

February 14, 2023

**RE: SB 400 – Places of Accommodation – Motion Picture Houses –
Captioning
Senate Judicial Proceedings Committee
February 16, 2023
Position: Unfavorable**

Dear Chairman Smith, Vice-Chair Waldsteicher, and Members of the Committee:

My family owns and operates The Charles Theatre in Baltimore, and, respectfully, I am writing to ask that you oppose SB 400 - Motion Picture Houses - Captioning. As written, the bill would require at least two open-captioned shows per film each week, after the film's first play week.

This one-size-fits-all mandate is problematic because not all cinemas offer the same programming. The legislation would (1) prove challenging logistically for many of the titles we offer our patrons, potentially eliminating certain programming altogether, and (2) does not reflect the demand for open-captioning in Baltimore.

Our theater screens independent films and "revival" films. With independent films, there may be only one or two shows scheduled per day. And the revival films are offered on an even less frequent basis, at times only once or twice in a given week. Note that the number of screenings offered for a title in any week is based on expected attendance. For more obscure programming, there might be only one screening in a week.

Thus, a requirement to screen at least two open-captioned shows of every film every week would potentially eliminate programming a film that would receive only one showtime in a week.

To be sure, we appreciate and welcome our deaf and hard-of-hearing patrons. We provide closed-captioning devices that give deaf and hard-of-hearing guests the opportunity to attend any movie, at any time.

We have good relationships with our deaf and hard-of-hearing patrons. We are able to schedule open-caption shows upon advanced request. We have done so, for example, for screenings of BELFAST. Moreover, our Sunday Cinema Club screenings—weekly screenings on Sundays of newly released movies—are always screened in open-caption.



Anecdotally, in August 2021 I met with Jacob Leffler of the Baltimore City Association of the Deaf ("BCAD"). Mr. Leffler had inquired about a fundraising opportunity at our theatre for BCAD in connection with the release of the movie CODA. Attached is my email exchange with Mr. Leffler.

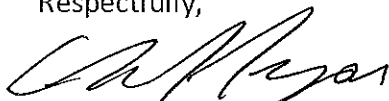
In support of the BCAD's efforts, we offered at no charge use of our lobby so that BCAD could present promotional materials to the theater's customers and invite them to sign up on BCAD's mailing list. The BCAD held its event on August 20, 2021.

In the days leading up to BCAD's event, I met with members of the BCAD, including Mr. Leffler, to show them the lobby space. At that time, Mr. Leffler posed the question whether the theater would consider screening open-caption shows. I responded, "yes," and invited BCAD to let us know of any titles in which they had interest. I never received any further inquiries from either BCAD or Mr. Leffler about open-caption programming.

Please continue to give us the flexibility to respond to our guests' requests and market demands, rather than a one-size-fits-all approach, which does not, in fact, fit. Know that this legislation would impact programming choices, ultimately eliminating some programming altogether.

We, therefore, ask that you vote unfavorable on SB 400. Thank you for your time.

Respectfully,



Christopher J. Lyon

Enclosure

ATTACHMENT

Re: Fundraiser Event at Charles Theatre

From: Charles Theatre (charlestheatre@yahoo.com)

To: bcadeaf2020@gmail.com

Date: Tuesday, August 17, 2021, 10:16 AM EDT

That works, thank you.

On Tuesday, August 17, 2021, 10:15:44 AM EDT, Baltimore City Association of the Deaf <bcadeaf2020@gmail.com> wrote:

I can meet at 1pm if that works?

On Tuesday, August 17, 2021, Charles Theatre <charlestheatre@yahoo.com> wrote:

My apologies, Jacob. I already have a 2:00 call today. Are you available earlier?

Thank you,
Chris
410-727-3464

Sent from Yahoo Mail for iPhone.

On Tuesday, August 17, 2021, 8:01 AM, Charles Theatre <charlestheatre@yahoo.com> wrote:

Good morning, Jacob. 2:00 today is fine, and by phone, too, works. Unless you'd prefer to see the lobby.

Regards,
Chris
410-727-3464

On Monday, August 16, 2021, 08:45:49 PM EDT, Baltimore City Association of the Deaf <bcadeaf2020@gmail.com> wrote:

Hi Chris,

Sure, we can meet tomorrow in the afternoon? After 2pm? Let me know what time works for you.

Thank you,

Jacob Lefler

On Mon, Aug 16, 2021 at 8:28 PM Charles Theatre <charlestheatre@yahoo.com> wrote:

Hi, sounds good. Do you have time tomorrow to chat about logistics?

Thank you,
Chris
410-727-3464

Sent from Yahoo Mail for iPhone

On Monday, August 16, 2021, 8:01 PM, Baltimore City Association of the Deaf <bcadeaf2020@gmail.com> wrote:

Hi Mr. Lyon,

Thank you for the email. I apologize for the delay in responding to you. I had to share with the Board. We agree that we would like to have a space in the lobby. We would like to be there at 4 showtimes, 1 or 2 people will be there representing BCAD at each time with a flyer about our organization and for people to sign up for our mailing list.

We are excited about seeing CODA on Friday!

Can you let us know what is the next step to reserve it and the location of it?

Thank you,

On Thu, Aug 12, 2021 at 9:42 AM Charles Theatre <charlestheatre@yahoo.com> wrote:

Good morning, Mr. Leffler, thank you for reaching out. We are looking forward to our run of CODA, a first full release open caption across the board. We do appreciate you thinking of us and we'd be happy to donate space in our lobby for any fundraising efforts that might make sense, as well as a set of passes. Regarding donating a share of ticket sales as you propose, you might imagine, it has been a difficult time for theaters this past 1 1/2 years, and, moreover, the distributor already takes a considerable share off the top. So that's something we're not willing to do. But let us know if there's interest in our other suggestions.

Regards,
Chris Lyon
410-727-3464

On Tuesday, August 10, 2021, 03:58:09 PM EDT, Baltimore City Association of the Deaf <bcadeaf2020@gmail.com> wrote:

Mr. Lyon,

The President and Treasurer of the Baltimore City Association of the Deaf stopped by at the theatre today to discuss the movie, CODA that you will show on Friday, August 20, 2021. We learned that the tickets are not available until next week.

We inquired about the fundraiser event and they told us to contact you via email. We were wondering if it is possible for us to have a fundraiser event on Friday, August 20, 2021. We were thinking, maybe some percentage of sales can go to our organization. Of course, we will promote the event statewide.

A little background of our organization and what we do. The Baltimore City Association of the Deaf (BCAD) is an organization in the City of Baltimore that provides advocacy and services to the Deaf, DeafBlind, and Hard of Hearing individuals in Baltimore City, Maryland.

Please do not hesitate to contact us if you have any questions or concerns.

Thank you,

Jacob Leffler