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CNN.COM SUED BY DEAF AND HARD-OF-HEARING FOR LACK OF CAPTIONED VIDEOS ON ITS WEBSITE

Oakland, CA – June 15, 2011 – A class action lawsuit filed today in Alameda County Superior Court alleges that Time Warner Inc., the owner of CNN.com discriminates against people who are deaf or hard-of-hearing by failing to provide any captioning of its on-line videos on its website. The suit is the first of its kind in the country.

The suit is brought by The Greater Los Angeles Agency on Deafness (“GLAD”) on behalf of its members with hearing loss, and three individual plaintiffs. The plaintiffs are represented by Disability Rights Advocates (“DRA”), a non-profit disability rights legal center headquartered in Berkeley, California that specializes in high-impact cases on behalf of people with disabilities and Goldstein, Demchak, Baller, Borgen & Dardarian, a plaintiffs’ public interest class action law firm headquartered in Oakland, California.

The internet has revolutionized the speed of reporting and the ability to access news information. Within hours of a story breaking, videos are posted on news websites allowing the public to access critical information. Yet, CNN.com one of the largest media and entertainment companies in the world, refuses to provide any captioning of its on-line videos, excluding the deaf and hard-of-hearing communities from accessing video news content on its website.

Viewership of CNN.com rises dramatically when breaking news becomes available. For example, according to its own website, CNN.com received 67 million global page views in a single day, March 12, 2011, immediately following the Japanese earthquake and tsunami. Almost every user who visited CNN.com that day watched a video; according to its own website, CNN.com received 60 million global video starts on March 12, 2011.

Hearing loss is a major disability. The Hearing Loss Association of America reports that approximately 36 million American adults report some degree of hearing loss. Approximately 1 million Americans are functionally deaf. The number of adults with hearing loss is expected to increase significantly as the baby boomer generation continues to age. California, with 100,000 deaf residents, is thus home to a great many people who depend on captions to understand news videos.

Many people with hearing loss utilize captioning to understand video content. Captioning displays dialogue, and may also identify who is speaking and include non-speech information conveyed through sound, such as sound effects, music and laughter.

Currently, broadcast and cable television content must be closed captioned under federal communications law. There is readily available technology that would enable on-line news sites to provide similar closed captions. Captioning can be provided as an option for deaf and hard-of-hearing visitors to CNN.com without interfering with the experience of non-disabled website visitors.

“Time Warner’s refusal to provide captioning of its videos is astounding given how central the internet is in today’s communication environment. The lack of captioned videos means that millions of people with hearing loss will continue to be denied equal access to video news content on CNN.com,” said Anna Levine, Plaintiffs’ attorney of Disability Rights Advocates.

Donny Jacob, a plaintiff in the case says, “The era of waiting for the six o’clock news is over. I simply want an equal opportunity to view news videos on CNN.com’s website at my convenience like most people can.”

“As we gear up for the 2012 presidential elections, watching debates among candidates will be of major importance to Americans. Body language and facial cues are a central part of communication for individuals who are deaf or hard-of-hearing. Videos with captions allow people who lack the ability to hear or have minimal hearing to access these aspects of communication, which are vital for viewing speeches,” said Linda M. Dardarian, Plaintiffs’ attorney of Goldstein, Demchak, Baller, Borgen & Dardarian.

Jennifer Olson, a plaintiff in the case, regularly visits CNN.com for news. “People with hearing loss want to watch captioned videos of candidates’ speeches for a clearer understanding and perception of each candidate,” said Jennifer Olson.

Edward Kelly, a plaintiff in the case is an advocate who works with deaf and hard-of-hearing individuals. After the Tsunami in Japan hit, Edward like many Americans was concerned about whether radiation levels would spread to the U.S. “I could see pictures of nuclear reactors that were damaged but without captioning, I did not know if the radiation would spread to California. My clients echoed the same concern. I wanted to provide them with an accurate report about radiation levels but the lack of captioning prevented me from doing so,” said Edward Kelly.

“Technology has the ability to advance society but if technology is not accessible, it harms certain communities by excluding them. CNN’s refusal to provide captioning of its on-line video news content is leaving deaf and hard-of-hearing communities behind as they cannot instantly and conveniently access crucial news information,” says Dr. Patricia Hughes, Executive Director of GLAD, an organizational Plaintiff in the lawsuit.

The lawsuit alleges violations of California’s anti-discrimination statutes: the Unruh Civil Rights Act and Disabled Persons Act. A copy of the Complaint can be found at www.drlegal.org.

About Disability Rights Advocates (DRA)

Disability Rights Advocates is a non-profit legal center which, for nearly twenty years, has specialized in high-impact class action litigation on behalf of people with all types of disabilities. DRA litigates nationally and has offices in New York City and Berkeley, California.

About Goldstein, Demchak, Baller, Borgen & Dardarian

Goldstein, Demchak, Baller, Borgen & Dardarian, is an Oakland, California based law firm which represents plaintiffs nationally in complex and class action litigation, including civil rights, employment discrimination, wage and hour, disability access, consumer, and other public interest class actions.