
Chair*  
Ms. Ivalee Sinclair, *Vice Chair*

Ms. Brendelyn Ancheta  
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Ms. Lindsay Heller  
Dr. Kurt Humphrey  
Ms. Tina King  
Ms. Bernadette Lane  
Ms. Kaili Murbach  
Ms. Stacey Oshio  
Ms. Carrie Pisciotto  
Ms. Kau'i Rezentos  
Ms. Rosie Rowe  
Mr. James Street  
Mr. Francis Taele  
Mr. Steven Vannatta  
Dr. Amy Wiech  
Ms. Jasmine Williams  
Ms. Susan Wood

Ms. Cara Tanimura, *liaison  
to the Superintendent*  
Dr. Bob Campbell, *liaison to  
the military community*

Amanda Kaahanui, Staff  
Susan Rocco, Staff

Senator Rosalyn H. Baker, Chair  
Committee on Commerce, Consumer Protection and Health  
Hawaii State Capitol  
Honolulu, HI 96813

RE: S.B. 331 - RELATING TO MOVIE THEATERS

Dear Chair Baker and Members of the Committee,

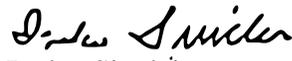
The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), strongly supports the intent of S.B. 331 that makes permanent the requirement for certain motion picture theater owners and operators to provide open movie captioning at least twice a week with at least one showing on a Saturday or Sunday.

SEAC is a strong advocate for inclusive practices in school and in the community. It is well documented that open movie captioning provides a preferred access to the movie-going experience for students who are deaf and students who are English learners. Students with learning disabilities, attention deficit hyperactivity disorder, or other cognitive disabilities also benefit from the open captions supplementing the audio. Research has further shown that the majority of the movie audiences adapt easily to the captions and find the captions beneficial by supplementing the audio when dialogue is missed due to poor sound quality or due to audience noises.

Thank you for the opportunity to provide testimony on this important legislation. If you have questions or concerns, please contact us.

Sincerely,

  
Martha Guinan  
Chair

  
Ivalee Sinclair  
Legislative Committee Chair

**SB-331**

Submitted on: 1/28/2019 5:35:18 PM

Testimony for CPH on 1/30/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Louis Erteschik	Testifying for Hawaii Disability Rights Center	Support	No

Comments:

For a few years Hawaii led the nation in having a state law which provided open captioning requirements in movie theaters that went beyond the requirements of federal law. It provided opportunities to the deaf and/or hard of hearing members of our community to enjoy movies in a similar fashion as those who do not require open movie captioning.

A few years ago, when the law was due to sunset, the legislature enacted a measure which reduced the availability of open captioning and we believe that was unfortunate. This bill will restore the provisions of the prior law. While we might suggest a provision which would specify that at least one showing be during a time that is more conducive for most people to attend, this version represents a distinct improvement, and we applaud the effort of the legislature this session to do that.

**LATE**

**SB-331**

Submitted on: 1/29/2019 9:50:53 AM  
Testimony for CPH on 1/30/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Kroe-Unabia	Testifying for Isle Interpret, LLC	Support	No

Comments:

January 30, 2019

TESTIMONY TO THE SENATE COMMITTEE ON CONSUMER PROTECTION AND HEALTH

Wednesday, January 30, 2019 at 9:00 AM

Conference Room 229, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS

Dear Chair Baker:

Isle Interpret is submitting testimony in support of Senate Bill 331 to require **OPEN** captioning at movie theaters in Hawaii.

In 2015, Hawaii was the first state to require open captioning at movie theaters. This provided patrons who are deaf, hard or hearing, or latened deaf including a large senior citizen population to enjoy full and equal access to movies along with their families. When the law changed in 2017 permitting theaters to utilize "lightweight eyewear," this made attending movies unenjoyable for many deaf, hard of hearing, and latened senior citizens. The experience was no longer full or equal. Not only are the glasses uncomfortable and sometime impossible for patrons to wear, they are not conducive for deaf children, and there are frequently technological issues that interfere with having an enjoyable night out. This has resulted in many deaf, hard of hearing and latened deaf to once again wait until movies are released on DVD to be able to enjoy them.

