

## Please Support Always-On Captioning in Public Places

SF2044 (Abeler)

Require closed captioning to be enabled for TVs displayed in public places of accommodation.

### What does this bill do?

This bill adds the refusal to provide closed captioning to the list of prohibitions against discrimination on the basis of disability, as outlined in Minnesota Statute 363A.11.2.

### Why is a captioning requirement needed?

Even though an estimated twenty percent of Minnesotans have hearing loss, those Minnesotans continue to encounter businesses and other public places that refuse to enable closed captions on televisions playing for customers. Enabling captions costs nothing. All televisions and content provider devices have for decades included closed-captioning as a standard feature.

### Why is captioning important?

Captions are not just for people with hearing loss. Everyone benefits, including the following groups:

- Anyone in a noisy environment where it is hard to hear, such as a restaurant or bar
- Anyone who is in an environment where the sound must be turned off
- Anyone with auditory or cognitive processing issues, such as those with a traumatic brain injury
- Anyone, including children, learning to read or learning English as a second (or third) language

During emergency broadcasts, captions are especially important for people who might not otherwise have access to time-sensitive public safety information.

### Who would be required to enable captioning?

Any place of public accommodation that is providing television services to their clients or customers. A “place of accommodation” is defined by Minnesota Statute 353A.03.34 as a business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.

### Isn't this already covered by federal law?

Public places of accommodation are required by Title III of the Americans with Disabilities Act to provide people with disabilities access to equal services in an integrated setting. In practice, however, public places are often unprepared to enable captioning when requested and refuse to comply. The language in this bill seeks to alleviate the burden of constant advocacy and help businesses understand that denying this simple, no-cost request discriminates against 20% of their customer base.

## Supporting always-on captioning in public places

**Date:** 3/13/2023

**To:** Judiciary and Public Safety  
Senator Ron Latz, Chair

**From:** Minnesota Commission of the Deaf, DeafBlind & Hard of Hearing

### **Please support captions in public places of accommodation – SF2044**

The Minnesota Commission of the Deaf, DeafBlind & Hard of Hearing urges committee members to create a better and safer Minnesota for the 20% of Minnesotans with hearing loss by supporting SF2044.

We have long advocated for captions to be as widely available as possible. Beginning in 2005, the Commission won passage of several captioning-related bills and conducted campaigns to encourage restaurants, bars, and other businesses with televisions to keep closed captions activated at all times. Most recently, the Commission ran a radio and TV campaign urging businesses to enable closed captions using standard features already included in televisions. Audiences statewide heard this message 23,525 times on the radio and 2,114 times on TV.

Despite those education efforts – and federal law requiring captions, caption functionality already included for decades in TVs and equipment from content providers, and improvements in caption appearance and placement – public places are not turning on captions consistently. We have received reports from many, including people with age-related hearing loss, traumatic brain injury survivors, and military vets, that they still encounter public places unprepared to enable captions. These refusals to comply with this simple, no-cost request are detrimental to the quality of life – and sometimes safety – of deaf and hard of hearing Minnesotans.

It is time for the failure to provide this no-cost access to be recognized for what it is: discrimination against up to 20% of Minnesotans on the basis of disability. We are grateful to Senators Abeler, Fateh, Wiklund, Hoffman, and Mann for their support on this issue. We respectfully urge committee members to join us in supporting SF2044 for always-on captions in public places.

Signed,



Alicia Lane, *Government Relations Director*

**Laura Hagemann**

Director at Large and Social Media Specialist

Hearing Loss Association of America, Twin Cities Chapter

**Testimony in support of SF2044**

Judiciary and Public Safety Hearing

Monday, March 13, 2023, 12:30 pm

Chair: Senator Ron Latz

Location: Capitol G-12

Good Afternoon Senator Latz, and Members of the Committee, my name is Laura Hagemann and I am a Director at Large and Social Media Specialist of the Hearing Loss Association of America- Twin Cities Chapter. I am writing in support of SF2044: Closed Captioning on public televisions. In 2016 I was in a near-fatal car accident and suffered a severe Traumatic Brain Injury (TBI) and was in a coma for three weeks. Once out of the coma the TBI had affected my hearing and I was deaf for three months. My hearing came back gradually but it is highly distorted and altered which makes me rely on assistive technology like closed captions. When I was first injured, I was in a situation where alarms went off in the hospital when I was waiting for an MRI. Since I was deaf and my newly injured brain was slow to respond and react, I was confused and scared and didn't know what was happening. Thankfully the ASL interpreter with me recognized my confusion and pointed to the flashing lights. You should know that I don't know sign language even though after my accident and recognition of my deafness I was immediately assigned ASL interpreters who had to interpret and teach me at the same time. This situation made me realize that I was vulnerable and completely reliant on hearing people to assist me. That was a shock after 37 years of being fiercely independent. For example, what happens when you see an emergency alert on TV? I remember that you hear a sound but now all I see is a black screen where captions would help me, and others, not be reliant on hearing friends or family. It can be dangerous and confusing for me, and as an independent person, I do not want to have to rely on hearing people to tell me what is happening. If all public information was closed captioned, I would have access to the same thing as those who are hearing, giving me back a little of the independence I lost after my accident. Thank you for your time for hearing my story and support of this bill that will help so many in the deaf and hard of hearing and brain injury communities.

