

APHIRAK BAMRUNGRUAN EXECUTIVE DIRECTOR

STATE OF HAWAII DEPARTMENT OF HEALTH OFFICE OF LANGUAGE ACCESS

830 PUNCHBOWL STREET, ROOM 322 HONOLULU, HAWAII 96813

March 12, 2019

To: The Honorable Representative Aaron Ling Johanson, Chair

The Honorable Representative Stacelynn K.M. Eli, Vice Chair Members of the House Committee on Labor & Public Employment

From: Aphirak Bamrungruan, Executive Director

Subject: **SB 331** – RELATING TO MOVIE THEATERS

Hearing: Thursday, March 14, 2019, 9:00 AM

Conference Room 309, State Capitol

Agency's Position: The Office of Language Access (OLA) supports Senate Bill 331.

<u>Purpose and Justification</u>: The purpose of this measure is to make permanent the requirement for certain motion picture theater owners and operators to provide open movie captioning at least twice per week and repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

The purpose of OLA's enabling statute (Hawaii Revised Statutes 321C) is to address the language access needs of limited English Proficient (LEP) persons and ensure their meaningful access to services, programs, and activities offered by the executive, legislative, and judicial branches of state government, including departments, offices, commissions, boards, or other state-funded agencies.

SB 331 benefits more than the Deaf, Deaf-Blind, and Hard of Hearing. Under the current law, the lightweight glasses are only available to those requiring an ADA accommodation, not for LEP individuals. Using open captioning can be a great tool for LEP individuals and English-Language Learners (ELLs) to enjoy movies and to increase an opportunity to learn the correspondence between spoken and written language. Open captioning provides a critical link to communication and making information accessible to LEP individuals and ELLs.

Thank you for the opportunity to testify on this bill.



STATE OF HAWAI'I

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

1010 RICHARDS STREET, Room 122 HONOLULU, HAWAI'I 96813 TELEPHONE: (808) 586-8100 FAX: (808) 586-7543

March 14, 2019

The Honorable Representative Aaron Ling Johanson, Chair House Committee on Labor & Public Employment Thirtieth Legislature State Capitol State of Hawai'i Honolulu, Hawai'i 96813

Dear Representative Aaron Ling Johanson and Members of the Committee:

SUBJECT: SB 331 - Relating to Movie Theaters

The State Council on Developmental Disabilities **SUPPORTS SB 331**, which will strengthen the state's law relating to the provision of open captioning movie showings for the deaf and hard of hearing population.

Open movie captioning provides a display of text on a screen or other visual display that provides additional or interpretive information of what is being presented. Star Wars: The Force Awakens movie was the first official premiere of open movie captioning on December 30, 2015. The overwhelming response of individuals attending the movie with open captioning was evident of the positive benefits of providing access for individuals who are deaf or hard of hearing to enjoy movies in a similar manner as those who do not require open movie captioning. Passing SB 331 will provide the deaf and hard of hearing an equal opportunity to enjoy attending a movie with family and friends like the general public.

The Disability and Communication Access Board (DCAB) is responsible for providing technical assistance regarding the Americans with Disabilities Act (ADA) to State and County Government agencies, as well as private businesses. As such, the Council respectively defers to DCAB for comments, and any further proposed amendments they may have that would strengthen equal access to the movie theaters.

Thank you for the opportunity to submit testimony **supporting SB 331.**

Sincerely,

Daintry Bartoldus

Executive Administrator

March 14, 2019 Rm. 309, 9:00 a.m.

To: Hon. Aaron Ling Johanson, Chair

Hon. Stacelynn K.M. Eli, Vice Chair

Members of the House Committee on Labor and Public Employment

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.

<u>SB-331</u> Submitted on: 3/11/2019 9:00:02 PM

Testimony for LAB on 3/14/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Khara Jabola-Carolus	Hawai'i State Commission on the Status of Women	Support	Yes



National Association of Theatre Owners

Statement of Position on SB 331 March 2019

On behalf of the National Association of Theatre Owners (NATO), representing 21 movie theaters and 205 screens across Hawaii, we respectfully submit these written comments in opposition of SB 331.