Open captions are not deterrant for other patrons of movie theaters. They should be the standard for all movies that are shown at all movie theaters so they are 100% accessible and inclusive of all members of our community. A side benefit is that captions will also support and enhance English literacy in the state.

We respectfully ask that SB 331 be passed in order to make the provision of **OPEN captioning** a permanent requirement ensuring that person who are deaf, hard of

hearing have full and equal access at Hawaii's movie theaters. Please vote in support of this bill.

Respectfully submitted,

Tamar Lani, President

Susan Kroe-Unabia, Vice President

Isle Interpret, LLC

**LATE**

**SB-331**

Submitted on: 1/29/2019 3:23:51 PM

Testimony for CPH on 1/30/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Khara Jabola-Carolus	Testifying for Hawai'i State Commission on the Status of Women	Support	No

Comments:

**SB-331**

Submitted on: 1/26/2019 2:19:43 PM

Testimony for CPH on 1/30/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lynn Murakami-Akatsuka	Individual	Support	No

Comments:

I strongly support the passing of SB 331 to make permanent for motion picture theater owners and operators to provide open movie captioning for at least two showings per week, one to occur on Saturday or Sunday. Also to repeal the requirement of providing an option of personal lightweight eyewear for personal closed captioning screenings.

The passage of this bill would not only reduce the barrier for our deaf and/or hard of hearing community; but for our elders whose hearing declines with the aging process. I have many elders in our extended family who are used to just viewing the open captioning on their TV to view their favorite foreign shows instead of having their TVs volume blasting high to the chagrin of other family members and neighbors. This will be another venue for our elders to also enjoy current movie films at the theaters. This will also increase revenue for our theater operators if this bill is passed. There is already "crybaby shows" to help mom with young babies and toddlers to enjoy current movies. Why not to support our aging population and individuals with hearing impairment?

Thank you for the opportunity to testify in strong support of SB 331.

**SB-331**

Submitted on: 1/27/2019 8:55:48 AM

Testimony for CPH on 1/30/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darlene Ewan	Individual	Support	Yes

Comments:

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair

Commerce, Protection, and Health

Hawaii State Capitol

Room #230

415 South Beretania Street

Honolulu, Hawaii 96813

Dear Senator Baker,

I want to express my support for the Open Movie Captioning bill. We urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer "closed captioning" glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery

failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

Some theaters use a "captioning box," which is placed in an attendee's cup holder. The moviegoer then has to look back and forth between the box and the movie screen to understand what is happening. This causes strained necks and eyes and increases the likelihood that Deaf, Deaf-Blind and Hard of Hearing moviegoers miss portions of the film. These devices are also unreliable due to battery failure and lack of proper connectivity too.

Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.

Sincerely,

Darlene Ewan

**SB-331**

Submitted on: 1/27/2019 8:56:29 AM

Testimony for CPH on 1/30/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Theresa Ewan	Individual	Support	No

Comments:

**From:** [Mariah Dawn](#)  
**To:** [CPH Testimony](#)  
**Subject:** SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH  
**Date:** Sunday, January 27, 2019 9:29:40 AM

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Dear Senator Baker,

I am to to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Sincerely,  
Mariah Dawn R. Punzalan

**From:** [Arwin Sacalamitao](#)  
**To:** [CPH Testimony](#)  
**Subject:** SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH  
**Date:** Sunday, January 27, 2019 9:33:49 AM

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Dear Senator Baker,

I am to to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Sincerely,  
Arwin Sacalamitao

From: [renee trempe](#)  
To: [CPH Testimony](#)  
Subject: Open movie captioning  
Date: Sunday, January 27, 2019 10:02:05 AM

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**SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH**

**January 27, 2019**

**Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813**

**Dear Senator Baker,**

**I am to to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.**

**For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.**

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**Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.**

**Sincerely,**

**Renee Trempe**

[Sent from Yahoo Mail for iPhone](#)

**From:** [Galinda Goss-Kuehn](#)  
**To:** [CPH Testimony](#)  
**Subject:** SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH  
**Date:** Sunday, January 27, 2019 10:30:06 AM

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January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

I am to to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer "closed captioning" glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Sincerely,

Galinda K. Goss-Kuehn

Kapolei, Hawaii

**From:** [Eric and Dina Dela Pena](#)  
**To:** [CPH Testimony](#)  
**Subject:** SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH  
**Date:** Sunday, January 27, 2019 6:55:24 PM

