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Hippodrome sued over no captions

Baltimore woman sought hearing-impaired service

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A Baltimore woman has filed a federal lawsuit against the Hippodrome Theatre for not providing captioning for hard-of-hearing patrons during stage productions.

Jessica Gill wanted to attend a production of “Newsies,” which opened Tuesday night, and asked theater officials several times earlier this year if a captioning service would be available. Gill reads lips and has a hearing aid in her left ear for face-to-face communication and relies on captioning when she watches television, according to the lawsuit.

Gill was told the Hippodrome offers “infra-red hearing devices,” “sign interpreter performance” and “audio descriptions” but no captioning, according to the lawsuit. Theater officials did not say when or if captioning would be available, according to the lawsuit, filed Monday in U.S. District Court in Baltimore.

“It’s done in other theaters,” said Joe Espo, one of Gill’s lawyers. “It’s certainly available. There’s no excuse.”

The captioning Gill is seeking is known as “open captioning,” meaning the captions are always in view, as opposed to “closed captioning,” which the viewer can turn on or off, said Espo, a partner at Brown, Goldstein & Levy LLP in Baltimore. Some theaters have video displays with captioning above the stage, he added, while others put the video screen toward the side of the stage and people with hearing difficulties can purchase tickets for seats close to the screen.

The infra-red devices amplify sound, and with “audio descriptions,” a narrator describes the action on the stage and audience members listen on earphones, but that doesn’t repeat the dialog. The latter is



primarily a service for blind patrons.

One show for each production at Baltimore’s Center Stage theater is captioned, for example. An LED sign shows up to four lines of text at a time and is controlled by hand so “the delivery is in time with the dialogue and action on the stage,” according to Center Stage’s website.

A spokesman for New York-based Key Brand Theatrical Group Inc., which owns the Hippodrome, did not respond Tuesday to a request for comment.

Gill grew up in New York attending Broadway shows and has seen captioned performances at Center Stage since moving to Baltimore four years ago, the complaint states.

Gill first emailed Key Brand’s customer service in January after learning “Newsies” was coming to the Hippodrome.

“Because of the lack of captioning, Ms. Gill will miss ‘Newsies’ when it comes to the theater in December, and she is unable to attend any other performance at the Hippodrome due to the lack of captioning,” the complaint states. “Ms. Gill has no expecta-

tion that captioning will be available at any time in the future.”

The lawsuit also names as defendants the Hippodrome Foundation and the Maryland Stadium Authority, which owns the theater building. It accuses all defendants of violating the Americans with Disabilities Act.

“Ms. Gill and other deaf and hard of hearing individuals want to enjoy live theatrical performances, just like everyone else,” said Howard A. Rosenblum, chief executive officer of the National Association of the Deaf, which also is representing Gill. “This lawsuit will help ensure that theatrical performances are accessible to all.”

The case is *Jessica Gill v. Key Brand Theatrical Group Inc., et al.*, 1:14-cv-03737-GLR.

The NAD and Brown Goldstein filed a similar lawsuit last year against the University of Maryland for not providing captioning services during football games at Byrd Stadium and basketball games at Xfinity Center. That case is pending, according to online court records.