

Tacoma Area Commission on Disabilities Request for a Closed Captioning Ordinance

Presentation to Community, Vitality and Safety Committee
July 11, 2019



Summary

- The Tacoma Area Commission on Disabilities (TACOD) requests support for an ordinance to provide closed captions on all televisions in public spaces in Tacoma.
- We are asking for the support of the Community, Vitality and Safety Committee to move this recommendation forward.



History

- Tacoma Area Commission on Disabilities has been serving the City of Tacoma since 1987
- The Commission was chartered with formulating and recommending programs, policies, and laws related to disabilities
- The staff support to the Commission on Disabilities is provided by the Office of Equity and Human Rights



Background

- Closed captioning under the Americans with Disabilities Act (ADA) is required for places of public accommodations with the exception of religious organizations and private clubs.
- Not enabling closed captioning could be considered an unlawful discriminatory practice in places of public accommodation, under TMC 1.29.060



Benefits

Closed Captioning:

- Benefits people who are deaf
- Benefits people, including seniors, who are experiencing hearing loss and require assistance and/or devices
- Reinforces Tacoma as a welcoming city for those learning English
- Benefits all communities during times of natural disasters and emergencies
- Offers improved access to television in noisy environments such as restaurants and bars



Other Models in Public Spaces

- The City of Portland, Oregon requires all televisions to have closed captions enabled at all times
- Seattle passed a closed captioning ordinance in April of 2019
- Both ordinances are available as templates for our review and use in drafting an ordinance



Community Engagement: What We Learned

- Application of closed captioning is not standard business practice in Tacoma
- Requests for closed captioning are challenging, often happen in noisy environments and prove a difficult challenge for people who are deaf and hard of hearing and even those who are not
- Businesses do not want to inherit the responsibility of explaining the reasons behind closed captioning alone
- Passing a closed caption ordinance **and emphasizing an education first approach** stands the best opportunity to make closed caption access standard practice



The Ordinance and Roll Out

- All or most screens in a given establishment would provide closed captions and those captions must be set in high contrast and readable
- A supporting education campaign would help prepare business establishments to offer closed captioning as standard practice
- The education campaign would extend out to residents and visitors
- OEHR would partner with several non profit organizations to assist with these education efforts



By the Numbers

People in the U.S. Who Benefit From Closed Captioning

Nationally:

48 Million with a hearing disability
 30 Million Learning English as a Second Language
 27 Million Learning to Read
 10 Million Improving Literacy Skills

Total = 115 Million



By the Numbers

People Who Benefit From Closed Captioning

Locally:

An average of 8% of most American Cities are deaf or hard of hearing. If we estimate **conservatively** at 4%

- For the **City of Tacoma** proper this would equate to over **8,440 residents**
- For **Pierce County** that would equate to **35,000 residents**, the capacity of Cheney Stadium, the Tacoma Dome and all the Tacoma Convention Center spaces combined



Economic Impact

- The Washington State Division of Vocational Rehabilitation estimates that over 900,000 of the state's 7 million residents have some form of disability, and this represents a significant part of our state's economy
- According to Travel Tacoma + Pierce, the Tacoma Pierce region received 6.2 million visitors in 2016
- Many of these visitors are 50 and older, with more disposable income, and this subgroup has a higher percentage of hearing loss than younger populations
- Closed captioning accommodates these visitors and can provide a significant boost to our local and regional economy and to owners of many different lodging options in the area
- If we estimate conservatively at 4%, nearly 250,000 visitors to our region experience some form of hearing disability.



Enforcement

- The Office of Equity and Human Rights currently investigates potential ADA violations and would investigate closed captioning complaints.
- While a closed caption ordinance would mandate establishments to provide closed captioning, TACOD recommends launching an education campaign and giving businesses ample time, six months to a year, to comply
- The City of Portland has indicated that closed captioning complaints have not been extensive and have not increased the work load of enforcement staff



Request

- The Commission requests that The Community Vitality and Safety committee support an ordinance providing the universal practice of providing closed captioning at all public places with televisions
- This ordinance will eliminate the difficulties that people who are deaf and hard of hearing often have in making an accommodation request by making closed captioning standard business practice



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