I. The Movie Theater Industry is Committed to Access for the Deaf and Hard of Hearing

Access for individuals who are deaf and hard of hearing has been a major goal and effort of NATO and its members for a long time. In the late 1990s/early 2000s NATO began working with advocacy groups, film studios, and technology developers to ensure we could provide access to all feature films at all times. Twenty years ago, there were no more than a handful of captioned films. Through our collective efforts, today practically every feature film is provided with caption files, and personal captioning systems are available at every digital theater as required by existing federal regulation, which is exactly what the overwhelming majority of deaf advocacy groups and individuals requested from the exhibition industry. Contrary to what some supporters of SB 331 and its companion bills contend, current federal law reflects what the majority of deaf advocates sought: access to all feature films at all showtimes via the use of personal captioning systems. They specifically rejected access at limited open captioned showtimes, which this legislation mandates, and requested access to all films at all showtimes via personal captioning systems. These achievements are directly due to the efforts of movie theater owners engaging stakeholders to ensure interoperability of closed captioning and audio description systems and availability of access files on all movies for all showtimes.

II. Current Open Captioning Requirement Provides Access in Hawaii

While we appreciate the intent of this legislation, we believe the existing open captioning mandate in Hawaii combined with the flexibility offered by closed captioning equipment render no need for further legislation. The current open caption requirements in Hawaii meet, and even exceed, consumer demand.

Movie theaters in Hawaii offer many options for access for deaf and hard of hearing customers. Today, major Hawaii movie theaters schedule open-captioned shows of every movie that comes with open captions files, every week, in accordance with Act 211. In addition to the open-captioned shows offered weekly, a deaf or hard of hearing moviegoer in Hawaii can go to his or her local theater and obtain a personal captioning device to view any movie, at any time of day, with captions, provided the movie comes with a closed captioning track. Since passage of Act 211, NATO members have continued to meet and exceed all consumer demands for open-captioned shows, have not received complaints about any lack of available open captioned shows or that more such showtimes are needed, and there exists no rational or consumer basis to amend Act 211 to mandate an increase in the total number of such shows.

Moreover, contrary to what supporters of SB 331 contend, this legislation may in fact stymie technological advances and limit access for individuals that are deaf or hard of hearing. Having reached a joint accord with the majority of deaf advocacy groups in 2014 to ensure access to individuals that are deaf or hard of hearing, the exhibition industry spent millions of dollars to encourage studios to provide their feature films with captioned movies, encourage technology companies to develop better closed



captioning technologies, and acquired and installed the latest such technologies in all of their digital theaters. Supporters of SB 331 contend that, in combination with federal law, the bill will ensure individuals that are deaf or hard of hearing improved access by ensuring that consumers have a choice between closed captioned technologies and mandated scheduled open-captioned showtimes. However, this legislation could result in theater owners ceasing their efforts to encourage development of improved closed captioning devices or purchase same. Instead, theater owners may simply embrace the limited open captioning option allowed by federal law, which of course will restrict access to specific showtimes and seriously disrupt the moviegoing experience for all consumers. Contrary to what the supporters of SB 331 argue, federal law does not solely mandate use of closed captioning technologies. Instead, it provides theater owners the choice to use such technologies or provide open captioned shows at all times or upon request (28 C.F.R. 36 (6)(ii)). Obviously, such an approach to providing open-captioned shows would not only be disruptive to the general public and the exhibition industry, but may also lead to unwanted and negative backlash against members of the deaf and hard of hearing community.

