

STATE OF HAWAII
DEPARTMENT OF HEALTH
OFFICE OF LANGUAGE ACCESS
830 PUNCHBOWL STREET, ROOM 322
HONOLULU, HAWAII 96813

February 25, 2019

To: The Honorable Representative Sylvia Luke, Chair
The Honorable Representative Ty J.K. Cullen, Vice Chair
Members of the House Committee on Finance

From: Aphirak Bamrungruan, Executive Director

Subject: **HB 1009, HD1** – RELATING TO MOVIE THEATERS

Hearing: Wednesday, February 27, 2019, 11:00 AM
Conference Room 308, State Capitol

Agency's Position: The Office of Language Access (OLA) supports House Bill 1009, HD1.

Purpose and Justification: 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 two showings 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.

HB1009, HD1 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.



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 27, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON FINANCE

House Bill 1009, HD 1 – Relating to Movie Theaters

The Disability and Communication Access Board (DCAB) supports House Bill 1009, HD 1 which will strengthen our state's law relating to the provision of open captioning movie showings for the deaf and hard of hearing population.

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

House Bill 1009 essentially seeks to return the statute what was initially provided in Act 39 (2015) without a sunset date and with some additional conditions on the movie screening times.

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

Our support for the bill is based upon two factors:

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

With the specificity in our current statute, Hawaii would be limited by a reference to obsolete technology in the law.

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

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

The proposed amendments to the current law would address the discriminatory effects of communication barriers at movie theaters encountered by individuals who are deaf or hard of hearing, ensuring equal opportunity to enjoy motion picture showings. We ask that you pass House Bill 1009, HD1 out of Committee.

Thank you for the opportunity to testify.

Respectfully submitted,



FRANCINE WAI
Executive Director



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543

February 27, 2019

The Honorable Representative Sylvia Luke, Chair
House of Representatives Committee on Finance
Twenty-Ninth Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Representative Sylvia Luke and Members of the Committee:

SUBJECT: HB 1009 HD1 - Relating to Movie Theaters

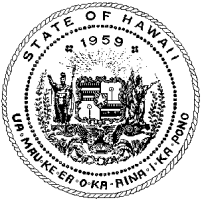
The State Council on Developmental Disabilities **SUPPORTS HB 1009 HD1**. The bill requires a movie theater to provide at least two showings per week per movie offered with open movie captioning. Removes the option of a movie theater to provide eyewear to fulfill the movie captioning requirement. Makes the requirement permanent by repealing the sunset date from Act 39, Session Laws of Hawaii 2015.

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.

Thank you for the opportunity to submit testimony **supporting HB 1009 HD1**.

Sincerely,

Daintry Bartoldus
Executive Administrator



HAWAI‘I CIVIL RIGHTS COMMISSION

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

February 27, 2019
Rm. 308, 11:00 a.m.

To: The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice Chair
Members of the House Committee on Finance

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

Re: H.B. No. 1009, H.D.1

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. 1009, H.D.1, 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.”

And, H.B. No. 1009, H.D.1, 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.

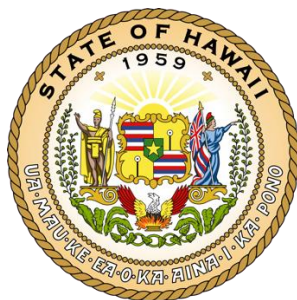
As enacted in 2015, Act 39 was considered landmark legislation for the deaf community, the first of its kind in the nation, specifically because it required the limited number (2) of open captioned showings per week, that were not required by federal law. Many of the 2015 testifiers on H.B. No. 1272, 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. 1009, H.D.1, 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. 1009, H.D.1.



‘O kēia ‘ōlelo hō’ike no ke
Komikina Kūlana Olakino o Nā Wāhine

Testimony on behalf of the
Hawai‘i State Commission on the Status of Women
Khara Jabola-Carolus, Executive Director

Prepared for the House Committee on Finance

In Support of HB1009 HD1
Wednesday, February 27, 2019, at 11:00 a.m. in Room 308

Dear Chair Luke, Vice Chair Cullen and Honorable Members,

The Hawai‘i State Commission on the Status of Women supports HB1009 HD1, which would require a movie theater to provide at least two showings per week per movie offered with open movie captioning. The legislation would also remove the option of a movie theater to provide eyewear to fulfill the movie captioning requirement.

