



## #758751 Closed captioning on Ch 13, Seattle, news

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**Submitted** January 17, 2016, 7:57 PM      **Received via** Web Form      **Requester** Z7zimsen <z7zimsen@hotmail.com>

**CCs**

Brian Ulmer <brian.ulmer@fcc.gov>, Sharon Wright <sharon.wright@fcc.gov>, Shavonne Morris <shavonne.morris@fcc.gov>, Sheri Liguori <ttnwcaptioning.complaint@tribune.com>

Status	Type	Priority	Group	Assignee
Open	-	-	DRO - Main Form	Shavonne Morris

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Complaint Internal Status	Company Name	Company Name (Other)	TV Method
Carrier Response Pending	Other	Fox news	Broadcast

TV Issues	First Name	Last Name	State	Zip Code
Availability	Dan	zimsen	Washington	98310

Phone (where you can be contacted)	Address 1	City
360-479-2112	930 ash place	bremerton

**Filing on Behalf of Someone**

No

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**Z7zimsen** Jan 17, 7:57 PM

The captioning is abomimable. YOU try it for the 10 pm news.

CAptioning lags the voice so badly that it is worse that useless. It in totally frustrating. And then, captioning itself is terrible. Common words are butchered, even names of local places, Gaps appear in the text, where they simply skip the captioning. And, so say my wife and daughter, the captioner often modifies what is said verbally when he captions.

My daughter wrote the letter below to the station. Good luck.

Dan

Letter to Ch 13, no response:

I am writing to inform you that whatever or whoever you are using to caption your broadcasts is atrocious in the extreme. I recently attended a live event which was captioned in real time, and the captioning was anywhere from a partial word to 2 words behind the speaker, with zero misspellings, wrong words, omissions, or mistakes of any kind.

Tonight, like most nights, I compared that performance with Q13 Fox News' captioning, and I can tell you that your service lags several sentences behind the newscaster at least, is often so far off in word choice that: 1. what prints on the screen is complete nonsense -- not even a wrong sentence, but words strung together without meaning, and 2. I, as a hearing person, cannot determine which of the newscasters' words, 20 seconds previous, the captioning is supposed to represent.

The really frustrating aspect of all this is that you already have the entire newscast in digital print format; the newscasters are reading from a teleprompter!

I suggest that you, and by that I mean several people from different departments at Q-13, sit down together and try to watch an entire news broadcast without the sound, just captioning. With that experience of what it's like for someone who can't hear the newscasters fresh in your mind, then try to watch one with the sound AND the captions, while you try to relate what you hear to what you read.

I further suggest that, and I don't know if it is, but IF captioning is a service that the ADA requires you to provide for the deaf and hearing-impaired, then you are in violation of the ADA with the captioning that

you provide. There is no way that throwing nonsense words and sentences on the screen could possibly be construed as providing captioning.

The skilled captioners and technology exist and are readily available. There is no excuse for your captioning to be useless to those whom it is supposed to serve.

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**Shavonne Morris** Feb 5, 3:03 PM

Internal note

## OFFICIAL NOTICE OF INFORMAL COMPLAINT

The Federal Communications Commission (FCC) is serving your company with this informal complaint that Dan zimsen filed with the Disability Rights Office (DRO). The informal complaint concerns obligations to provide closed captioning on television. We are investigating 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 C.F.R. § 79.1.

This Notice of Informal Complaint (NOIC) directs your company, as the Broadcaster or Multichannel Video Programming Distributor (MVPD), to respond fully and directly to each and every material allegation raised in the informal complaint and summarize the actions taken by your company to satisfy the informal complaint and come into compliance with controlling law within thirty (30) days of the date of this Notice.

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 consumer, at the 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 other supporting evidence against your company. These supplemental materials will be associated with the same ticket number.

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 use its best efforts to resolve this complaint in a timely manner. Cursory responses will be rejected. The Commission intends to make consumer complaint data publicly available – in both aggregate and individual form yet 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 [DROcarriersupport@fcc.gov](mailto:DROcarriersupport@fcc.gov) or by calling 202-418-2517. In your message, please include your name, your company's name, the ticket number, and your specific questions.

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**Shavonne Morris** Feb 5, 3:14 PM

Internal note

COMPLAINT SENT TO CARRIER

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**Shavonne Morris** Mar 24, 9:50 AM

Good morning:

Thank you for contacting the Federal Communication Commission regarding your captioning issues. We are following up with you to see if your closed captioning issues have been resolved. Please respond NLT Monday, March 28, 2016 so that we may move forward and close your case.