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January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

I want to endorse my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer "closed captioning" glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Sincerely,  
Dina Dela Pena

**From:** [Claudette Miyagi](#)  
**To:** [CPH Testimony](#)  
**Subject:** Senate Bill 331 Testimony To The Senate Committee On Commerce Protection and Health  
**Date:** Sunday, January 27, 2019 9:25:39 PM

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Dear Senator Rosalyn Baker,

I am writing to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned- which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

Some theaters use a “captioning box” which is placed in an attendee’s cup holder. The moviegoer then has to look back and forth between the box and the movie screen to understand what is happening. This causes strained necks and eyes and increases the likelihood that Deaf, Deaf-Blind and Hard of Hearing moviegoers miss portions of the film. These devices are also unreliable due to battery failure and lack of proper connectivity too.

Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard Of Hearing but also those with other disabilities or non-naive English speakers who may rely on captions to fully understand what is said.

Sincerely,

Claudette Miyagi

**From:** [Nicholas Rivera](#)  
**To:** [CPH Testimony](#)  
**Date:** Sunday, January 27, 2019 10:17:51 PM

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Dear Senator Baker,

I am writing to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.

Sincerely,  
Nicholas Rivera

--

Nicholas Rivera

**From:** [Sharlyn Chong](#)  
**To:** [CPH Testimony](#)  
**Date:** Monday, January 28, 2019 2:03:22 PM

---

Dear Senator Baker,

I am writing to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.

Sincerely,  
Sharlyn M Chong

--

Sharlyn Chong

**From:** [Kris Natori-Sonognini](#)  
**To:** [CPH Testimony](#)  
**Subject:** Senate Bill 331  
**Date:** Sunday, January 27, 2019 12:47:41 PM

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SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

I am to to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Sincerely,  
Kiki Natori -Sonognini

Sent from my iPhone

**From:** [Jonah Carino](#)  
**To:** [CPH Testimony](#)  
**Subject:** Senate bill 331 testimony  
**Date:** Sunday, January 27, 2019 9:43:00 AM

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SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

I am to to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Sincerely,

Jonah Carino

**From:** [American Veterans Hawaii](#)  
**To:** [CPH Testimony](#)  
**Cc:** [Commander, American Veterans Hawaii](#)  
**Subject:** Senate Bill 331 (Open Movie Captioning)  
**Date:** Monday, January 28, 2019 5:12:33 PM  
**Attachments:** [SENATE BILL 331 .pdf](#)

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SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 28, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

On behalf of AMVETS, American Veterans Hawaii, I am writing to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film.

These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Sincerely,

[DONOVAN A. LAZARUS \(US Army, Retired\)](#)  
[AmVets Department of Hawaii, Commander](#)  
All-volunteer, nonprofit 501(c)(19), Veterans Service Organization

[AMVETS Hawaii Service Foundation Corp](#)

President & CEO

All-volunteer nonprofit 501(c)(3), Veterans Service Organization

Email: [donovan@amvets-hawaii.org](mailto:donovan@amvets-hawaii.org)

Phone: (808) 382-6835



**A Proud Life Member: AMVETS, DAV  
American Legion and VFW**

**Mailing Address:**

American Veterans Hawaii  
4725 Bougainville Drive, 323  
Honolulu, Hawaii 96818



Learn more about [AMVETS](#)

**Visit us!**

**Website:** <https://www.amvets-hawaii.org>

**American Veterans Hawaii Facebook Page:**

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**AMVETS Hawaii Facebook Page:**

<https://www.facebook.com/hawaiiamvets>

**USS Arizona Post Facebook Page:**

<https://www.facebook.com/ussarizona.memorial>

**Ewa Battlefield Post Website:** <https://ewabattlefield.org/>

**Ewa Field Facebook Page:**

<https://www.facebook.com/EwaField/>

**AMVETS ROTC Program:** <http://www.amvets.org/programs/rotc/>

**"Keeping the promise to our Nation's Veterans"**

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**From:** [Corey Kramek](#)  
**To:** [CPH Testimony](#)  
**Subject:** TESTIMONY (Senate Bill 331) TO THE SENATE COMMITTEE ON CONSUMER PROTECTION AND HEALTH  
**Date:** Tuesday, January 29, 2019 8:26:26 AM

---

Dear Chair Baker,

I am submitting this testimony in support of Senate Bill 331, which will permanently require open captioning at movie theaters in Hawaii.

