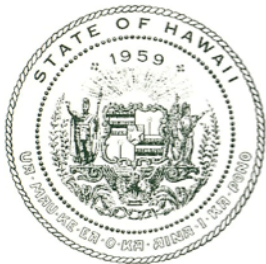


HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



Chair
LESLIE WILKINS

COMMISSIONERS:

SHERRY CAMPAGNA
CYD HOFFELD
MARILYN LEE
JUDY KERN
AMY MONK
LISA ELLEN SMITH

Executive Director
Catherine Betts

Email:
Catherine.a.betts@hawaii.gov
Visit us at:
humanservices.hawaii.gov
/hscsw/

235 S. Beretania #407
Honolulu, HI 96813
Phone: 808-586-5758
FAX: 808-586-5756

March 16, 2016

To: Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair
Members of the House Committee on Human Services

From: Cathy Betts
Executive Director
Hawaii State Commission on the Status of Women

Re: Testimony in Support, SB 2315, SD2, Relating to Jury Duty

Thank you for this opportunity to testify in strong support of SB 2315, SD2, which would allow breastfeeding mothers the opportunity and choice to be exempted from jury duty. For many mothers, breastfeeding can be difficult to begin and hard to maintain. For working mothers, the difficulty is even more pronounced. The ability to find time and a location to use a breastpump is not easy during the work day. Multiple barriers exist for women who wish to continue breastfeeding a child. Studies reveal that supportive policies can help women continue breastfeeding. This is one such policy that would support breastfeeding mothers.

In Hawaii, only one in five children receives the absolute minimum of six months breastfeeding as recommended by the American Academy of Pediatrics. The World Health Organization recommends exclusive breastfeeding for six months, with continued breastfeeding to two years of age in order to reduce risk of infectious diseases, asthma, allergies, certain childhood cancers, obesity and diabetes. The health benefits (to both mother and child) from breastfeeding are numerous.

Currently, women can call the judiciary and ask for their jury duty to be deferred under certain circumstances. It still remains unclear whether there are private and designated spaces for women to use a breastpump. It is unlikely that a female juror would feel comfortable requesting time to pump during a jury trial, potentially up to every 2 hours. Women should not have to choose between continued breastfeeding and a civic obligation to report to jury duty. Allowing an exemption from jury duty makes sense for women and their children. We urge this Committee to pass SB 2315, SD2 as a sound public health policy for women and children.

Thank you for this opportunity to testify.



SB2315 SD2
RELATING TO JURY DUTY
House Committee on Human Services

March 17, 2016

9:00 a.m.

Room 329

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB2315 SD2, which would exempt breastfeeding mothers from jury duty service.

OHA's strategic priorities include Maui Ola (Health), which represents our commitment to improve the conditions and quality of life of Native Hawaiians, by reducing the onset of chronic diseases.

Studies have shown that there are many health benefits to breastfeeding, including reductions in the risk of chronic diseases for both infants and mothers. More specifically, the U.S. Department of Health & Human Services – Office of Women's Health (OWH) indicates that breast milk lowers the risks of respiratory infections, diabetes, obesity, and childhood leukemia. Additionally, lactating mothers reduce their own risk for diabetes, breast cancer, ovarian cancer, and postpartum depression.

Furthermore, breastfeeding benefits society and the environment. According to the OWH, breastfeeding may save the United States \$13 billion per year in medical care costs, because breastfed infants typically require fewer doctors' visits, prescriptions, and hospitalizations. At the same time, breastfeeding fosters a more productive workforce, insofar as breastfeeding mothers are less likely to take leave to care for a sick infant. OWH also states that breastfeeding helps the environment, as it avoids the production of waste from formula packaging and bottles.

Though most mothers are aware of the health benefits of breastfeeding, many are unable to breastfeed for the length of time recommended by health professionals due to work and social barriers. Currently, federal and state labor laws require that employers provide breaks for employees who wish to express breast milk. Allowing breastfeeding mothers an exemption from jury duty is another small step our state can make to help reduce barriers to breastfeeding.

Therefore, OHA urges the Committee to **PASS** SB2315 SD2. Mahalo for the opportunity to testify on this measure.



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Human Services

Representative Dee Morikawa, Chair

Representative Bertrand Kobayashi, Vice Chair

Thursday, March 17, 2016, 9:00 a.m.