III. Open Caption Mandates Have Negative Effects on Moviegoing

While advocates of SB 331 contend that the general public would embrace open-captioned shows, exhibition data, as well as data reported by the Hawaii Department of Business, Economic Development and Tourism in 2017, clearly reflects that not to be the case. In 2015, Hawaii enacted Act 039 requiring movie theaters with at least two locations in the state to play two open-captioned shows of each feature per week. Theaters covered by this mandate quickly found that attendance dropped during these showtimes. The legislature acknowledged this negative impact on attendance by subsequently passing Act 211, which amended the mandate to only require one open-captioned show of each feature weekly, or no open-captioned shows, if personal captioning glasses are available.

The negative impact on attendance at open-captioned shows was corroborated by a study done by the Hawaii Department of Business, Economic Development & Tourism, which determined that attendance at movie theaters in Hawaii was estimated to drop by 94,755 patrons annually as a result of the open captioning mandate. Likewise, most industry data reflects an approximately 50% reduction in attendance at open-captioned shows. Moreover, a recent study conducted in Rhode Island, where exhibition members entered into a voluntary agreement with deaf advocates to play a certain number of open-captioned shows per week, clearly establishes the preferences of the general public as it pertains to open captioned movies. (See Appendix.) Specifically, one such theater located near the Rhode Island School for the Deaf (areas around deaf schools tend to have a higher population of individuals that are deaf and hearing than others) scheduled open-captioned and non-open-captioned shows of the same movie within a half hour of each showing (often only 10 or 15 minutes apart in start time). Movies were generally played at the following show times:

- --Mondays at 11 am and 7 pm
- --Wednesdays at 11 am, 1 pm, and 4 pm
- --Saturdays at 4 pm
- --Sundays at 7 pm

92% of the time, when given the choice to attend an open-captioned or non-open-captioned show of the same movie, moviegoers chose to attend the non-open-captioned show. Overall, the theater saw an 83% drop in ticket sales for open-captioned shows compared to the ticket sales for the closely scheduled non-



open-captioned show of the same movie. This was true on the weekends as well where Saturday afternoon matinees tend to be some of the highest attended showtimes each week. Of the 113 open-captioned and 113 non-open-captioned shows scheduled on Saturdays and Sundays, only twice did the attendance at the open-captioned show exceed attendance at the non-open-captioned show.

Theaters in Hawaii also found that usage of their closed captioning equipment went up after the enactment of Act 039. Supporters of SB 331 contend that this increase is simply the result of theaters complying with federal law. However, this assertion is unfounded as the federal law did not go into effect until mid-2018. Instead, those theaters subject to Act 039 saw an increase in closed captioning equipment as a direct result of the publicity of Act 039. This demonstrates what the overwhelming majority of individuals that are deaf or advocates for same have continuously represented to exhibition: despite the availability of open-captioned shows, the overwhelming majority deaf and hard of hearing moviegoers value and prefer the flexibility offered by personal captioning devices, which give moviegoers the option to see any movie at any time with captions.

IV. Conclusion

Further increasing the open captioning mandate on theaters in Hawaii is unnecessary as all consumer demands for same currently meet and or exceed the mandates of Act 211. Moreover, such an increase would result in an unnecessary and excessive financial burden on covered theaters due to the significant impact on ticket sales, a burden that Hawaii cannot afford to impose on theaters already contending with external pressures on the industry and increasing competition from at-home entertainment. We welcome the opportunity to continue working with local advocacy groups on improving the moviegoing experience.

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APPENDIX

Rhode Island Open Captioning: A Case Study December 2018

Background

In Rhode Island, legislation was introduced in 2017 requiring movie theaters to play a certain number of open-captioned (OC) showtimes per week for every movie that came with OC capability. Advocacy groups for the deaf and hard of hearing and local movie theaters came to a joint agreement on voluntary OC showtimes to avert the need for legislation. Movie theaters committed to showing three OC shows per week from July 1, 2017-September 30, 2017; five OC shows per week from October 1, 2017-December 31, 2017; and seven OC shows per week from January 1, 2018 onward. Note, theaters were required to show a total of three, five, or seven OC shows per week per theater complex; not three, five, or seven OC shows of each movie per week. Theaters with eight or more screens participated in this agreement.

