

HB-2520

Submitted on: 1/30/2018 4:24:56 PM

Testimony for EDB on 2/2/2018 8:45:00 AM

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

Comments:

February 2, 2018

HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE

ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business

Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Darlene Ewan. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,

Darlene Ewan

Honolulu, Hawaii

Rep. Cindy Evans, Chair
Rep. Jarrett Keohokalole, Vice Chair
Committee on Economic Development & Business

Peggy Liang
Testimony presented as an individual
Email; Peggy Liang liangpeg@hawaii.edu

January 30, 2018

Testimony in *support* to House Bill 2520 – Relating to Movie Theaters

My name is Peggy Liang. I am presenting this testimony as an individual in favor of HB 2520, which require movie theaters to provide open movie captioning at least twice per week, one of which begins no earlier than 4:30 p.m. and remove the requirement to provide an option of open captioning or closed captioning (personal lightweight eyewear with closed captioning).

From my personal experience, the visitors and my friends have been enjoying the open captioning at the movie theaters. My friends and I discussed that we liked how we did not have to worry about the hassle of asking for an individual closed captioning device. However, I find the schedule for movies with open captioning, not convenient because it is often showing either in the morning during the work hours or late night on week day that would conflict with my work and school schedule. I would love to find the movies with open captioning during the prime times.

The bottom line is that the passage of House Bill 2520 will provide equal access to movie theaters for the Deaf, Hard of Hearing and Deaf Blind.

I strongly urge the Committee to pass this bill, which will widen the audience by giving the option with open captioning and make movies available after 4:30 p.m.

HB-2520

Submitted on: 1/31/2018 7:58:45 AM

Testimony for EDB on 2/2/2018 8:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
DeWayne A Berg	DB Interpreting Services	Support	No

Comments:

My name is DeWayne Berg. I am writing this testimony in support of HB2520. I am in support to make permanent open movie captioning at least twice per week, one of which begins no earlier than [4:30p.m.](#) I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

My partner is deaf and I have finally been able to enjoy going to the movies With him where I don't have to ask for a backup pair of glasses in case his doesn't work, which happened often.

It has been so nice for us to enjoy the movies with open caption and being able to go with our deaf friends. Please support this bill and keep open caption in at least 2 movies a week for our Deaf and hard of hearing residents to enjoy!

Mahalo!

Sincerely,

DeWayne A Berg
Honolulu, HI

HB-2520

Submitted on: 1/31/2018 8:02:17 AM

Testimony for EDB on 2/2/2018 8:45:00 AM

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

Comments:

HB-2520

Submitted on: 1/31/2018 8:35:25 AM

Testimony for EDB on 2/2/2018 8:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Murakami-Akatsuka		Support	No

Comments:

I strongly support the passage of HB 2520 which will enable our deaf and hard of hearing community to view the movie in comfort and have at night access for movies. As more of our population ages in Hawaii, there will be more of us who will have our hearing capacity diminish who will benefit from this bill's purpose.

Thank you for the opportunity for testifying.



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

February 2, 2018

TESTIMONY TO THE HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT AND BUSINESS

House Bill 2520 – Relating to Movie Theaters

The Disability and Communication Access Board (DCAB) supports House Bill 2520. 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, one of which begins no earlier than 4:30 p.m., and repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

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. 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 a community that readily accepts subtitled foreign language movies and television programs, open captioning is a natural expansion of that concept.

The Legislature passed Act 39 (2015) that required 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. Times 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) rolled back 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.

This proposed House Bill 2520 essentially seeks to revert the statute to the status provided in Act 39 (2015) without a sunset date. Our support is based upon two factors: (1) the deaf community strongly prefer open captioning to any type of eyewear, even if lightweight, and (2) it is inappropriate to reference a specific type of technology in statute, essentially providing a proprietary advantage. With the rapid technological advances, there is likely to be a better solution in the near future than lightweight glasses and our statute would be stuck with a reference to obsolete technology.

After two years of offering open captioned movies, the community as well as local theaters should realize that providing deaf and hard of hearing people the opportunity to view movies with their family and friends improves access to services for everyone by allowing the original law to become permanent.

We note that another bill, House Bill 2370, is similar to this measure and part of the Administrative Package. We support both bills which are nearly identical.

Thank you for the opportunity to testify.

