

#5074147 Not captioning profanities

Submitted October 9, 2021 at 6:30 PM
Received via Web Form
Requester Elodenacademic <elodenacademic@gmail.com>

CCs

Sherita Kennedy <sherita.kennedy@fcc.gov>, Will Schell <will.schell@fcc.gov>

Status	Type	Priority	Group	Assignee
Pending	-	-	ION Networks - E.W. Scripps Company (DRO)	-

Complaint Internal Status	Name of TV program	Carrier Serve Due Date
Carrier Response Pending	Law & Order special victims unit	November 14, 2021

Carrier Serve Date	TV Method
October 15, 2021	Satellite

Accessibility Issues

Closed Captioning on TV (from a television station or subscription television provider, for example, cable, fiber optic or satellite)

First Name	Last Name	State	Zip Code	Time of Issue	Date of Issue
Elisa	Loden	Nevada	89122	2:00 pm	October 9, 2021

Phone (where you can be contacted)	City Where Program was Viewed/Heard
702-592-9962	Las vegas

Preferred Method of Response	Network	Name of Company Complaining About
Email	ION	Ion Tv

Zip Code of Company Complaining About	Call Sign	State Where Program was Viewed/Heard
89122	Ion/KMCC	Nevada

Address 1	City	Filing on Behalf of Someone	Name of Subscription Service
4583 S Bigford St	Las Vegas	No	DirecTV

Reasons for additional review	TV Channel (New)
Would you consider this a closed caption issue?	34

Elodenacademic October 9, 2021 at 6:30 PM

Around 2pm PDT, I was watching Law and Order SVU when I noticed that all profanities like "bitch, hell, ass" etc were not being captioned, but dashes — were put in their place. This happened on another episode I watched at 3pm. The tv station was Ion. My cable provider is directv

Eric Gamage October 12, 2021 at 11:27 AM

Internal note

Review for indecency-related issues.

Jada Barnes October 14, 2021 at 2:02 PM

Internal note

DRO needs to review this ticket.

Sherita Kennedy October 15, 2021 at 9:35 AM

Internal note

OFFICIAL NOTICE OF INFORMAL COMPLAINT

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that Elisa Loden filed with the Disability Rights Office (DRO). This Notice of Informal Complaint (Notice or NOIC) directs your company to follow the instructions below and respond fully and directly to each issue raised

in the informal complaint. In your response, please explain how you have addressed the informal complaint. If you need to take steps to satisfy the informal complaint and come into compliance, please summarize your proposed actions and the timeframe for completion. Your response is due no later than thirty (30) days from the date of this Notice.

The informal complaint concerns obligations to provide closed captioning on television. As your company is either the broadcaster or multichannel video programming distributor (MVPD) we are inquiring into this matter pursuant to sections 713 and 4(i) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. §§ 613, 154(i), and section 79.1 of the Commission's rules, 47 CFR § 79.1. If the complaint concerns the quality of the closed captioning, we remind you that closed captions – no matter how they are produced, for example, by the use of the electronic newsroom technique (ENT), where permitted, by a captioning service, or by using automated speech recognition technology – are subject to the FCC's closed captioning quality standards related to accuracy, synchronicity, completeness, and placement. 47 CFR § 79.1(j). If known, please include in your response how the closed captions at issue were produced. To support a response that asserts that the captioning at issue complies with the closed captioning quality rules, please include with your response a recording, such as a DVD or electronic file, of the broadcasted material at issue as it appeared on the date and time in question.

If the programming at issue had been delivered to your company without captions, your company must check with the supplying network or program producer before responding to this Notice to determine whether the programming is exempt from the captioning requirements pursuant to one of the categorical exemptions in 47 CFR §79.1(d) or to an individual petition for exemption filed under 47 CFR §79.1(f). Please note that even if the supplying network or program producer qualifies for a captioning exemption, it still has an obligation to pass through captions of already captioned programs in accordance with 79.1(c).

Please submit your response to the Commission by replying to this email or via the FCC Consumer Help Center. Be sure to verify the complainant's name and the ticket number. In addition, please include the name of a company representative to whom all future correspondence about the complaint should be directed. You are further directed to send a copy of the response to the complainant, in the preferred format requested by the complainant, at the same time the response is provided to the Commission. Finally, please retain all records that are or may be pertinent to the allegations raised in the complaint for one year after the date of this Notice, unless otherwise instructed. To prepare your response to this Notice, you should also check the ticket at <https://consumercomplaints.fcc.gov/access> where the complainant may have filed additional complaints or provided additional supporting evidence against your company.

Failure to respond to a Commission inquiry is considered a violation of a Commission order and can result in the imposition of fines by the Commission. Under section 503(b) of the Act, any person who is determined by the Commission to have willfully or repeatedly failed to comply with any of the provisions of the Act, or any rule or order issued by the Commission under the Act, shall be liable for a forfeiture penalty.

The Commission requests that your company provide a thorough response to the issues raised in this complaint, and that it uses its best efforts to resolve this complaint in a timely manner. cursory responses will be rejected. The Commission may make consumer complaint data publicly available in both aggregate and individual form consistent with the Commission's privacy obligations. This data will include how your company has addressed consumer complaints.

If you have any questions regarding this Notice or the informal complaint, please contact DRO at DRO@fcc.gov or by calling 202-418-2517 (voice) or 844-432-2275 (videophone for ASL users). In your message, please include your name, your company's name, the ticket number, and your specific questions. Thank you.

Disability Rights Office
Federal Communications Commission

Sherita Kennedy October 15, 2021 at 9:38 AM

Dear Elisa Loden:

We reviewed your informal complaint – ticket number 5074147.

We sent your complaint to **ION Networks** on Oct 15, 2021. The company has 30 days (until 2021-11-14) to

respond to us and to you.

After we review the company's response, we may take further action. For example, we may ask for more information, we may send your complaint to a different company, or we may conclude that the company addressed the problem and close your complaint.

You may add information to your complaint or ask questions about your complaint by replying to this email. You may also call us at 202-418-2517 (voice) or 844-432-2275 (videophone).

Disability Rights Office
Consumer and Governmental Affairs Bureau
Federal Communications Commission

Bianca Frye November 11, 2021 at 2:58 PM

Internal note

Please see attached response.

Support Software by **Zendesk**