The Commission supports the Deaf and hard-of hearing community, especially our very own Deaf Women’s Taskforce. This measure would help to redress years of discrimination by private entities that provide public accommodations. HB1009 would also allow the Deaf community more equal access to culture and entertainment that was diminished in the 1920s when open captioning dwindled. Accordingly, the Commission ask the Committee to pass HB1009 HD1.

Sincerely,

Khara Jabola-Carolus

HB-1009-HD-1

Submitted on: 2/25/2019 1:43:24 PM

Testimony for FIN on 2/27/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Louis Erteschik	Hawaii Disability Rights Center	Support	No

Comments:



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

February 27, 2019

**Special Education
Advisory Council**

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

Ms. Brendelyn Ancheta
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 Rezentos
Ms. Rosie Rowe
Mr. James Street
Mr. Francis Tael
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

Representative Sylvia Luke, Chair
Committee on Finance
Hawaii State Capitol
Honolulu, HI 96813

RE: H.B. 1009 H.D. 1 - RELATING TO MOVIE THEATERS

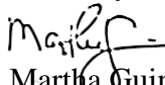
Dear Chair Luke and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **strongly supports the intent** of H.B. 1009 H.D. 1 that makes permanent the requirement for certain motion picture theater owners and operators to provide open movie captioning at least twice a week with at least one showing on a Saturday or Sunday.

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

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

Sincerely,


Martha Guinan
Chair


Ivalee Sinclair
Legislative Committee Chair

FIN-Jo

From: Hawaii Interpreting Services <info@interpretinghawaii.com>
Sent: Monday, February 25, 2019 1:19 PM
To: FINtestimony
Subject: House Committee on Finance Hearing for House Bill 1009

Aloha,

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



This email was seamlessly encrypted for your privacy and security by [Paubox](#)

HB-1009-HD-1

Submitted on: 2/26/2019 10:26:29 AM

Testimony for FIN on 2/27/2019 11:00:00 AM

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

Comments:



**Hawaii Coalition for
Children with Disabilities**

February 27, 2019

TO: Representative Sylvia Luke, Chair
Committee on Finance

FROM: Michael Fahey, Co-Chair
HCCD

RE: HB1009, HD 1 – Relating to Movie Theaters

On behalf of the Hawaii's Coalition for Children with Disabilities, I am writing in SUPPORT of HB 1009, HD 1 which 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.

The Hawaii Coalition for Children with Disabilities is an independent body comprised of representatives of family-centered public and private organizations and individuals who are dedicated to advocate for legislative and administrative policy change and financial commitments that will benefit children and youth with disabilities and their families.

Open movie captioning provides significant benefits to many children with disabilities:

- It provides missing information for individuals who have difficulty processing speech and visual media (whether this is due to a hearing loss or a cognitive delay);
- It allows viewers who are deaf or hard-of-hearing to follow the dialogue and the action of a program simultaneously; and
- It is equally beneficial to those children with disabilities who are also learning English as a second language.

The Coalition urges you to pass this essential legislation.

HB-1009-HD-1

Submitted on: 2/26/2019 10:49:27 AM

Testimony for FIN on 2/27/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

HB-1009-HD-1

Submitted on: 2/26/2019 1:04:28 PM

Testimony for FIN on 2/27/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan P. Armstrong	Oahu County Democrats	Support	No

Comments:

February 25, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON FINANCE

Wednesday, February 27, 2019 at 11:00 A.M.
Conference Room 308, State Capitol

RE: HOUSE BILL 1009 RELATING TO MOVIE THEATERS

Dear Chair Luke:

I am submitting this testimony in strong support of House Bill 1009, 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.¹ 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 House 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 consider including language to require at least one showing on a Saturday or Sunday (as seen in SB 331) and vote in support of this bill.

Mahalo for the opportunity to submit testimony.

