

**TESTIMONY ON SB 569 A  
BEFORE THE HOUSE COMMITTEE ON EARLY CHILDHOOD AND HUMAN SERVICES  
APRIL 26, 2023**

**PRESENTED BY: AJA HOLLAND, SENIOR ASSISTANT GENERAL COUNSEL  
OREGON JUDICIAL DEPARTMENT**

Chair Reynolds, Vice-Chairs Nguyen and Scharf, and Members of the Committee:

My name is Aja Holland, Senior Assistant General Counsel at the Oregon Judicial Department (OJD). I want to first thank Senator Gelser Blouin and the proponents for their receptivity and responsiveness to our concerns. Given the collaborative efforts and work on this bill, OJD is neutral on SB 569 A.

Briefly, SB 569 A requires places of public accommodation to activate closed captioning on televisions and any other apparatus designed to receive or play back video programming simultaneously with sound when those devices are displayed in a public area and are technologically capable of displaying closed captioning.

Courthouses are places of public accommodation under ORS chapter 659A, and courts routinely use televisions, computer monitors, and other devices to display docket information, play video evidence during court proceedings, and, in the event of remote or hybrid proceedings, display remote testimony or appearances via video conferencing software. As such, the exemption for OJD outlined in Section 2 of SB 569 A is deeply appreciated – particularly given the unique role of the circuit courts and their duty to both provide accommodations to court-users while also ensuring case participants' due process rights and standards are not violated.

For context, OJD complies with the Americans with Disabilities Act (ADA) accommodation requirements by providing Communication Access Realtime Translation (CART service) to parties, witnesses, jurors, and court observers upon an appropriate ADA request. CART service is provided by a trained individual who attends – in person or remotely – the proceeding and transcribes the proceeding in real time for viewing by the person in need of the accommodation. In the rare event that concerns arise about the accuracy of the transcription, the CART service provider is treated as an expert witness to the proceeding.

When this measure was first introduced in the Senate Committee on Human Services, we were grateful to have the opportunity to work with Senator Gelser Blouin and the proponents on an amendment, given OJD's unique need to ensure court-user access to legal proceedings while also complying with due process rights and standards. In addition, SB 569 A ensures that OJD's current ADA accommodation practices can continue without the potential for conflicts between CART service captioning and on-screen closed captioning.

We want to again thank Senator Gelser Blouin and the proponents for their willingness to work with us and to include the exemption in the measure. Thank you for the opportunity to provide written testimony. If you have any questions, please contact Aja Holland, Senior Assistant General Counsel, OJD Office of General Counsel (OGC) at [Aja.T.Holland@ojd.state.or.us](mailto:Aja.T.Holland@ojd.state.or.us) or Kaiti Ferguson, Senior Staff Counsel, OJD Office of Legislative Affairs (OLA) at [Kaiti.Ferguson@ojd.state.or.us](mailto:Kaiti.Ferguson@ojd.state.or.us).