State Capitol, Conference Room 329

By

Lori Okita

Chief Court Administrator

First Circuit

Bill No. and Title: Senate Bill No. 2315, Senate Draft 2, Relating to Jury Duty

Purpose: Exempts from jury duty mothers who breastfeed or express breast milk; provided that this exemption shall end when a mother is no longer breastfeeding or expressing breast milk.

Judiciary's Position:

The Judiciary recognizes the good intentions behind this bill. However, we respectfully offer these comments on the present system that appears to adequately accommodate breastfeeding mothers. Upon request, breastfeeding mothers may be exempted from jury duty for one calendar year. The Judiciary also ensures that private, designated spaces (and times) are provided for breastfeeding mothers. The Judiciary is not aware of a situation where a breastfeeding mother was either denied an exemption from service or opportunity to use designated lactation rooms after bringing their need to the jury pool's attention.

The Judiciary acknowledges that communication regarding this topic can be improved. The Senate also acknowledged the importance of the Judiciary assuring clear communication concerning this issue in SCR 126 and SR 92. We are in the process of reviewing information on both the Judiciary's websites and written information mailed to potential jurors. Both information and forms are being reviewed and modified, as appropriate, to more clearly communicate information for breastfeeding mothers.



Senate Bill No. 2315, Senate Draft 1 Relating to Jury Duty
House Committee on Human Services
Wednesday, March 17, 2016, 9:00 a.m.
Page 2

Legislation exempting breastfeeding mothers opens the door to future requests by other groups for automatic exemptions from jury duty, which negatively impacts our need to maintain a large, diverse pool of potential jurors.

Thank you for the opportunity to comment on this measure.



healthy mothers
healthy babies

COALITION OF HAWAII

Thursday, March 17, 2016
9:00AM
Conference Room 329

To: House Committee on Human Services

From: Lisa Kimura, Executive Director, Healthy Mothers Healthy Babies Coalition of Hawaii

Re: Testimony in Support of S.B. 2315 SD2, Relating to Jury Duty Exemption for Breastfeeding Women

Dear Rep. Dee Morikawa, Chair; Rep. Bertrand Kobayashi, Vice Chair; and Committee Members,

Thank you for hearing S.B. 2315 SD2. Healthy Mothers Healthy Babies Coalition of Hawaii strongly supports this bill, which would permit breastfeeding mothers to be exempted from jury duty.

The health benefits of breast milk for both infants and mothers have long been established and it is imperative from a public health perspective to promote and sustain breastfeeding. Breastfeeding helps improve an infant's immune system, preventing illness such as ear infections, stomach viruses, asthma, obesity, types 1 and 2 diabetes, childhood leukemia, and some respiratory infections. Mothers also benefit from breastfeeding, as it lowers the risk of breast and ovarian cancer, type 2 diabetes, and reduces post-partum depression.

Mothers must pump milk consistently to maintain their supply and need a clean and safe space to express milk to avoid compromising their ability to breastfeed. Additionally, the importance of consistent, regular breaks to pump cannot be understated. Mothers who do not own, cannot afford to purchase, or whose insurance does not provide a breast pump will be unable to empty their breasts at the regular intervals required to sustain their milk supply. Additionally, new mothers require frequent breaks every couple of hours to pump, and a trial simply cannot be postponed to accommodate a mother's needs.

A jury duty exemption does not permanently exempt a woman from serving her civic duty, but instead, simply enables her to continue providing the very best for her child during a very critical point of its health and emotional development. It is a temporary pause, with every intention to allow her to continue to serve after this critical breastfeeding period.

Currently, fewer than 20% of mothers make it to the AAP and WHO-recommended exclusive six months of breastfeeding. Anything that we can do as a state to support our mothers, in turn, supports the healthy development of our children.

Healthy Mothers Healthy Babies Coalition of Hawaii believes in providing all women with the information and resources they need to raise healthy and strong families. Accordingly, we support S.B. 2315 SD2 and ask this Committee to pass it.

Thank you for the opportunity to testify.