In 2015, Hawaii became the first state in the U.S. to require open captioning at movie theaters. This allowed many hard of hearing or deaf to enjoy full and equal access to movies. However, in 2017, the law changed to allow “lightweight eyewear” to be offered instead of captioning. This had a negative impact on many people’s experience at movie theaters. The glasses are uncomfortable to wear, and many are unable to understand the movies when using the device.

All should be able to have full and equal access to movies. Hawaii is known for being inclusive and for the people. We should continue to reinforce this reputation with excellent legislatures enforcing equality.

Senate Bill 331 will correct Hawaii’s open captioning law and make it permanent; ensuring individuals in Hawaii who are deaf, hard of hearing, or deaf-blind have full and equal access at movie theaters. Please vote in support of this bill and Hawaii residents with hearing difficulties.

Mahalo for the opportunity to submit testimony.

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

Sincerely,

Corey Kramek

3009 Ala Makahala Place, Apt. 1601

Honolulu, HI. 96818

**From:** [Jake Nunez](#)  
**To:** [CPH Testimony](#)  
**Subject:** Senate Bill 331 testimony  
**Date:** Monday, January 28, 2019 7:33:16 PM

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SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 28, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

I want to endorse my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

Some theaters use a “captioning box,” which is placed in an attendee’s cup holder. The moviegoer then has to look back and forth between the box and the movie screen to understand what is happening. This causes strained necks and eyes and increases the likelihood that Deaf, Deaf-Blind and Hard of Hearing moviegoers miss portions of the film. These devices are also unreliable due to battery failure and lack of proper connectivity too.

Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.

Sincerely,  
Jake Nunez

**From:** [Maile Paongo](#)  
**To:** [CPH Testimony](#)  
**Subject:** Closed-Captioned, Senate Bill 331  
**Date:** Monday, January 28, 2019 6:56:51 PM

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Dear Honorable Senator Baker,

I am writing to express my support for the Open Movie Captioning Bill. I urge you to pass this important bill. I was born deaf and grow up to live in Honolulu. I believe closed-captioned for the Deaf to make me read and full understand as education mind. I went to the theaters. I wear glasses, but I frustrate sometimes batteries die cut the words, I went to the office that I complain then they change the batteries, but I miss out the part show. Also sometimes the closed-captioned the words missing that not good whole sentences lots. Also I am afraid of the glasses is germ that other people use it already that I get allergic and itch my face. Providing open captions directly on films allows patrons who are Deaf, Deaf/Blind, and Hard of Hearing to enjoy a films equality to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf/Blind, and Hard of Hearing, but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is say.

Sincerely,  
Maile Paongo

Sent from my iPhone

**From:** [oriana.franklin](mailto:oriana.franklin)  
**To:** [CPH Testimony](#)  
**Cc:** [sophia@amvets-hawaii.org](mailto:sophia@amvets-hawaii.org)  
**Subject:** CPH Testimony  
**Date:** Tuesday, January 29, 2019 12:36:54 AM

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SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 28, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
[415 South Beretania Street](#)  
[Honolulu, Hawaii 96813](#)

Dear Senator Baker,

I am writing to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

Some theaters use a “captioning box,” which is placed in an attendee’s cup holder. The moviegoer then has to look back and forth between the box and the movie screen to understand what is happening. This causes strained necks and eyes and increases the likelihood that Deaf, Deaf-Blind and Hard of Hearing moviegoers miss portions of the film. These devices are also unreliable due to battery failure and lack of proper connectivity too.

Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.

Sincerely,

With great appreciation,

**From:** [William Rodriguez](#)  
**To:** [CPH Testimony](#)  
**Subject:** Senate Bill 331  
**Date:** Monday, January 28, 2019 8:03:01 PM

---

January 28, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

I am writing to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer "closed captioning" glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film.

These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.

