

FACT SHEET

Lighthouse for the Blind and Visually Impaired et al. v. Redbox Automated Retail LLC et al.

Case Name:

Lighthouse for the Blind and Visually Impaired et al. v. Redbox Automated Retail LLC et al.

Court:

Filed in the United States District Court, Northern District Of California

Case No. C12-00195LB

The Honorable Laurel Beeler presiding.

Case Type:

The primary focus of the case is a claim for declaratory and injunctive relief to make the Redbox's touch-screen video rental kiosks accessible to people who are legally blind.

Claims:

Title III of the Americans with Disabilities Act, California Unruh Civil Rights Act, and the Disabled Persons Act

Plaintiffs:

The Lighthouse for the Blind and Visually Impaired, a non-profit corporation, is one of California's oldest organizations serving the blind and visually impaired community. The Lighthouse is dedicated to aiding blind and visually impaired individuals in leading productive, enriching, and independent lives.

Angela Griffith is a blind student and resident of El Cerrito, California. Ms. Griffith has attempted to rent movies from Redbox kiosks but she was unable to rent a film because Redbox kiosks lack access features that would enable legally blind people to use them.

Lisamaria Martinez is a legally blind resident of Union City, California. She would like to rent movies from Redbox kiosks so that she can watch them with her husband and her son, but Ms. Martinez cannot rent films from Redbox kiosks because these devices are unusable by legally blind individuals.

Joshua Saunders is a legally blind resident of El Cerrito, California who watches movies with friends and family. He attempted to use a Redbox kiosk at a Lucky's store in El Cerrito, California, but was unable to do so due to the inaccessible, touch-screen interface.

Shana Ray is a blind resident of El Cerrito, California. She likes to watch movies and attempted to rent DVDs from a Redbox kiosk in a Lucky's store, but was unable to do so because of the kiosk's inaccessible touch-screen commands.

Jennifer Westbrook is a legally blind resident of Pleasant Hill, California who enjoys watching movies on DVD with her two children. She attempted to use a Redbox kiosk located outside of a 7-Eleven store in Pleasant Hill, California, but was unable to do so due to its touch-screen commands.

Defendants:

Redbox automated retail LLC. Redbox is a leader in the booming home entertainment industry. As of 2011, Redbox reached several milestones: it averaged 59 million rentals per month and reached 1.5 billion total rentals that year. Further, it asserts that 68% of the US population lives within a 5 minute drive of a Redbox.

Save Mart Supermarkets (parent company of Lucky's Supermarkets)

Plaintiffs' Counsel:

Disability Rights Advocates is a non-profit legal organization which, for nearly twenty years, has specialized in impact class action litigation on behalf of people with all types of disabilities. Disability Rights Advocates litigates nationally and has offices in Berkeley, California and New York City.

Jay Koslofsky is an attorney in private practice with more than 30 years of experience. He specializes in civil rights cases and class action litigation.

Questions and Answers:

Q: What is the basis of the lawsuit?

A: This lawsuit seeks to make Redbox provide accessible features at its self-service video rental kiosks so that blind people will have the same access to Redbox's media rental services that sighted people currently enjoy. Currently, none of Redbox's self-service kiosks are accessible to blind people, violating the civil rights of the blind. That is, blind people cannot independently browse, select, pay for, or return DVDs or other media at Redbox kiosks because the kiosks make use of an exclusively visual interface controlled by touch-screen commands. The problem is not a lack of accessible technology. For example, blind people are able to use ATMs, BART ticket kiosks, and many other automated self-service kiosks that provide accessible features.

Q: Why is this lawsuit important?

A: Self-service kiosks are becoming an increasingly common part of the consumer shopping experience. Additionally, changes in technology have retooled the video rental market, and today's consumers commonly rent films from automated self-service kiosks rather than video rental stores. This lawsuit is also a warning to all businesses deploying automated touch screen kiosks that

blind people will not allow ill-conceived technology to push them out of the modern marketplace.

Q: What technology is required to make a kiosk accessible for people who are blind or have visual impairments?

A: Technology exists that would allow Redbox to make its kiosks accessible to blind consumers, and this technology is already in use by other sales establishments and at automated bank teller machines throughout California. This technology includes an audio output system, a tactile keyboard, and/or interactive screen reader technology for use with touch screens.