

# Some rules are meant to be broken

by Sharon Lynn

Deaf people requesting captions is equivalent to hearing people requesting audio.

Imagine being denied access to audio everytime, everywhere and everyday.

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Before my daughter was born. I took parenting classes in which I learned about how the newborn babies body should be wrapped in a blanket with his hands swaddled, or perhaps more accurately restrained within this material. I understood the reasons. In support of doing this, however, something about it sounded improbable and unrealistic. Maybe I just had a deep understanding or knowing of who my daughter would be.

I have memories - 10 years later that Sarah accepted this for maybe a few days at which point she said, already a strong willed Aries and unwilling to readily accept rules set by her parents. My mother remembers that even as a baby she had an energy amounting to 'oh heck no, I don't think so... Stand down while I show you who is the boss here.' That was a precursor for life to come.

This child never had much use for the rules. She tolerates them- barely. She is a creative leader with some ADHD. Her mother can relate to the latter. I have watched her stand up for herself and hold her own no matter who she is communicating with - kids her own age or professional adults. She will tell anyone what she thinks- anyone. But don't misunderstand me. She is not without some challenges - as all children at this age. I frequently need to give myself a 'time to think' because sometimes I just cannot take the endless discussions for even one more moment. I think her father would agree.

Sarah is also Deaf. This is perfectly great news. Why did you learn that Sarah is Deaf 200 plus words into this article? Because it almost doesn't matter for the purposes of this story. I mean of course it matters. It's the impetus for why I write this in the first

place and perhaps the bigger reason that I write this is because equality and equal access is something that has been who I am - even before becoming this child's mother.

As I said, this tall, brown haired child has little tolerance for the rules and neither do I, I suppose - especially ones that are unjust and unfair. The rule of which I speak of here is about the seemingly simple activity of going to a movie. We go to the movies and the language is available for all to receive kind of like forks and food in a restaurant. Language. But for Sarah, and many other individuals, many of whom are not Deaf this is not possible. The language is not just there. The language, frequently, needs to be fought for and requested in advance.

Why is this? Because in 2016 the Justice Dept., in their misguided state of unknowing and dare I say fear has cocooned themselves in a permanent state of discrimination. I speak of a 'Final Rule that they passed which basically says that movie theatres are under no obligation to provide open captioning devices on any movies in their theatres but they can if they choose. To quote them directly, "While the rule permits movie theaters to provide open captioning (i.e., captioning that is shown on the screen and visible to all movie patrons) instead of closed movie captioning as a means of meeting their obligation to provide effective communication for people with hearing disabilities, the rule does not require movie theaters to provide open captioning under any circumstances."

I had no idea what any of this meant until just a few years ago so I will explain a few things in an attempt to simplify this issue:

- Open captioning is not just for people who are Deaf. There are multiple positive impacts and affects a great many people. Please feel free to look at this nationally shared petition created by captioning activist Jamie Burke for a more detailed examination.
- I will be very honest with you. I had no reason to understand why open captioning is important. Before experiencing this I had a few minutes where I thought that this would bother me. I thought that it might detract from the enjoyment of the movie. You know what? I was incorrect. I did not yet know that it was just no big deal. The language assists with understanding more about what's actually happening in the movie.
- The overarching reason why the Justice Dept. has mistakenly decided to create a rule which is seemingly Final and immovable is because of **money**. Money that movie theatres fear they will lose if some people are bothered by language. I can understand this fear. However, in reality this means that if my 10 year old wants to see a children's movie that other children can experience just by simply walking in the door - she cannot.

- In basic terms this means that that when I go to the Warehouse movie theatre's website I see that Monday-Thursday of this week there are between 4-5 showings of 'Ron's Gone Wrong' and 'Adam's Family 2' each day. How many of these movies have open captioning: **not even one. Not one.** Please see for yourself.
- The Final Rule does explain how movie theatres should provide closed captioning devices. These devices include unsanitary glasses or little boxes that a person may keep at their seats. The devices frequently do not work and are not an EQUAL experience to that of open captioning.

The Justice Dept. have created a rule which has become like a baby restrained in a blanket, unable to breathe. They have also mistakenly shielded themselves in a seemingly permanent state of unknowing and fear. Fear that what the public does not fully understand will be what? The Death of capitalism. Common now.