Respectfully submitted,

FRANCINE WAI
Executive Director



DISABILITY AND COMMUNICATION ACCESS BOARD

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

Open Captioning (OC) at Movie Theaters

Act 211 (2017)* - Current law		Proposed Bill* - Desired law
<ul style="list-style-type: none"> Required OC OR 'lightweight eyewear' with Closed Captions (CC) 	← Open Captioning? →	<ul style="list-style-type: none"> Required for each movie produced and offered with OC. Eyewear is not specified as alternative to OC.
<ul style="list-style-type: none"> <u>One</u> showing per week 	← # of days per week →	<ul style="list-style-type: none"> <u>Two</u> showings per week
<ul style="list-style-type: none"> 01/01/2020 	← Sunset date? →	<ul style="list-style-type: none"> None

* Applies to any public accommodation that owns, leases, leases to, or operates a motion picture theater in more than two locations in the state.

What is the difference between OC and CC?

OC - Always are in view and cannot be turned off. No Special device is needed.



CC - Can be turned on and off by the viewer. Needs a special viewing device.



# of Theater Auditoriums	Minimum Required # of Assistive devices
1	4
2-7	6
8-15	8
16+	12

Benefits of Open Captioning

- Advances in digital technology has made OC easier to develop and more widely available
- Most movies are digital and have OC already built in, making the feature **FREE**
- For the Deaf community, OC is usually the most effective form of accessing a motion picture showing

Limitations of Lightweight Eyewear

- Potentially limited number of devices available for groups. Open captioning has unlimited viewership.
 - Federal minimum requirement depends on how many auditoriums at the theater
- Costs as much as \$1,200 per auditorium to implement assistive captioning

Federal Law/State Law

- Federal law already requires devices to be available but does not specify type.
- State law should not specify a type of technology (eyewear). Technology changes rapidly and a better solution may be available in the future.

Dear Representative Cindy Evans,

My name is Jaynalyn Ancog. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,

Jaynalyn Ancog
Ewa Beach, HI

Dear Representative Cindy Evans,

My name is Maile Paongo. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30 p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theatre with open captioning displayed on the screen without a device.

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Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing.

Sincerely,

Maile Paongo

Punchbowl Honolulu, HI

Dear Representative Cindy Evans,

My name is Nicholas Rivera. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

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Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing.

Sincerely,

Nicholas Rivera
Kapolei, Hawaii

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Nicholas Rivera

Dear Representative Cindy Evans,

My name is Sharlyn Chong. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing.

Sincerely,
Sharlyn Chong
Kapolei, Hawaii

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Sharlyn Chong

February 2, 2018
HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE
ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
[Room #438](#)
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Eric Dela Pena Sr. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

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Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing.

Sincerely,

Eric Dela Pena Sr.

Waipahu, Hawaii

Trudy Morita
119 Sherbrooke Way
Griffin, GA 30223
January 31, 2018

February 2, 2018

HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Trudy Morita. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,

Trudy Morita
(Sister of Hermina Morita)
Griffin, GA

February 2, 2018
HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE
ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Huy Nguyen. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,

Huy Nguyen
Honolulu, Hawaii

February 2, 2018

HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is DeWayne Berg. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

My partner is deaf and I have finally been able to enjoy going to the movies With him where I don't have to ask for a backup pair of glasses in case his doesn't work, which happened often.

It has been so nice for us to enjoy the movies with open caption and being able to go with our deaf friends. Please support this bill and keep open caption in at least 2 movies a week for our Deaf and hard of hearing residents to enjoy!

Mahalo!

Sincerely,

DeWayne A Berg
Honolulu, HI

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is (insert your name). I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,

Esther Kim
Honolulu Hawaii 96816

Dear Representative Cindy Evans,

My name is Jacob Davis. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,

Jacob Davis
Honolulu, Hawaii

February 2, 2018
HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE
ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
[Room #438](#)
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Robyn Thompson. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing.

Sincerely,

Robyn Thompson
Honolulu, HI

February 2, 2018
HB 2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE
ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
[Room #438](#)

415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Cathy Ferreira. I am writing this testimony in support of HB 2520 to **permanently** provide movies with open captioning at least twice per week, one of which begins no earlier than 4:30 p.m. I also am in support of repealing the requirement to provide an option of personal closed captioning screenings by means of any form of lightweight eyewear. While I do not personally require open captioning, I have been closely involved in the Deaf Community here in Hawai'i for a number of years and have friends who have enjoyed watching movies with open captioning, and would like to continue to do so.

And although I am not familiar with the experience of wearing the special devices earlier referred to, I have worn 3-D glasses over my own prescription glasses and have found them to be cumbersome and distracting. There is also the concern of having a sufficient number of *working* devices available as well as staff to assist patrons with the devices. I understand that the type of devices can vary from theater to theater, within the same company, such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. It would be reasonable to assume that not everyone would have the same success or comfort using a different device each time. I also have heard that in the past, the demand for these devices have required loaning between theaters, resulting in unintentional shortages at one or more theaters.