Below is a case study done of one 16-screen movie theater in Rhode Island that participates in the voluntary OC shows agreement. This theater is located within a short drive of the Rhode Island School for the Deaf. In order to understand the impact of open captioning on attendance, the movie theater scheduled OC and non-OC showtimes for the same movie within a half hour; many of the showtimes were only 10 or 15 minutes apart in start time. The theater tracked attendance for all of these showtimes and provided attendance data to NATO from the time period of July 1, 2017-September 30, 2018.

During that time period, the theater played 351 OC shows and 351 non-OC shows to compare the attendance. Movies were played on Mondays, Wednesday, and Saturdays from July 1, 2017-September 30, 2017; from October 1, 2017 and onward, movies were played on Mondays, Wednesdays, Saturdays, and Sundays. OC shows were marked on the theater's website with the designation "OC" before the movie title.

Movies were generally played at the following times:

- -- Mondays at 11 am and 7 pm
- --Wednesdays at 11 am, 1 pm, and 4 pm
- --Saturdays at 4 pm
- --Sundays at 7 pm

Findings

Moviegoers overwhelmingly prefer to attend non-OC shows than OC shows. 92% of the time, when given the choice to attend an OC or non-OC show of the same movie, moviegoers chose to attend the non-OC show. At only 4% of the compared showtimes did the theater see greater attendance at the OC shows than at the non-OC shows. Overall, the theater saw an 83% drop in ticket sales for OC shows compared to the ticket sales for the closely-scheduled non-OC show of the same movie.



This was true on the weekends as well. Of the 113 OC and 113 non-OC shows scheduled on Saturdays and Sundays, only twice did the attendance at the OC show exceed attendance at the non-OC show.

Data Snapshot

From July 1, 2017-September 30, 2018, of the 702 compared showtimes in this case study:

- --Attendance was greater at 322 non-OC showtimes than at 322 comparable OC showtimes.
- --Attendance was greater at 14 OC showtimes than at 14 comparable non-OC showtimes.
- --15 OC showtimes had the same attendance as the comparable 15 non-OC showtimes.
- --12,161 tickets were sold to non-OC shows.
- --2,113 tickets were sold to OC shows.

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SB-331

Submitted on: 3/12/2019 3:33:18 PM

Testimony for LAB on 3/14/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Louis Erteschik	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. We particularly like the provision for a weekend showing, as obviously that is more conducive for most people to attend. For those reasons, this version represents a distinct improvement, and we applaud the effort of the legislature this session to do that.

<u>SB-331</u> Submitted on: 3/13/2019 8:23:29 AM

Testimony for LAB on 3/14/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian I. Hauser	Aloha Independent Living Hawai`i	Support	No

<u>SB-331</u> Submitted on: 3/11/2019 6:11:13 PM

Testimony for LAB on 3/14/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Darlene Ewan	Individual	Support	Yes

<u>SB-331</u> Submitted on: 3/11/2019 6:11:54 PM

Testimony for LAB on 3/14/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Momosea- Silva	Individual	Support	No

<u>SB-331</u> Submitted on: 3/11/2019 6:12:33 PM

Testimony for LAB on 3/14/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Eva Momosea	Individual	Support	No

<u>SB-331</u> Submitted on: 3/11/2019 6:13:13 PM

Testimony for LAB on 3/14/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Theresa Ewan	Individual	Support	No

<u>SB-331</u> Submitted on: 3/12/2019 11:15:27 AM

Testimony for LAB on 3/14/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Beth	Individual	Support	No

Comments:

Please support this bill in the interest of equal access for persons who are Deaf or Hard of Hearing. It's the right thing to do. Mahalo!





