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IMMEDIATE RELEASE

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DEAF CITIZEN'S LAWSUIT PROCEEDS AGAINST OKLAHOMA Denying Deaf Citizen Access to State Senate and House Implicates First Amendment Rights

Oklahoma City, OK – A federal court has ruled that claims filed against the State of Oklahoma, the Oklahoma Senate, the Oklahoma House of Representatives and state officials for discrimination against a deaf citizen may proceed. In a critical victory for citizen engagement and equal rights, the Court held that denying a deaf citizen captioning that is necessary for him to access state legislative proceedings available to others implicates the First Amendment and the fundamental right of access to political proceedings.

In 2015, Johnny Reininger, Jr. who is deaf, requested that the Oklahoma Senate and House caption their proceedings that are streamed online. Reininger, who closely follows state politics, needs captioning in order to have meaningful access to the streamed content that is available to other citizens who can hear. Although the legislature initially agreed to caption the online content in response to Reininger's requests, it later retracted its promise to caption. Reininger filed suit in October 2016 seeking captioning of the legislative proceedings that are streamed online, but the State, Senate, and House moved to dismiss Reininger's case, arguing that it could not be sued for disability discrimination because of sovereign immunity.

Citing the First Amendment right to petition the government for redress of grievances and the right of access to information conveyed via internet broadcasting about state legislative matters, the Court rejected the State's arguments and held that the important issue at stake was a citizen's right to participate in the political process and to have meaningful access to the tools necessary for such participation.

The Court decision clears the way for Reininger's case to proceed. He is hopeful that the legislature will soon take steps to provide him and other deaf citizens with equal access to the information necessary to meaningfully participate in the political process. "When I don't have access to legislative proceedings, my ability to be an informed voter and to hold my elected representatives accountable is restricted," said Reininger.

Howard A. Rosenblum, CEO of the National Association of the Deaf, heralded the decision as a important one for every citizen saying, "This Court decision confirms that participation in

government is an essential right for all Americans.” He added, “When elected officials deny people access to information about the political process on the basis of disability, their actions threaten the constitutional rights of everyone and must be stopped to ensure equal access for all.”

Reininger is represented by the National Association of the Deaf, Stein & Vargas, LLP, and the Oklahoma Disability Law Center.

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The National Association of the Deaf is the nation’s premier civil rights organization of, by, and for, deaf and hard of hearing individuals in the United States.

Stein & Vargas, LLP is a civil rights firm based in Washington, D.C. and committed to the principle that all people have full and equal access to all parts of society.

The Oklahoma Disability Law Center is a system of protection and advocacy for people with disabilities in the State of Oklahoma.

CONTACTS:

National Association of the Deaf

Lizzie Sorkin

301-587-1788

lizzie.sorkin@nad.org

Oklahoma Disability Law Center

Melissa Sublett

918-830-5559

Melissa@okdlc.org

Stein & Vargas, LLP

Mary Vargas

240-793-3185

mary.vargas@steinvargas.com