I was so excited that we are the first state to provide open captioned films in all movie theaters. The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio; hearing people are not required to wear or use special devices to listen while they watch a movie. The passage of House Bill HB 2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing.

Mahalo for your consideration and support regarding this very important bill.

Sincerely:

Cathy Ferreira
Kapahulu, O'ahu

February 2, 2018

HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Carole Duran. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have many deaf friends who have enjoyed watching open captioning movies. The experience of not wearing special devices have helped them to appreciate the film. They did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,

Carole Duran
Hawaii Kai, Honolulu
Speech Language Pathologist

February 2, 2018
HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE
ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Kayli Obrero. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices has helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

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Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,

Kayli Obrero
Kaneohe, Hi

February 2, 2018

HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE

ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business

Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Matt Sacco. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30 p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing.

Sincerely,

Matt Sacco
Honolulu, HI

February 2, 2018

HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Jesus Johnston . I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

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Sincerely,

Jesus Johnston
Honolulu, Hi

HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE
ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Kiki Natori-Sonognini. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

I have enjoyed watching open captioning movies. The experience of not wearing special devices have helped me to appreciate the film. I did not have to wait for the cashier to get the special device.

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The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,
Kiki Natori-Sonognini
Kailua, O'ahu

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Patty Sakal. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repealing the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

Although I am hearing, both my parents were deaf. When going to movies with Deaf friends, it doesn't seem fair that the process for them to watch the same movie as I am is so laborious. Watching them struggle in keeping those "caption" glasses on their face and finding the right spot where they will be able to watch the large screen and the bottom corner of the captioned glasses at the same time was very disheartening. Open-captioning provides the experience of not having to wear special devices and assures equal appreciation for the film in the same way everyone else seated in the theater is enjoying. It really isn't equal access to have the Deaf and Hard of hearing to have to wear the laborious devices.

I am pleased of the fact that we are the first state to provide open-captioned films in all movie theaters instead of having to wear closed captioning devices such as glasses, or a rear-view plastic

panel mounted on a flexible stalk to view the captioning, and other types of closed captioning devices. I would like to go to a movie theater with Deaf friends having them enjoy open captioning displayed on the screen without a device.

The Deaf, Deaf-Blind and Hard of Hearing should not be forced to wear or use special equipment to read the captioning ever again. Open captioning provides equal access to watching movies just like hearing people watch movies with audio.

Hearing people are not required to wear or use special devices to listen and watch the movie. The passage of House Bill HB2520 will provide equal access to movie theaters for the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,

Patty Sakal
Aiea, Hawaii

February 2, 2018

HB2520 TESTIMONY TO THE REPRESENTATIVE COMMITTEE ECONOMIC DEVELOPMENT & BUSINESS

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
Room #438
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Kathrina Smith. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

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Sincerely,

Kathrina Smith
Ewa Beach, HI

Representative Cindy Evans
Chair, Economic Development & Business
Hawaii State Capitol
[Room #438](#)
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Cindy Evans,

My name is Florence Guzman-Rapozo. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

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Sincerely,
Florence Guzman-Rapozo
Honolulu, Hawaii

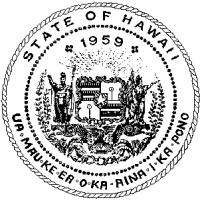
HB-2520

Submitted on: 1/31/2018 3:59:52 PM

Testimony for EDB on 2/2/2018 8:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Heather Benjamin		Support	No

Comments:



HAWAI‘I CIVIL RIGHTS COMMISSION

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

February 2, 2018
Rm. 309, 8:45 a.m.

To: The Honorable Cindy Evans, Chair
Members of the House Committee on Economic Development and Business

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

Re: H.B. No. 2520

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.

H.B. No. 2520 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.”

H.B. No. 2520 also amends H.R.S. § 489-9(a) to require that at least one of the two showings per week featuring open captioning shall not be a matinee showing.

And, H.B. No. 2520 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.

H.B. No. 2520 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 H.B. No. 2520.

Dear Representative Cindy Evans,

My name is Precious. I am writing this testimony in support of HB2520. I am in support to make permanent requirement for open movie captioning at least twice per week, one of which begins no earlier than 4:30p.m. I also am in support of repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.

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Sincerely,

Precious
Honolulu, Hi.