Edward Thompson, III

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 14, 2016 2:45 PM
To: HUS testimony
Cc: annsfreed@gmail.com
Subject: Submitted testimony for SB2315 on Mar 17, 2016 09:00AM

Categories: Purple Category

SB2315

Submitted on: 3/14/2016

Testimony for HUS on Mar 17, 2016 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Hawaii Women's Coalition	Support	No

Comments: Aloha Chair Morikawa, Vice Chair Kobayashi and members, As in previous testimony, We are in strong support of this measure. Breastfeeding must be consistent, requires sanitary conditions and be free from stress. Jury Duty in the State of Hawaii is currently unable to meet these conditions. We have heard too many horror stories from breastfeeding mothers to think otherwise. Please pass this bill. Mahalo, Ann S. Freed, Co-Chair, Hawaii Women's Coalition.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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kobayashi2-Jessi

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 16, 2016 1:30 PM
To: HUS testimony
Cc: annsfreed@gmail.com
Subject: Submitted testimony for SB2315 on Mar 17, 2016 09:00AM

SB2315

Submitted on: 3/16/2016

Testimony for HUS on Mar 17, 2016 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Hawaii Women's Coalition	Support	No

Comments: Aloha Chair Morikawa, Vice Chair Kobayashi and members, As in previous testimony we are in strong support of this measure. The Courts are not able to provide consistent sanitary rooms for women who are breastfeeding. In addition, leaving the panel every hour or so would be very disruptive to the jury process. Also, the objection that there are too many exemptions seems to imply that breastfeeding mothers are not worthy of our concern or attention. Please pass the bill, Mahalo, Ann S. Freed, Co-Chair, Hawaii, Women's Coalition.

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kobayashi2-Jessi

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 14, 2016 11:40 AM
To: HUS testimony
Cc: laurie.field@ppvnh.org
Subject: *Submitted testimony for SB2315 on Mar 17, 2016 09:00AM*

Categories: Purple Category

SB2315

Submitted on: 3/14/2016

Testimony for HUS on Mar 17, 2016 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

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March 16, 2016

Representative Dee Morikawa, Chair
Committee on Human Services

Re: S.B. 2315, S.D.2 Relating to Jury Duty

Hearing: Thursday, March 17, 2016, 900 a.m.

Dear Chair Morikawa and Members of the Committee on Human Services:

Hawaii Women Lawyers submits testimony in **support** of S.B.2315, S.D.2, which exempts from jury duty mothers who breastfeed or express breast milk through the period where a mother is no longer breastfeeding or expressing breast milk.

The mission of Hawaii Women Lawyers is to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

At least twelve states have already passed laws that exempt breastfeeding women from jury duty. The burden on breastfeeding mothers is significant when it comes to serving on a jury. For women who are pumping, there is a need to take breaks and have a clean space with electrical outlets to pump. And for those who cannot afford or otherwise do not have a pump and supplies, this is not an option.

While there is a state benefit to having people fulfill their civic duty to sit on a jury, it should be balanced with the special needs of breastfeeding mothers. Breastfeeding is considered superior to pumping and bottle feeding by experts, and many studies have shown benefits to the mother and baby to breastfeeding for a minimum of 6 months, and ideally one year.

Granting an exemption for breastfeeding mothers would be an effective way to preserve the breastfeeding relationship between mother and child, and put breastfeeding mothers at ease in a very critical time in a child's development. This measure also preserves the ability to serve by allowing a breastfeeding mother to serve at another time when she is no longer breastfeeding or expressing milk.

For the above reasons, we are in strong support of S.B. 2315, S.D.2 and respectfully request that the Committee pass the bill in its current form. Thank you for the opportunity to submit testimony on this measure.

kobayashi2-Jessi

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 14, 2016 11:39 AM
To: HUS testimony
Cc: breaking-the-silence@hotmail.com
Subject: *Submitted testimony for SB2315 on Mar 17, 2016 09:00AM*

Categories: Purple Category

SB2315

Submitted on: 3/14/2016

Testimony for HUS on Mar 17, 2016 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments:

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kobayashi2-Jessi

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 14, 2016 5:55 PM
To: HUS testimony
Cc: joyamarshall0416@gmail.com
Subject: *Submitted testimony for SB2315 on Mar 17, 2016 09:00AM*

SB2315

Submitted on: 3/14/2016

Testimony for HUS on Mar 17, 2016 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall	Individual	Support	No

Comments:

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Marybeth Baldwin

I strongly SUPPORT SB2315. I am a breastfeeding mother who was recently summoned for jury service. Although I was lucky enough to be assigned to a case that was settled before I had to report, I still experienced quite a bit of stress trying to figure out how I could continue my pumping and breastfeeding schedule while serving my jury duty. In order for me to serve on a jury, I would need to express enough breastmilk to feed my infant for a day. However, since I also need to feed my child, saving up enough milk for one day of jury service would have taken me at least a week of pumping. In addition to saving up enough milk for the first day of service, the other stress-inducing factor was considering whether I would be able to pump enough while on jury duty. I would need to take a 30 minute break every 3 hours. In addition, I would need to be allowed to drink and eat while in the courtroom because breastmilk supplies dip when you don't consume enough calories or liquids. Considering the negative impact the frequent breaks and constant drinking/snacking would have on the other jurors, as well as the case, greatly stressed me out. I feel it is extremely unfair to ask my family to experience this stress about feeding our child through the manner which our family has chosen. I am the only person who can feed our child, yet there are many others not in the same situation who can serve on a jury.