Sincerely,

With great appreciation,

William Rodriguez  
Amvets Department of Hawaii Service Officer

January 30, 2019

TESTIMONY TO THE SENATE COMMITTEE ON CONSUMER PROTECTION AND HEALTH

Wednesday, January 30, 2019 at 9:00 A.M.  
Conference Room 229, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS

Dear Chair Baker:

I am submitting this testimony in strong support of Senate Bill 331, which will ensure that individuals in Hawaii who are deaf, hard of hearing, or deaf-blind have full and equal access at movie theaters by requiring open captioned showings. I have relied on open captioning my entire life to fully enjoy films; nothing else has allowed me to experience the degree of access afforded by open captioning.

In fact, I recall rejoicing in 2015, when Hawaii became the first state in the U.S. to require open captioning at movie theaters. That feeling, however, diminished when the law changed in 2017. The decision to allow for “lightweight” eyewear as a substitute for open captioning was a gut-punch; I could not help but feel like a second-rate citizen. Assistive devices are glitchy, and my ability to follow dialogue is never “effective” – the standard required by the Americans with Disabilities Act. Moreover, wearing devices feels ostracizing. Wear them yourself in a room full of strangers and you will understand what I mean.

There are several issues with Hawaii’s current open captioning law that will be corrected and made permanent by Senate Bill 331, which will ensure that individuals in Hawaii who are deaf, hard of hearing, or deaf-blind have full and equal opportunity to enjoy showings at movie theaters. Please vote in support of this bill.

Mahalo for the opportunity to submit testimony.

Sincerely,

Colin Whited  
Honolulu, HI

January 29, 2019

TESTIMONY TO THE SENATE COMMITTEE ON CONSUMER PROTECTION AND  
HEALTH

Wednesday, January 30, 2019 at 9:00 A.M.  
Conference Room 229, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS

Dear Chair Baker:

I am submitting this testimony in support of Senate Bill 331, which will permanently require open captioning at movie theaters in Hawaii.

In 2015, Hawaii became the first state in the U.S. to require open captioning at movie theaters. This allowed me to enjoy the movies once again with my elderly grandmother who relies on the captioning to understand what is going on. However, in 2017, the law changed to allow “lightweight eyewear” to be offered instead of open captioning. This had a negative impact on our experience at movie theaters as my grandmother is not a protected class under the ADA and therefore is not eligible to use the captioned glasses.

Senate Bill 331 will correct Hawaii’s open captioning law and make it permanent, ensuring that individuals in Hawaii who are deaf, hard of hearing, or deaf-blind have full and equal access at movie theaters. Please vote in support of this bill.

Mahalo for the opportunity to submit testimony.

Sincerely,

Māla Arkin  
PO BOX 11988  
Honolulu, HI 96828

January 30, 2019

TESTIMONY TO THE SENATE COMMITTEE ON CONSUMER PROTECTION AND HEALTH

Wednesday, January 30, 2019 at 9:00 A.M.  
Conference Room 229, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS

Dear Chair Baker:

I am submitting this testimony in **support** of Senate Bill 331, which will permanently require open captioning at movie theaters in Hawaii.

In 2015, Hawaii became the first state in the U.S. to require open captioning at movie theaters. That allowed me to enjoy full and equal access to movies. However, in 2017, the law changed to allow "lightweight eyewear" to be offered instead of open captioning. This had a negative impact on my experience at movie theaters. The glasses are uncomfortable to wear, and I am not able to fully understand movies when using the device.

My 15 year old son needs the captions to be able to understand all that is said in the movies. The glasses DO NOT WORK! He no longer requests them because they 1) do not work at least 50% of the time 2) are uncomfortable 3) points him out as a person with a disability. Our local theater only offers captions on Monday night at 10 pm, and that doesn't work for parents of children.

Senate Bill 331 will correct Hawaii's open captioning law and make it permanent, ensuring that individuals in Hawaii who are deaf, hard of hearing, or deaf-blind have full and equal access at movie theaters. Please vote in support of this bill.

Mahalo for the opportunity to submit testimony.

Sincerely,

Amanda Kaahanui  
45-850 Anoi Rd.  
Kaneohe, HI 96744

January 29, 2019

TESTIMONY TO THE SENATE COMMITTEE ON CONSUMER PROTECTION AND HEALTH

Wednesday, January 30, 2019 at 9:00 AM

Conference Room 229, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS (OPEN CAPTION)

Aloha Chair Baker:

I am submitting this testimony in support of Senate Bill 331, which will permanently require open captioning at movie theaters in Hawaii.