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

March 14, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT

Senate Bill 331 - Relating to Movie Theaters

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

The Legislature passed Act 39 (2015) to require movie theaters with more than two locations to offer each movie produced with captions to have two showings/week with open captions, similar to subtitles. Open captioned movie show times were at the discretion of the theater. This state law augments federal requirements to offer an assistive technology option to view movies with closed captioning. Unfortunately, Act 211 (2017) restricts Act 39 (2015) by (a) requiring only one open captioned showing per week instead of two showings, and (b) allowing theaters to forgo any open captioned showings if they offer "lightweight eyewear" as an alternative.

Senate Bill 331 essentially seeks to return to 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 multiple factors:

- Open captioning is the preferred means of viewing a movie for most deaf and hard of hearing persons. The current federal law that requires closed captioning via assistive technology, such as lightweight eyewear, was a compromise to the industry. Individuals who use assistive technology to watch movies with closed captioning disclose their disability to the public, whereas open captioning maintains anonymity.
- Requiring a specific device 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 option developed in the future other than lightweight glasses.
 However, with the specificity in our current statute, Hawaii would be stuck with
 obsolete technology.

Open captioning will benefit the Limited English Proficiency population, who
cannot request assistive technology at movie theaters because the devices exist
as accommodations for individuals under the Americans with Disabilities Act
(ADA). Open captioned showings will broaden the availability of captioning to the
public. Thus, providing open captioned movies will INCREASE, not decrease,
attendance and revenue for the theaters by appealing to patrons who would
otherwise not be willing to attend a movie without captions.

We are aware of opposing testimony that Wallace Theaters submitted to the Senate Committee on Judiciary and wish to comment on the erroneous information presented in their testimony. The testimony states that this bill "seeks to eliminate the eyewear option, and therefore stifles the technological innovation that is happening...". This is incorrect. The ADA already requires theaters to provide a type of assistive technology to view closed captioning at any showing, but the ADA does not prescribe the type of technology to be used. Rather, the ADA contemplates technological innovation. Note that the majority of movies produced today contain closed captions that can be viewed with assistive technology. New technology, including lightweight eyewear, can, will and should be developed as technology advances. Senate Bill 331 will not stifle technology because it also contemplates technological innovation. That stated, this bill is about providing another option to consumers who prefer open captioning to any assistive device.

For any given movie, there are approximately 28 showings in a week $(4x/day \times 7 = 28)$. If Senate Bill 331 passes as is, it means that two showings will be open captioned and the remaining 26 will be closed captioned and viewable only by using assistive technology, such as the referenced lightweight glasses, that theaters are required to provide under federal law. This bill will provide a CHOICE for open captions, increased attendance for the theaters, and allow for the development of new technology.

The proposed amendments to the current law will address the discriminatory effects of communication barriers at movie theaters encountered by individuals who are deaf or hard of hearing, and will ensure 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,

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FRANCINE WAI Executive Director



Special Education Advisory Council

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

 ${\it Ms.\ Ivalee\ Sinclair,\ Vice\ Chair}$

Ms. Brendelyn Ancheta Ms. Virginia Beringer Ms. Deborah Cheeseman

Ms. Annette Cooper Mr. Motu Finau

Mr. Sage Goto Ms. Lindsay Heller

Dr. Kurt Humphrey

Ms. Tina King

Ms. Bernadette Lane

Ms. Kaili Murbach

Ms. Stacey Oshio

Ms. Carrie Pisciotto

Ms. Kau'i Rezentes

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



Special Education Advisory Council 1010 Richards Street, Room 118 Honolulu, HI 96813

Phone: 586-8126 Fax: 586-8129 email: spin@doh.hawaii.gov

March 14, 2019



Representative Aaron Ling Johanson, Chair Committee on Labor and Public Employment Hawaii State Capitol Honolulu, HI 96813

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

Dear Chair Johanson 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

Jalea Sinclair

Legislative Committee Chair



March 11, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

Dear Representative Johanson,

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,

Jan Alena

March 11, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

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Sincerely,

Mysm Jeff stabile 2421 440MAE PL

HONOLINCA, HY

a(8)6

March 11, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

Dear Representative Johanson,

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

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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,

Ref 0.12m g.