Breastfeeding a child is not an easy task which is evidenced by the large number of mothers who are unable to meet their breastfeeding goals. My goal is to exclusively breastfeed my child for at least one year, and I will be happy to serve my community on a jury when my child is less dependent on me for food. Please consider supporting SB2315 in order to help breastfeeding mothers meet their goals and avoid unnecessary stress related to the choice of breastfeeding their child.

Sent March 15, 2016 for hearing March 18, 2016

To: Rep. Dee Morikawa, Chair
Rep. Bertrand Kobayashi, Vice Chair
Members of the House Committee on Human Services

From: Debrah Trankel, MSN, RNC, CLC, IBCLC
Clinical Nurse III, Lactation Consultant

Re: Testimony in Support, HB 2585, Relating to Jury Duty

Thank you for this opportunity to testify in strong support of HB 2585, which would allow breastfeeding mothers the opportunity and choice to be exempted from jury duty while breastfeeding their baby. For many mothers, breastfeeding can be difficult to begin and hard to maintain. For working mothers, it is even more difficult to maintain the breast milk supply. The ability to find time and a location to use a breastpump is not easy during the work day. However, all research shows a significant link between breastfeeding and better public health. We should support and advocate for breastfeeding mothers in whatever way we can, through policies, practices and legislation.

In Hawaii, only one in five children receives the absolute minimum of six months breastfeeding as recommended by the American Academy of Pediatrics. The World Health Organization recommends exclusive breastfeeding for six months, with continued breastfeeding to two years of age and beyond in order to reduce risk of infectious diseases, asthma, allergies, certain childhood cancers, obesity and diabetes. The health benefits from breastfeeding are numerous.

Women should not have to choose between continued breastfeeding and a civic obligation to report to jury duty. Allowing an exemption from jury duty, from the time a woman begins breastfeeding her child, makes sense for women and their children. Twelve states in the United States in addition to Puerto Rico have all passed laws exempting breastfeeding women from jury duty.

Currently, there are **no publicly posted /dedicated** spaces at the court houses nor here at the Capitol, for a mother to either pump and express milk or breastfeed her baby. “A clean private place that is not a bathroom” is already a law, and not being met. Women who receive their Jury Duty notice are unduly stressed trying to get authorization to be excused. The language provided on-line for prospective jurors and on the written notice should clearly utilize the words/terms “breastfeeding or expressing breastmilk”.

Also, though it's been stated by Judicial Representatives that they will excuse someone from a court hearing to pump, it would be hard to imagine someone being comfortable bringing up something this personal in front of a group of people at a hearing. It would speak volumes for our State's commitment to healthcare and wellness, also showing our families we support them by allowing these mothers to feed their infants without any restrictions, and remove yet another barrier to breastfeeding. We urge this Committee to pass HB 2585 as a sound public health policy for women and children.

Thank you for this opportunity to testify.

Sincerely, Debrah Trankel
MSN, RNC, CLC, IBCLC
Clinical Nurse III, Lactation Consultant

kobayashi2-Jessi

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 16, 2016 10:32 AM
To: HUS testimony
Cc: amymonk99@hotmail.com
Subject: *Submitted testimony for SB2315 on Mar 17, 2016 09:00AM*

SB2315

Submitted on: 3/16/2016

Testimony for HUS on Mar 17, 2016 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Monk	Individual	Support	No

Comments:

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BREASTFEEDING HAWAII
P.O. BOX 30142
HONOLULU, HI 96820
www.breastfeedinghawaii.org

LATE

March 16, 2016

TESTIMONY IN STRONG SUPPORT OF SB2315 SD2, RELATING TO JURY DUTY

To: House Committee on Human Services
Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair
Hawaii State Capitol, Conference Room 329
415 South Beretania Street
Honolulu, HI 96813

From: Breastfeeding Hawaii
Le'a Minton, CNM, President
Sally Greene, IBCLC, Vice President
Jane Gallagher-Felix, WHNP, IBCLC, Secretary
Laura Morihara, RD, IBCLC, Treasurer

Time: Twenty-Eighth Legislature Regular Session of 2016
Thursday, March 17, 2016 at 9:00am

Dear Representative Morikawa, Representative Kobayashi and committee members:

Breastfeeding Hawaii strongly supports SB2315 SD2, exempting women from jury duty who are currently breastfeeding or expressing milk for their child.