Laura Hagemann

15149 Emory Circle, Apple Valley, MN 55124

**Barbara Schneider**

Former board member of the Hearing Loss Association of America, Twin Cities Chapter, and community advocate who has progressive hearing loss

**Testimony in support of SF2044**

Judiciary and Public Safety Hearing

Chair: Sen. Ron Latz

Monday March 13, 2023 12:30 pm

Location: Capitol G-12

Friday, March 10, 2023

Greetings Sen. Ron Latz,

My name is Barbara Schneider; I am a former board member of the Hearing Loss Association of America, Twin Cities Chapter and 19-year resident of our great state of Minnesota.

I have had progressive hearing loss for more than 11 years and wear 2 hearing aids. I depend upon closed captioning (CC) at home and in public places.

Public areas are necessarily noisy, which interferes with my ability to understand what is said in conversation and on television. It becomes a constant audible garble. This is especially problematic when travelling through airports or in restaurants with TVs. I can hear them talking, but cannot make sense of it. This creates an unnecessary stress which becomes exhausting. Without closed captioning this results in a feeling of isolation when I can't participate in shared knowledge of what is said on the broadcast, and everyone else can. This starts a cascade of negative thoughts and feelings as the natural flow of conversation turns to information just heard on the TV which I could not understand. Asking others to repeat what was said is annoying to them, and the conversation tends to die with my hearing loss as the cause. My social life has suffered because of this at an age when such sociality is crucial to my well-being. Closed captioning in public would help alleviate this downward spiral and allow me to keep up, and maintain independence in later life.

Without closed captioning, I also miss needed local info. Whether practical, such as weather and traffic reports, or opportunities for exploring locales and events. This is especially true in airports and large travel centers when travelling throughout the state. We need knowledge in order to enjoy full participation in the world, and if there is no closed captioning, we are left adrift, often confused, or dependent on others, sometimes strangers, to inform us. This is not always reliable, and certainly annoying to those asked. My own family who love me dearly feels impatient when I have to ask them to repeat something said. It just stops the natural flow conversation I am trying to be part of. The resulting level of distress is high.

Some people object to closed captioning as visual clutter on the screen. They don't understand how crucial it is for us. A few public service spots on TV would go a long way to educate the

# Image descriptions for the following photos in this file

Title: Deaf, DeafBlind & Hard of Hearing Day at the Capital

Body: Poster Session, 12:30 - 1:15 PM Featuring posters from Metro Deaf School, Minnesota State Academy for the Deaf, and ThinkSelf Adult Learners Program.

Footnote: Learn more about the Commission! with an QR code

Title: Closed Captioning in Public Places: HF909 and SF2044

Body: Closed Captioning should be required in public places such as restaurants, movie theaters, malls, airports, transportation services (buses & trains) and sporting events. When Deaf people don't have access, they miss important information showed on TV. This can be especially harmful in the case of an emergency situation such as 9/11. Captioning helps D/HH people as well as people whose first language is not English. Personal Experience involved being in a restaurant when a tornado warning occurred, and I could not understand anything the TV was saying.

Title: Closed Captioning in Public Services

Body: Why do we support this bill? House File (HF1134). Senate File (SF1136). Minnesota State Statute 363A.11.2. So that way deaf individuals can have access to information by understanding what is being said. Also requires closed captioning to be enabled for TV's displayed in public areas. News; restaurants; airports; sports: NFL, NBA, NHL; social media: live videos; Hulu, YouTube, Pluto, Tubi, FaceTime calls.

Title: MSAD

Body: We want to improve our access to communication. We want to feel safe.

Title: Closed Captioning in Public Places SF1136 HF1134

Body: Main Problems: Deaf/HOH (Hard of Hearing) people seeing the public without captioning, which is not understandable. Might be specified the severe events, weathers, news, etc. Why should you support this idea? To get ability understanding the events. All the deaf/HOH, are able to access and benefit in many ways.