March 11, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

Dear Representative Johanson,

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,

Ferdinand Bermudez

March 11, 2019

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Sincerely,

Claudine Ewiquez

March 11, 2019

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Stephanne Steinlein-Boling

Sincerely,

March 11, 2019

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PRABAJIE

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En MA

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Sincerely, Dine Lld Pln

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Sincerely, Lenji Carino

March 11, 2019

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Sincerely,

Shelby Twitaels

March 11, 2019

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Sincerely, Tabitha marie Ross

March 11, 2019

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Leahning Ross

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MaryanneRass

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Blurakani-h.

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HOUSE BILL 1009 HD1 TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH

March 11, 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.

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Sincerely, Mailia Sonza

March 11, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

Dear Representative Johanson,

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Day A Wiffad

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resul costodio

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Sincerely, Jonah Muthay



March 11, 2019

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Sincerely,

Wendell Tagura

March 11, 2019

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Sincerely,

Nathanael olives

HOUSE BILL 1009 HD1 TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH

March 11, 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, Frank Juny

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Sincerely, Dareann Bunenylely

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PATRICK KANSANA JR

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advinne Burndo

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Daniel Cho Dalf. Ch

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Sincerely,

Candy Mezurashi

March 11, 2019

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lazmine young

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Macayla Jaamai

March 11, 2019

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Sincerely, Thygaeld Mucudy

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Sincerely, MyEsha pierce

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Sincerely,

Kahlyn Seute

March 11, 2019

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Sincerely, Dominiane Celestellhebush

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Sincerely,

sence custodio

March 11, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

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Jake Runey

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Sincerely,

Joshua Smith

March 11, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

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Jung Kim

03/13/19

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Roy Dandag

HOUSE BILL 1009 HD1 TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH

March 11, 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,

Tanny Dardon

HOUSE BILL 1009 HD1 TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH

March 11, 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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pyfidade

<u>SB-331</u> Submitted on: 3/13/2019 8:33:52 PM

Testimony for LAB on 3/14/2019 9:00:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Darlene Ewan	Aloha State Association of the Deaf	Support	Yes

Comments:

March 12, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT

Thursday, March 14, 2019 at 9:00 A.M. Conference Room 309, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS

Dear Chair Johanson:

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 are afforded full and equal access at movie theaters in Hawaii by requiring open captioned showings. I have relied on open captioning my entire life to fully enjoy screen-based dialogue; no other method has ever remotely given me an equal degree of access.

The decision to allow for "lightweight" eyewear as a substitute for open captioning was a slap in the face for me; I was left feeling like I was demoted to a second-class citizen who was not worthy of a fully accessible movie-going experience. The "lightweight" eyewear is not light, comfortable, or effective. Even more so, they are embarrassing and borderline discriminatory to wear.

To go even further, individuals other than those who are deaf, hard of hearing, or deaf-blind benefit from captioning. This is true for kupuna, members of the limited English proficient community, or everyday individuals desiring to comprehend heavily accented or obscured dialogue. In fact, a study by the BBC showed that 80% of individuals who rely on captioning have no hearing disability at all. However, these same individuals cannot benefit from assistive technology provided at movie theaters because, without a disability, they cannot request ADA accommodations. This is where mandatory open captioning is a boon; it allows anyone – regardless of ability – to benefit from captioned movies.

There are many issues with Hawaii's current open captioning law that will be corrected and made permanent by Senate Bill 1009, 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. I ask you to vote in support of this bill.

Mahalo for the opportunity to submit testime	iony	٧
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Sincerely,

Mary Harman Honolulu, HI

¹ http://news.bbc.co.uk/2/hi/uk news/magazine/4862652.stm

March 14, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Thursday, March 14, 2019 at 9:00 A.M. Conference Room 309, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS

Dear Chair Johanson:

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 in Hawaii by requiring open captioned showings. I have relied on open captioning my entire life to fully enjoy screen-based dialogue; 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 many 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

MARXG 13, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON LABOR & DUBLIC EMPLOYMENT

Thursday, March 14, 2019 at 9:00 A.M. Conference Room 309, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS

Dear Chair Johanson and Committee members

T

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. Often times, when the captioning stopped working i ended up missing the opportunity to enjoy the entire movie and also I am using my prescription eyeglasses, the use of captioning glass interfered my vision. it is uncomfortable and unfair that I have to deal with problems while others don't have to experience what i went thru. Losing my money over the broken system bothers me.