As a mother to a deaf child, attending movies with my son and my hearing daughter is always a bonus. Unfortunately we are limited in the types of movies he has access to. The equipment provided by the theaters (and not all have this equipment) is meant for adults and therefore he's unable to effectively use it. We experience a lot of moments where he loses interest during the movie.

These "light-weight" equipment and other mobile options are not realistic for all viewers and sometimes have technical difficulties where the wrong subtitles are added to the movie. I must also ask you to consider that there may be individuals who aren't able to use these devices.

We use open captioning at home to help familiarize him with communication that occurs with others. It's disheartening to attend a movie realizing that he has absolutely ZERO access to what is shown. We have had the pleasure in experiencing open caption and honestly, no one in the theater seemed to mind. It's heartbreaking to know that people live in fear that adding open caption would decrease their revenues, when in fact, it would increase. You are not only now making it available to the deaf/hard of hearing community, but you are attracting a new market of patrons that previously avoided these theaters. It's used for all foreign movies, what is the difference to English speaking?

The bill doesn't require ALL showings to have open captioning, but just 2 per week. When considering a theater averages 40 showings a day 7 days a week, asking for 2 out of 280 showings are very minimal, but benefits children like my son Caleb.

Mahalo,

*Nikki Kepoo*

Mother of a deaf child (6yrs) – Kaneohe, Hawaii

**LATE**

**SB-331**

Submitted on: 1/29/2019 2:37:59 PM

Testimony for CPH on 1/30/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lucy Miller	Individual	Support	No

Comments:

Open Captioning is the most expedient and efficient answer for persons who need captions, so deaf people as well as persons with other conditions may enjoy public access. To comply with current federal laws no theater open to the public showing digital films should be exempted from this requirement. I live in Lihue and cannot use the only theater in town because they got exempted. That leaves the state as well as the theater subject to liability.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

I am writing to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer "closed captioning" glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

Some theaters use a "captioning box," which is placed in an attendee's cup holder. The moviegoer then has to look back and forth between the box and the movie screen to understand what is happening. This causes strained necks and eyes and increases the likelihood that Deaf, Deaf-Blind and Hard of Hearing moviegoers miss portions of the film. These devices are also unreliable due to battery failure and lack of proper connectivity too.

Providing open captions directly on films allows patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do not just benefit individuals who are Deaf, Deaf-Blind or Hard of Hearing but also those with other disabilities or non-native English speakers who may rely on captions to fully understand what is said.

Sincerely,

A handwritten signature in black ink, appearing to be 'M. J. Stone', written in a cursive style.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
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Honolulu, Hawaii 96813

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Sincerely,

A handwritten signature in black ink, appearing to read "K. Smith". The signature is fluid and cursive, with a large, stylized "S" and "M".

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

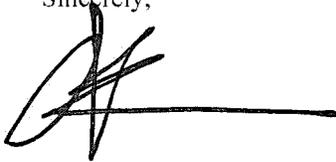
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Sincerely,

A handwritten signature in black ink, consisting of a stylized, cursive initial followed by a long horizontal line extending to the right.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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COMMERCE, CONSUMER PROTECTION AND HEALTH

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Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Matney". The signature is written in a cursive, somewhat stylized font.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
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Honolulu, Hawaii 96813

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Sincerely,

A handwritten signature in blue ink, appearing to read "Cory Baker", written in a cursive style.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
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Honolulu, Hawaii 96813

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Sincerely,

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SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
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Honolulu, Hawaii 96813

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Sincerely,

A handwritten signature in blue ink, appearing to read "R. O. Wang". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
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Sincerely,

A handwritten signature in blue ink that reads "Zachary Best". The signature is written in a cursive, flowing style.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Sincerely,

A handwritten signature in black ink that reads "Kenji Caruso". The signature is written in a cursive, flowing style.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
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*Eric DeLaPena Jr.*

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Commerce, Protection, and Health  
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Sincerely,

A handwritten signature in blue ink that reads "Dawn Oka Fone". The signature is written in a cursive, flowing style.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
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Honolulu, Hawaii 96813

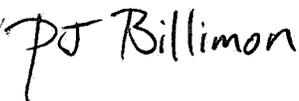
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Sincerely,

