



# Coalition for Movie Captioning

*Equal Access Now for Deaf and Hard of Hearing  
Consumers, their Family Members and Friends!*

## FOR IMMEDIATE RELEASE

Information: Cheryl Heppner [cheppner@nvrc.org](mailto:cheppner@nvrc.org)  
James House [jimhouse@tdi-online.org](mailto:jimhouse@tdi-online.org)

### **Coalition for Movie Captioning Points to Gaps in Proposed Settlement DC Area Consumers Urged to File Comments**

**WASHINGTON, DC, February 26, 2004** - The Coalition for Movie Captioning (CMC) announced today that it has filed comments and opposition to a proposed settlement agreement in a class action case by deaf and hard of hearing individuals against AMC and Loews theaters in the Metropolitan Washington, DC area. "We support the proposed settlement's effort to provide captioning of first-run movies in AMC/Loews theaters," said CMC Chair Cheryl Heppner, "however, we have some serious concerns about several key details in the proposed settlement."

Most movie theaters in America are inaccessible to deaf and hard of hearing individuals, who want to enjoy blockbuster movies at their local theaters along with their families, friends and neighbors. Movie theaters are subject to the Americans with Disabilities Act. Several technologies and formats to display captioned movies exist now to make soundtracks accessible to deaf and hard of hearing individuals. To date, AMC and Loews theaters together have only one screen in one theater within the Metropolitan Washington, DC area equipped to show captioned movies.

Among the comments and opposition statements made by the CMC to assist the Court in making its decision are:

- The settlement requires only one kind of captioning system, Rear Window Captioning™ (RWC) to be installed in AMC/Loews theaters in the DC area.
- Only 12 screens/auditoriums in AMC/Loews theaters would be required to have a captioning system installed within the next two years. This represents only about 5% of AMC/Loews screens/auditoriums in the DC area.
- New AMC/Loews theaters built in the DC area are required to have only one screen/auditorium that is equipped to show captioned movies.
- Captioning display equipment would be limited to mid-size auditoriums, which means that deaf and hard of hearing people would likely have to wait until later to view blockbuster movies.
- Theaters equipped with RWC are only required to have an average of 10 reflector screens.
- There is no requirement that captioned movie announcements be part of mainstream theater marketing efforts such as newspaper or Internet advertising.
- There is no requirement that accessible telephone systems be available should a patron call to inquire about captioned movies.
- There is no requirement that captioning-related equipment be kept in proper working order and that non-functioning equipment be replaced.
- There is no requirement for training and supervision of theater employees to ensure that they can operate captioning systems and equipment and respond to consumer questions and requests.

- This settlement applies to deaf and hard of hearing individuals who already reside in the Metropolitan Washington DC area; those who are born or move here post-settlement would not have the right to file captioning complaints against AMC/Loews.

The Metropolitan Washington, DC area covered by the proposed settlement includes: Washington, DC; Montgomery County, MD; Prince George's County, MD; Howard County, MD; Anne Arundel County, MD; Alexandria, VA; Falls Church, VA; Fairfax City, VA; Fairfax County, VA; Arlington County, VA; Prince William County, VA; and Loudoun County, VA.

"CMC strongly urges deaf and hard of hearing adults and parents of deaf and hard of hearing children under age 18 who reside in the Metropolitan Washington, DC area to send their own comments about the proposed settlement to the Court by the March 12, 2004 deadline," Heppner said. "We also encourage attendance at the Fairness Hearing regarding the proposed settlement on April 1, 2004."

The Fairness Hearing will be held at 9:30 am on April 1, 2004 in the US District Court for the District of Columbia, 333 Constitution Ave. NW, Washington, DC 20001. If the Court grants Final Approval, a final judgment will be entered and the lawsuit will be dismissed.

Deaf or hard of hearing people living in the Metropolitan Washington, DC area who are planning to attend the Fairness Hearing should contact the Director of Interpreting Services, Teresa Salazar, at [Teresa C. Salazar@dcd.uscourts.gov](mailto:Teresa.C.Salazar@dcd.uscourts.gov) by March 15, 2004, to request reasonable accommodations (i.e., qualified sign language interpreter services, real-time captioning, assistive listening devices, etc.).

To oppose all or part of the proposed settlement, you must be unable to hear well enough to understand the soundtrack of a movie shown in a theater, or be the parent of a child unable to understand the soundtrack. A written statement must be sent to: Clerk of the Court, US District Court, 333 Constitution Avenue NW, Washington, DC 20001. To make a statement at the Fairness Hearing to oppose the settlement, send a "notice of intention to appear," to the Clerk of the Court at the address above. A copy of your written statement and/or notice of intention to appear must be mailed to: Thomas J. Simeone, Esq., Simeone & Miller, 1620 I Street NW, Suite 202, Washington, DC 20006; and David Monroe, Esq., Galland Kharasch Greenberg Fellman & Swirsky, P.C., 1054 31st Street NW, Washington, DC 20007-4402.

For the full text of the proposed settlement agreement:

<http://www.lawyers.com/simeoneandmiller/MovieTheaterSettlement.jsp>

For the full text of CMC's comments and opposition:

<http://www.nad.org/openhouse/action/alerts/cmc/index.html>

<http://www.nad.org/openhouse/action/alerts/cmc/CMCcommentsFinal.pdf>

**About CMC:** The Coalition for Movie Captioning (CMC), established in 1999, is a consortium of major national organizations of deaf or hard of hearing people addressing the theater access needs of 28 million deaf, hard of hearing, late-deafened and deaf-blind consumers. CMC's goal is for all first-run movies to be accessible to people with hearing loss. The charter (founding) members of CMC are the Alexander Graham Bell Association for the Deaf and Hard of Hearing, the American Society for Deaf Children, the Association of Late-Deafened Adults, the Cochlear Implant Association, Inc., the Deaf and Hard of Hearing Consumer Advocacy Network, Deaf Seniors of America, the League for the Hard of Hearing, the National Association of the Deaf, Self Help for Hard of Hearing People, Inc., and TDI. For more information about CMC, see [http://www.tdi-online.org/fs\\_cmc\\_position\\_paper.html](http://www.tdi-online.org/fs_cmc_position_paper.html)