Thank you,  
FCC/CGB/DRO(sm)

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**Z7zimsen** Mar 24, 1:26 PM

Thankyou GCB/DRO/sm for your response.

No. Don't close the case until you have fixed the problem. Have any of FCC people actually watched the 10 pm news with captions. You should try it first with the sound muted. A garbled translation of the audio appears on the screen, often unintelligible. Often with big gaps in the flow of information. OK, done with that? Now turn the sound ON and listen to the audio, while watching the captions. The time lag between the word spoken and the word on the screen makes it a severe mental exercise to make any sense out of it at all.

This is one where, to evaluate this complaint, one of you MUST actually watch and listen to Channel 13 Seattle captioned news.

The fact that Ch 13 provides captions does not, I think, actually satisfy the ADA unless they are usable by the deaf to obtain comprehension of the facts broadcast.

What if, instead of a story on the Seattle Soccer team being uber misunderstood, the story was about preparation for an oncoming storm, with specific directions on what we are to do.?. I'd probably do the wrong thing and end up hurt or dead.

Thank you very much.

All the best for Easter to you.

Dan Zimsen

cc: Derek Kilmer, MC;

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**Susan Kimmel** Apr 4, 1:04 PM

Dear Mr. Zimsen--

Please don't worry, we have not closed the complaint and will not do so until this matter is resolved. We have received the Congressional from Representative Kilmer and will be in touch with the station shortly to investigate fruther why the captioning is not intelligible. Thank you for notifying us of this problem.

Sincerely,

Susan Kimmel

Deputy Chief

Disability Rights Office

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**Z7zimsen** Apr 4, 1:38 PM

Dear Ms Kimmel,

I am somewhat handicapped by the fact that I was for a lot of years a Test Engineer at Puget Sound Naval Shipyard. In that role I received hundreds of complaints from ship's force, shop personnel, NavSea inspectors,.... alleging that some system was malfunctioning and not acceptable. The initial tendency when things are busy is to forward the complaint on to the shop which installed the item, and which was responsible for fixing anything that was not broken.

It was not too long before I learned: that approach was an invitation to whitewash. Also an invitation to empty words and phrases which were configured to assure me that all is well. Or that the complainer was a troublemaker. In short; Not to worry.

Before too long I abandoned that approach. Two things led to successful problem resolution. I went to the problem site myself, and required the operators to set up normal operating procedures. Once I saw the equipment in normal operation I could determine whether the complaint was not valid, or that it was valid when the equipment was operating in a non-normal configuration; or that there truly was a problem and I had to figure out how to fix it.

I think that is where you are. Simply forwarding the complaint to see what Q 13 will say will likely result in whitewash. You need to put one of your people, feet on the ground, at some location where the Q 13 News can be watched direct. You, having hearing, will both see video, and hear audio. Now, turn on the MUTE, and turn on the Captions. Watch for a while. How much mis-information did you collect? Then turn the MUTE off, and leave captions ON. Is that any better, with captions lagging the audio, and sometimes leaving out sections of what is said?

I attend a good number of functions where a captioner is in attendance. Captioners keep up with speaker, caption accurately what is said. Q-13 can hire capable captioners if they want to.

OK, Sorry if my response took the form of a story. My wife tells people this:

Introverted Engineers look at their shoes when they talk to you.  
Extroverted Engineers look at YOUR shoes when the talk to you.  
My Husband, an Engineer, looks right at you, and says "Can I tell you a story about Your Shoes?"

Eventually I do get to an important point. In this case, asking Q 13 to tell you if thier captioning is ok will not get you any good data.

Yours Truly,

Dan Zimsen PE

cc Derek Kilmer MC

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**Susan Kimmel** Apr 4, 4:52 PM

Internal note

Dear Ms. Liguori--

The FCC is currently transitioning into a new process for handling complaints on the Zendesk platform. Please acknowledge that you have received this email which serves as a Notice of Informal Complaint. The original NOIC was served in February but misdirected to the wrong email address. You will now have 30 days, until May 4, 2016, to reply; but I would appreciate a quick note to verify that you now have seen the full correspondence. You may need to wait until the station is entered into our Zendesk database to view the emails with the complainant. Please let me know so they can be sent under separate cover.

Thank you.

Susan Kimmel  
Deputy Chief  
Disability Rights Office

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