Breastfeeding Hawaii is the state coalition of the United States Breastfeeding Committee. We are committed to protecting, promoting and supporting breastfeeding through legislative efforts, policy change, education, and community events.

The American Academy of Pediatrics and World Health Organization stress the importance of exclusive breastfeeding through 6 months of age, and continued breastfeeding for one year or longer as mutually agreed upon between mother and infant. SB2315 SD2 protects the mother-infant breastfeeding dyad from disruption by jury duty, thereby providing numerous documented health protections for breastfeeding mothers and children while ensuring our infants are receiving optimal nutrition for development.

Exempting mothers who breastfeed or express milk comes at no cost to the state and allows women to serve on a jury at a more appropriate time in the future. SB2315 SD2 eliminates the stress for the mother of finding a pump (she may not have one if she is exclusively breastfeeding at the breast); gaining access to an electric outlet; having breaks during jury duty to pump, which is needed to continue her milk supply; finding an appropriate private space to pump (not a bathroom); and the cost of supplies to store the pumped milk. Women who chose to raise their children at home often exclusively breastfeed at the breast to eliminate cost and the time consuming task of pumping, feeding with a bottle, and washing all of the parts required for pumping. These women would not necessarily have ready access to the supplies they need to pump. If their child has been exclusively breastfed at the breast it may not have learned to take a bottle; their child may not get adequate nutrition while their mother is away from home serving on jury duty, thereby increasing stress for the mother and causing physical and emotional harm to the infant.

Working women who continue to express breast milk are protected by law with access to breaks as needed for expressing breast milk; we are concerned that the courts may find this specific accommodation difficult to consistently provide to a breastfeeding mother while keeping within the structure of court cases/proceedings. Further, on the current Hawai'i State Judiciary webpage, under "Jury Service Frequently Asked Questions: Can women who are currently breast-feeding their children be excused from jury service?" it states: **No, unless the individual submits a request to be excused from jury service and the Court grants the request. Female jurors who need to express milk while serving on a jury can ask the**

Court for accommodations (click here for contact information). This answer is clear to breastfeeding women that they cannot be excused from jury duty unless they a) go through the additional step of requesting to be excused from jury duty in writing at least two weeks prior to the appearance date (per the Hawai'i State Judiciary website) AND b) the Court grants the request; the Court is not required to grant the request. Further, the answer puts the onus on the breastfeeding woman who is not excused from jury duty to ask for accommodations to express her milk but it does not state that the Courts will grant her the accommodation; "can ask" implies the Court is under no obligation to agree to her request. It does not state "Female jurors who need to express milk while serving on a jury will be accommodated to express breast milk."

When clicking on the link for contact information, it states, "**If you need special accommodations, contact a clerk at the number below at least ten (10) working days before your court reporting date.**" This adds another responsibility and barrier to the breastfeeding woman in order to be considered for an accommodation to express breast milk. The time restriction difference between her request to be excused and for an accommodation is only four days. This implies she should call the clerk to request an accommodation in case she is not excused, as she may not hear back from the Court regarding her request to be excused by the time the accommodation request must be made. In taking the information provided by the Hawai'i State Judiciary website into full consideration, the current law requires three steps by the breastfeeding woman: obtain a doctor's note, submit a written document and call a clerk. This is an unnecessary burden on our breastfeeding mothers. Therefore, we strongly urge the Human Services Committee to pass SB2315 SD2.

Thank you for this opportunity to testify.

LATE

Edward Thompson, III

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 16, 2016 7:53 PM
To: HUS testimony
Cc: susan.wurtzburg@gmail.com
Subject: *Submitted testimony for SB2315 on Mar 17, 2016 09:00AM*

SB2315

Submitted on: 3/16/2016

Testimony for HUS on Mar 17, 2016 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Susan J. Wurtzburg	American Association of University Women, Hawaii	Support	No

Comments:

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