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.

Malama Pono,

Billy Kekua

Waipahu



From: Nikki Kepoo <kepoonikkia@hotmail.com>
Sent: Wednesday, March 13, 2019 2:35 PM

To: LABtestimony

Subject: SB331 Open Captioning - Testimony in Support

Aloha,

My name is Nikki Kepoo and I am a mother of a deaf child. He is 7 years old and benefits greatly from open captioning. We also have a hearing daughter so the current alternate option of lightwear glasses is unrealistic for a 7 year old child and also challenging as a mother to ask my son to do something my daughter isn't required to use. It's uncomfortable and excludes him from choosing to enjoy the movie as freely as his sister.

We use open captioning at home so to have this option at the theaters is empowering to him. Additionally, I know that this would only increase revenues for theaters especially in Hawaii, the melting pot, where English may be a second language to others. Our elderly benefits from this as well as our deaf/hh community.

I strongly support this bill and see no negative impact this would impose on anyone including the businesses. This is a benefit and a great way to provide inclusion for a community that is usually excluded. Please speak on our behalf and pass this bill for the community at large.

Mahalo,

From: Kris Natori-Sonognini <hauolibear2@live.com>

Sent: Tuesday, March 12, 2019 7:27 PM

To: LABtestimony

Subject: SB331

March 14, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Thursday, March 14, 2019 at 9:00 A.M. Conference Room 309, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS

Dear Chair Johanson:

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.

The glasses are not fitted over my RX glasses. It's uncomfortable to wear two glasses at the same time and it's very bulky to wear with.

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, Kiki Natori-Sonognini

Email: <u>Hauolibear2@live.com</u>

Sent from my iPhone



From: Kathy Thomas <alohakat74@yahoo.com>
Sent: Wednesday, March 13, 2019 2:34 PM

To: LABtestimony

Subject: SENATE BILL 331 RELATING TO OC MOVIE THEATERS

March 13, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

RE: SENATE BILL 331 RELATING TO OC MOVIE THEATERS

Dear Chair Johanson:

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. Because I'm near-sighted with bifocals and trifocals, these movie glasses are so frustrating to use.

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,

Kathy Thomas Kaneohe, Hi



From: John O'Loughlin <johntkoloughlin@gmail.com>

Sent: Wednesday, March 13, 2019 12:12 PM

To: LABtestimony
Subject: Senate Bill 331

SENATE BILL 331 TESTIMONY TO THE HOUSE OF REPRESENTATIVE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

March 13, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

Dear Representative Johanson,

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,

John O'Loughlin

From: Beth King <drbdking@gmail.com>
Sent: Tuesday, March 12, 2019 4:26 PM

To: LABtestimony

Subject: Bill331

SENATE BILL 331 TESTIMONY TO THE HOUSE OF REPRESENTATIVE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

March 12, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

Dear Representative Johanson,

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. Please help!

Sincerely,

Beth King Teacher of the Deaf

--

Beth Daigle-King

From: Brian Nakamoto <juzbrian@me.com>
Sent: Tuesday, March 12, 2019 7:51 AM

To: LABtestimony

Subject: Testimony: Open Captioning for Movie Theaters in Hawai`i

March 11, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawai`i State Capitol Room #436 415 South Beretania Street Honolulu, Hawai`i 96813

Dear Representative Johanson,

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 of Hawai`i, seeing a film in a movie theater can prove to be difficult. Often, these 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. However, these glasses are unreliable due to battery failure and lack of proper connectivity. Also, these glasses are heavy and often improperly cleaned, which could pose a health risk to those living with compromised immune systems. The glasses also can be of discomfort and difficulty to wear for those that also use everyday glasses, hearing aids, or cochlear implants.