Title: HF 909 CLOSED CAPTIONING IN PUBLIC PLACES SF 2044

Body: Open Captioned movie. As television developed in the 1950s and 1960s the deaf were virtually left out. As the head of Described and Captioned Media Program (DCMP), Norwood became a leading advocate for the development of closed captioning on television and was singularly responsible for popularizing the captioning technique now used in television. Deaf and Hard of Hearing people watch movies with CC. We want more closed captioning on televisions in public places. Here are some suggested places: Airport/Planes, Train Station Subway/ Light Railroad Station Bus Station, Hotel lobby Gas Station Pump Videos, DMV Lobby Area, Government Center, Convention Center, Restaurants, Sports Stadium, Museum, Sport Events. Mac Norwood created Closed Captioning. (1927-1989) Closed Captioning was first demonstrated in the United States (CC) in 1917. Movies playing on planes. First children's program series to be CC, which aired on Public Broadcasting Services (PBS) in 1980. Access empowers us. Please support captioning in public places. In 1980 Sesame Street became the second children's program to be CC.

Title: Communication Access Closed Captioning in Public Places

Body: There are more than 48 million Americans in the deaf and hard-of-hearing community who benefit from captioned content each day. Included in that number is: millions of people over the age of 62 who suffer from hearing loss but do not use hearing aids; an estimated 1 in 5 teens who experience some degree of hearing loss; Closed Captions are for everybody! Washington State to require businesses display captions on public TVs why can't we? We need closed captioning to understand what they say at anywhere in the world.

# DEAF, DEAFBLIND & HARD OF HEARING Day at the Capitol

## Poster Session

12:30 – 1:15 PM

Featuring posters from  
Metro Deaf School  
Minnesota State Academy for the Deaf  
ThinkSelf Adult Learners Program



1164

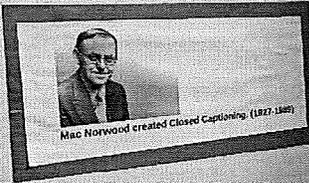
HF 909

CLOSED  
CAPTIONING

IN

PUBLIC  
PLACES

SF 2044



Mac Norwood created Closed Captioning. (1937-1947)

As television developed in the 1950s and 1960s, the deaf were virtually left out. As the head of Deafened and Captioned Media Program (DCMP), Norwood became a leading advocate for the development of closed captioning on television and was largely responsible for popularizing the captioning technique now used in television.



Deaf and Hard of Hearing people believe hearing with CC.



Open Captioned model



Caption



Closed Caption

We want more closed captioning on televisions in public places. Here are some suggested places:

- Airport/Bus
- Train Station
- Subway/Light Railroad Station
- Bus Station
- Hotel Lobby
- Lock Tower/Pramp, Video
- DMV Lobby Area
- Government Center
- Community Center
- Sports Stadium
- Academy

Access empowers US.  
Please support  
captioning in public  
places.



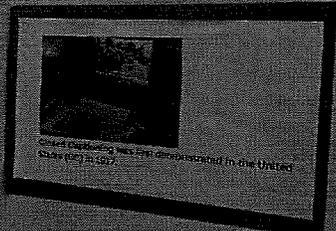
Caption



Caption



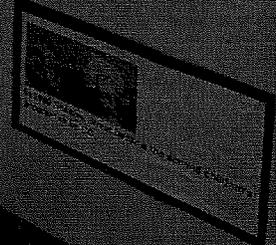
Caption



Closed Captioning was first developed in the United States (1937-1947).



PBS member stations must in the U.S. with access to public programming services (1987-1988).

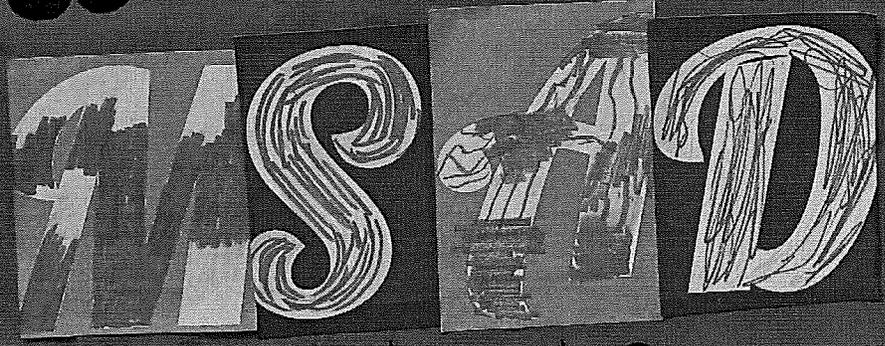


Closed Captioning was first developed in the United States (1937-1947).

treaty. They came  
over from Germany  
because they were  
promised land that  
available



We want  
to improve our  
access to  
Communication.



We want to

**FEEL SAFE**

# CLOSED CAPTIONING

## in Public Places

HF909

SF2044

Closed Captioning should be required in public places such as restaurants, movie theaters, malls, airport, transportation service (buses & trains) and sporting events.

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Personal Experience involved being in a restaurant when a tornado warning occurred and I could not understand anything the TV was saying.