Sincerely,

Mary Harman
Honolulu, HI

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

FIN-Jo

From: Cheryl Mizusawa <damizu@me.com>
Sent: Monday, February 25, 2019 1:13 PM
To: FINtestimony
Subject: Supporting HB1009

Conference Room 308, State Capitol

RE: HOUSE BILL 1009 RELATING TO MOVIE THEATERS

Dear Chair Luke:

I am submitting this testimony in support of House Bill 1009, 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.

House Bill 1009 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,

Cheryl Mizusawa

Senate District: 17

HB-1009-HD-1

Submitted on: 2/25/2019 3:54:19 PM

Testimony for FIN on 2/27/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Peggy Liang	Individual	Support	No

Comments:

RE: House Bill 1009 Relating to Movie Theaters

February 27, 2019

Dear Chair Luke,

I am submitting this testimony in support of House Bill 1009, 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 "lightweight eyewear" are uncomfortable to wear. I am not able to fully enjoy the experience with my prescription glasses and "lightweight eyewear" altogether. Otherwise I wouldn't give it a second thought if they only offer "lightweight eyewear" at the movie theaters.

The movie theaters that offer showings with open captioning had allowed me to have an option to attend with friends, family members, or significant one to watch a movie. I would not have to wait months and months to watch the movies at home with closed captions/subtitles.

House Bill 1009 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.

Thank you for the opportunity to submit testimony.

Peggy Liang

Honolulu HI

HB-1009-HD-1

Submitted on: 2/26/2019 8:29:12 AM

Testimony for FIN on 2/27/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Noelle Wright	Individual	Support	No

Comments:

February 25, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON FINANCE

Wednesday, February 27, 2019 at 11:00 a.m.
Conference Room 308, State Capitol

RE: HOUSE BILL 1009 RELATING TO MOVIE THEATERS

Dear Chair Luke:

I am submitting this testimony in support of House Bill 1009, 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 and I 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 they do not always work.

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.

House Bill 1009 will correct Hawaii's open captioning law and make it permanent, ensuring that individuals in Hawaii who are deaf, hard of hearing, or deaf-blind have full and equal access at movie theaters. Please vote in support of this bill.

Mahalo for the opportunity to submit testimony.

Sincerely,

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

HB-1009-HD-1

Submitted on: 2/26/2019 10:36:40 AM

Testimony for FIN on 2/27/2019 11:00:00 AM

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

Comments:

LATE

February 27, 2019

TESTIMONY TO THE HOUSE COMMITTEE ON FINANCE
Wednesday, February 27, 2019 at 11:00 a.m.
Conference Room 308, State Capitol

RE: HOUSE BILL 1009 RELATING TO MOVIE THEATERS

Dear Chair Luke:

I am submitting this testimony in support of House Bill 1009, which will permanently require open captioning at movie theaters in Hawai'i.

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

House Bill 1009 will correct Hawai'i's open captioning law and make it permanent, ensuring that individuals in Hawai'i who are Deaf, hard of hearing, or deaf-blind have full and equal access at movie theaters. Please vote in support of this bill.

Mahalo for the opportunity to submit testimony.

Sincerely,
Māla Arkin
PO BOX 11988
Honolulu, HI 96828

FIN-Jo

From: Kathy Thomas <alohakat74@yahoo.com>
Sent: Tuesday, February 26, 2019 11:28 AM
To: FINtestimony
Subject: HOUSE BILL 1009 TESTIMONY



February 26, 2019

Aloha,

I am submitting this testimony in support of House Bill 1009, which will permanently require open captioning at movie theaters in Hawaii.

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 and Hard of Hearing, so they can view captions detailing spoken words, sounds, and music throughout the film.

These "closed captioning" 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.

Also, the glasses are so 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's said. This causes strained necks and eyes and increase 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 allow patrons who are Deaf, Deaf-Blind and Hard of Hearing to enjoy a film equally to that of Hearing peers.

Open captions don't just benefit individuals who are Deaf, Deaf-Blind and Hard of Hearing but also those with other disabilities or non-native speakers who may rely on captions to fully understand what is said.

Sincerely,

Kathy Thomas
Kaneohe, Hawaii