A handwritten signature in black ink, appearing to be 'RS', written over a horizontal line.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

I am writing to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer "closed captioning" glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Sincerely,

A handwritten signature in black ink, appearing to read "Rosalyn Baker", written over a horizontal line.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

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Sincerely,

A handwritten signature in red ink, appearing to be 'M. Young', is written over the word 'Sincerely,'.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
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Sincerely,

A handwritten signature in black ink that reads "Eric Acosta". The signature is written in a cursive, flowing style.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

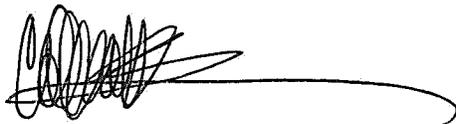
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Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
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Sincerely,

Joshua Smith  


SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
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Sincerely,

A handwritten signature in blue ink that reads "Maxwell Keller". The signature is written in a cursive style with a large, prominent "M" and "K".

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
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Sincerely,



John Tanaka  
0 0000

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Commerce, Protection, and Health  
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Sincerely,

Mavrek Fiti

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Commerce, Protection, and Health  
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Sincerely,

MyEsha

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Commerce, Protection, and Health  
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Sincerely,

A handwritten signature in black ink, appearing to read "Joseph J. DiMaggio". The signature is written in a cursive style with a large initial "J".

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Sincerely,



BRIAN NAKAMOTO  
HONOLULU/PEARL CITY, HI

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Commerce, Protection, and Health  
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Sincerely,

Rosalyn Sicut

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Commerce, Protection, and Health  
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Sincerely,

A handwritten signature in blue ink, reading "Venkata Ananth". The signature is written in a cursive style with a long horizontal line extending to the right from the end of the name.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Sincerely,

A handwritten signature in black ink, appearing to read "Kalani N. H. Pui". The signature is written in a cursive, flowing style.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Sincerely,

*Neil Gamatero*

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Sincerely,

CJ Eli-Peralta

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Sincerely,

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SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

Senator Rosalyn Baker, Chair  
Commerce, Protection, and Health  
Hawaii State Capitol  
Room #230  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Senator Baker,

I am writing to express my support for the Open Movie Captioning bill. I urge you to pass this important bill.

For many Deaf, Deaf-Blind and Hard of Hearing residents and visitors to the islands including all residents of Hawaii, seeing a film in a movie theater can prove to be difficult. Often, movie theaters offer “closed captioning” glasses for attendees who are Deaf, Deaf-Blind or Hard of Hearing so they can view captions detailing spoken words, sounds, and music throughout the film. These glasses are unreliable due to battery failure and lack of proper connectivity. The glasses are heavy, often not properly cleaned - which could pose a health risk to those with compromised immune systems. The glasses are uncomfortable and can be difficult to wear for those that also use every day glasses, hearing aids, or cochlear implants.

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Sincerely,

A handwritten signature in blue ink that reads "BTaku". The "B" is large and stylized, with a horizontal line extending from its top right. The "Taku" is written in a cursive, lowercase style.

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

January 27, 2019

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Sincerely,

*DOMINIQUE Y*

SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
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Sincerely,

Kai Hsin Chang

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Commerce, Protection, and Health  
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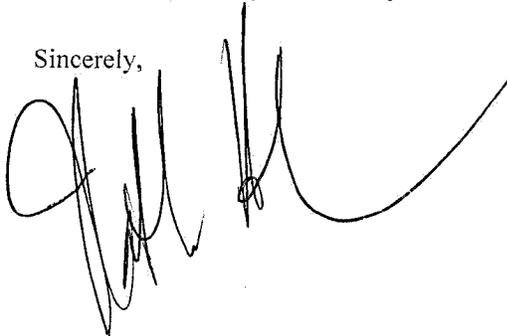
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COMMERCE, CONSUMER PROTECTION AND HEALTH

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Sincerely,

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SENATE BILL 331 TESTIMONY TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION AND HEALTH

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Sincerely,

*Margaret M. Laracuente*

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Sincerely,

A handwritten signature in black ink that reads "Melia Souza". The signature is written in a cursive, flowing style.

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Sincerely,

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Sincerely,

Eva Momosea :)

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Anthony Momoa Siva

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Sincerely, *Bandin Chung*

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*Jonathan Kansana*

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