However, these actions have had some unacceptable consequences; among them being a disregard of the 14th amendment of our Constitution which says that, "we hold these truths to be self evident, that all men (they meant people) are endowed by their creator with certain inalienable rights that among these are life, liberty and the pursuit of happiness." It also guarantees that all citizens have equal protection of the laws.

It does not say that citizens deserve equal protection of the laws IF it makes enough money for specific business entities.

How does all of this impact my life on a personal level? Recently my daughter, her friend mom - all Deaf except for me went to see a movie on a day when the movie theatre's website said the movie would have open captioning however when we arrived we found out that a mistake had been made and unfortunately we would not be able to see it. I asked if it would be possible to change this and I was informed that there was one individual with one key to a closet with the open captioning technology and that person was not there. However, the closed captioning devices were available. I asked my friend how she would feel about this and she proceeded to tell me or sign using ASL that the cc devices were terrible and she wouldn't be able to use it.

After spending nearly an hour there the children were getting hungry and there was nothing else to say. I take that back. There was a great deal more to say. I could have called a news station and explained how basic equal rights were being infringed upon right then but again children losing patience and hunger.

There's a great deal more to say now too. I want to tell you about all of the people nationwide and here in Frederick who spend countless hours of their time trying to create equal access. One such person is Nat Baisley, a man who is Deaf and the head

of the FB group 'Deaf moviegoers of Frederick.' He has become a llgason of sorts, communicating with movie theatres and the Deaf community. People can tell him 2 weeks in advance what movies they might want to see. He then communicates with the theatres and they try to make it happen.

Two weeks in advance? Really?

"Why should the Deaf community schedule their lives around movie showtimes while (some) folks just go when it's convenient for them?", he asks.

Jamie Burke is another person who has spent years trying to enact change. When I ask her why she does this work she explains, "my drive to do this goes all the way back to when I was five years old. My family had gone to a drive-in-movie and being deaf I couldn't understand the movie."

I communicated with Rich Daughridge, Founder and CEO of the Warehouse Cinemas. I asked him many questions; the most important among them being if he would be willing to take the fair and equitable action of providing open captioning on every movie, every day of the week; because all of us deserve that. His response was the following: "We will continue to work with the deaf and hard-of-hearing community in Frederick to offer both quality, state-of-the-art closed captioning devices and open-caption programming. As we welcome back movie-goers after the historic COVID shutdown, ensuring that families and individuals have the best experience when visiting our theatre is our top priority."

I asked him again if he was able to provide a more specific plan of action and his response was nearly the same.

**Jamie Burke's** petition on change.org contains signatures of every person (in every state) who supports having open captioning at movie theatres. Anyone can, "communicate with their legislators that represent you to find out if they would be willing to sponsor a bill."

That is this writer's next step. I hope you will consider doing the same and signing the petition, that already has 23,000+ signatures, and lending you support to any change making efforts already in the process of happening.

[https://www.change.org/p/open-captions-subtitles-are-healthier-for-everyone?cs\\_tk=Ar1wCv9ColQGSWUjPmEAAXicyvNyQEABF8BvO1YZTwVoOsvke6aFmXtAEY%3D&utm\\_campaign=6c72a48407204b028e21966d3dae124e&utm\\_content=initial\\_v0\\_1\\_0&utm\\_medium=email&utm\\_source=promoted\\_petition\\_receipt&utm\\_term=cs](https://www.change.org/p/open-captions-subtitles-are-healthier-for-everyone?cs_tk=Ar1wCv9ColQGSWUjPmEAAXicyvNyQEABF8BvO1YZTwVoOsvke6aFmXtAEY%3D&utm_campaign=6c72a48407204b028e21966d3dae124e&utm_content=initial_v0_1_0&utm_medium=email&utm_source=promoted_petition_receipt&utm_term=cs)

If the 'Final Rule' would be insufficient for the children or grandchildren of any of the people who created those words which have negatively impacted the lives of so many people - then it is insufficient for everyone.

I will leave you with this for now. True equality in this arena will not exist until every movie on every day at every time will have the same access to language. People will not need to wear uncomfortable goggles or have devices at their seats.

Worthy but not more worthy. I will say that again. Worthy but not worthy. Each and every one of us. Who holds the literal and proverbial key? Nobody and each and every one of us.