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

If the movie theaters open captions directly on films, that will allow patrons who are Deaf, Deaf-Blind or Hard of Hearing to enjoy a film in an equal accessibility to that of their hearing counterparts. Open captions do not just benefit us the 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.

Thank you for your consideration.

Sincerely,

Brien Nakamoto Pearl City, Hawai`i

From: Eileen Chiwa <echiwa@gmail.com>
Sent: Monday, March 11, 2019 8:18 PM

To: LABtestimony

Subject: SENATE BILL 331 TESTIMONY TO THE HOUSE OF REPRESENTATIVE COMMITTEE ON

LABOR & PUBLIC EMPLOYMENT

March 11, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

Dear Representative Johanson,

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.

Thank you for the opportunity to testify.

Sincerely,

Eileen Chiwa Mililani, HI

From: Galinda Goss-Kuehn <galindagoss@gmail.com>

Sent: Tuesday, March 12, 2019 2:35 PM

To: LABtestimony

Subject: SB 331 TESTIMONY TO THE HOUSE OF REPRESENTATIVE COMMITTEE ON LABOR &

PUBLIC EMPLOYMENT

SENATE BILL 331 TESTIMONY TO THE HOUSE OF REPRESENTATIVE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

March 11, 2019

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

Dear Representative Johanson,

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, Galinda K. Goss-Kuehn 92-369 Akaula Street Kapolei, HI 96707

From: Gertrude Morita <trudy325@aol.com>
Sent: Tuesday, March 12, 2019 12:18 PM

To: LABtestimony

Subject: Senate Bill 331 Testimony to the House of Representative Committee on Labor & Public

Employment

March 12, 2019

Gertrude Morita 119 Sherbrooke Way Griffin, GA 30223

Representative Aaron Ling Johanson Chair Labor & Public Employment Hawaii State Capitol Room #436 415 South Beretania Street Honolulu, Hawaii 96813

Dear Representative Johanson,

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

For many Deaf, DeafBlind 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, DeafBlind 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, DeafBlind 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, DeafBlind or Hard of Hearing to enjoy a film equally to that of their hearing peers. Open captions do

notjust benefit individuals who are Deaf, DeafBlind 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,

Gertrude Morita



From: Hawaii Interpreting Services <info@interpretinghawaii.com>

Sent: Wednesday, March 13, 2019 2:41 PM

To: LABtestimony
Subject: Senate Bill 331

We are in support of this bill.

Mahalo, Hawaii Interpreting Services PO Box 734 Kaneohe, HI 96744 808-394-7706 Main Line/voice calls 808-692-0595 Video Phone/signing calls 1-808-442-0088 fax

his email was seamlessly encrypted for your privacy and security by Paubox

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March 13, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Thursday, March 14, 2019 at 9:00 A.M. Conference Room 309, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS

Dear Chair Johanson:

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.

That's the reason why I would prefer to go to movies that provided open-captioning. I would sit down and feel very much comfortable without the lightweight eyewear. My hands are free to rest and not needed to worry about the eyewear would fall off my face or need to adjust the switches on the lightweight eyewear device. I feel so much assessible and no burden at all. Just the beautiful sight to see open captioning on the screen and always have a smile on my face. I just feel good about it.

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,

Christine Holmes 418 N. Vineyard Blvd. #C-11 Honolulu, HI 96817

March 14, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Thursday, March 14, 2019 at 9:00 A.M. Conference Room 309, State Capitol

RE: SENATE BILL 331 RELATING TO MOVIE THEATERS

Dear Chair Johanson:

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 my son 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 child's experience at movie theaters. The glasses are uncomfortable to wear, and he is 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. Kids are deaf too. They need the captions to access the movie.

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 Kaneohe, HI