



Committee: Committee on Judiciary
Hearing Date/Time: Friday, January 25, 2013, 2:00 p.m.
Place: Room 325
Re: Testimony of the ACLU of Hawaii in Support of H.B. 189, Relating to Gender Equity

Dear Chair Rhoads and Members of the Committee on Judiciary:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of H.B. 189, which seeks to achieve equal gender representation regarding appointments to boards and commissions—additionally prioritizing the value of gender equity when vacancies, at-large positions, and alternates are being appointed. H.B. 189 is valuable because it recognizes the need to reach out to Hawaii women and equitably engage them in the political process.

Women have made great strides in the fight for equality, but gender bias continues to create huge barriers for many, especially poor women, women of color and immigrant women. Ongoing struggles include insuring equal economic and educational opportunities, ending gender-based violence and addressing the harms to women and girls in the criminal justice system. Engaging women in the political process is an important tool towards rectifying these inequalities, as it will bring these issues and women’s perspectives to the table. As Justice Ginsberg has stated, “Women belong in all places where decisions are being made.”¹

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple
Staff Attorney
ACLU of Hawaii

The American Civil Liberties Union of Hawaii (“ACLU”) has been the state’s guardian of liberty for 47 years, working daily in the courts, legislatures and communities to defend and preserve the individual rights and liberties equally guaranteed to all by the Constitutions and laws of the United States and Hawaii. The ACLU works to ensure that the government does not violate our constitutional rights, including, but not limited to, freedom of speech, association and

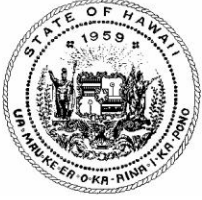
¹ Joan Biskupic, *Ginsburg: Court Needs Another Woman*, USA Today (Oct. 5, 2009). Available at http://www.usatoday.com/news/washington/judicial/2009-05-05-ruthginsburg_N.htm.

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Chair Rhoads and Members of Judiciary Committee
January 23, 2013
Page 2 of 2

assembly, freedom of the press, freedom of religion, fair and equal treatment, and privacy. The ACLU network of volunteers and staff works throughout the islands to defend these rights, often advocating on behalf of minority groups that are the target of government discrimination. If the rights of society's most vulnerable members are denied, everyone's rights are imperiled.

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HAWAI‘I CIVIL RIGHTS COMMISSION

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January 25, 2013
2:00 p.m.
Conference room 325

To: The Honorable Karl Rhoads, Chair
and Members of the House Committee on Judiciary

From: Linda Hamilton Krieger, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 189

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over state laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai‘i constitutional mandate that "no person shall be discriminated against in the exercise of their civil rights because of race, religion, sex or ancestry". Art. I, Sec. 5.

The HCRC supports H.B. No. 189, which encourages the Governor or relevant appointing authority to strive for equal gender representation when appointing members or filling vacancies on boards and commissions. Hawai‘i has a long history of valuing its diversity, and equal gender representation on boards and commissions will encourage various perspectives to be heard and considered.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair

Rep. Sharon Har, Vice Chair

Friday, January 25, 2013

2:00 p.m.

Room 325

STRONG SUPPORT FOR HB 189 - GENDER EQUITY

Aloha Chair Rhoads, Vice Chair Har and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies for more than a decade. This testimony is respectfully offered on behalf of the 5,800 Hawai'i individuals living behind bars, always mindful that approximately 1,500 individuals are serving their sentences abroad, thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

HB 189 requires that the governor or appointing authority strive for gender equity when appointing members of state boards and commissions, and give priority to achieving the goal of gender equity when appointing members to vacancies, at-large positions, and alternates.

Community Alliance on Prisons is in strong support of this measure.

One of the questions always at the forefront of the debates about gender equality consist of wondering whether women have to be considered as different than men (having their own qualities) or whether they have to be considered as equal to men (and granted equality as a consequence of this mentality). Siri Terjesen and Val Singh posit that the presence of women on boards of directors is beneficial due to their specific qualities.¹ Among these qualities, they identify:

- Their ability to bring new ideas and improve communication
- Their use of influence and inspiration instead of command and control
- Having more women on boards and commissions is beneficial as they represent career opportunities for potential women (as we have previously seen, a lack of women in high level positions can prevent other women from aspiring to move up).

¹ Terjesen, Siri and Singh, Val (2008) Female Presence on Corporate Boards: A Multicountry study of Environmental Context. Journal of Business Ethics. <http://eprints.qut.edu.au/6803/1/6803.pdf>

Judith B. Rosener, also underlines that women are useful on corporate boards because they bring new ideas, but above all, they bring a new way of seeing things. Because of their different background, women tend to see the problems and their respective solution differently. Moreover, thanks to their quality as “outsiders”, they do not hesitate to ask questions as much as men might.²

In the United States, Women represent 47% of the American workforce (data of 2009)... but only 14% of executives. They occupy 11% of Fortune 1000 companies board seats less than 16% of board seats at public companies. 25% of Fortune 1000 companies do not have any women on their boards.³

“Although women have made great strides in law and in society as a whole, they remain grossly underrepresented in positions of power, influence and leadership. For example, did you know that despite the fact that close to half of law students are now women and more than half of judicial clerks are women, the percentage of women equity partners has remained static at 16 percent or less?⁴”

A vibrant democracy depends on gender equity and diversity. Social justice demands it!

Gender equality is more than a goal in itself. It is a precondition for meeting the challenge of reducing poverty, promoting sustainable development and building good governance.
Kofi Annan

Mahalo for this opportunity to testify.

² Women on Corporate Boards Makes Good Business Sense, Written by Judy Rosener, 02 April 2009.
<http://www.womensmedia.com/lead/87-women-on-corporate-boards-makes-good-business-sense.html>

³ 2010 Catalyst Census: Fortune 500 Women Board Directors

⁴ New ABA president will advocate for gender equity, among other issues, September 2012.
<http://www.americanbar.org/newsletter/publications/youraba/201209article01.html>

HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



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January 24, 2013

Testimony in Support of HB 189, Relating to Gender Equity

To: Representative Karl Rhoads, Chair
Representative Sharon E. Har, Vice-Chair
Members of the House Committee on Judiciary

From: Cathy Betts, Executive Director, Hawai'i State Commission on the Status of Women

Re: Testimony in Support of HB 189, Relating to Gender Equity

On behalf of the Hawai'i State Commission on the Status of Women, I would like to thank the committee for this opportunity to provide testimony on such a vitally important issue. The Commission also thanks Governor Abercrombie for his strong dedication to women's issues.

The Commission supports the intent of HB 189, in that it would make gender equity a priority when appointments to boards and commissions are made. It should be noted that when we talk about "gender equity", we are really talking about the scarcity of women in appointed, decision-making positions. We see this trend even more so in historically traditional male fields, like land and water use, natural resources and science based fields—where women are essentially left out of decision making authority completely.

In order to ensure full equity, women should be actively recruited to fill vacancies on boards and commissions, and those vacancies should be highly publicized to the general public. In order to be fully inclusive, special attention should be made to include women of different economic backgrounds, professional backgrounds, national origins, ethnic backgrounds and sexual orientations. It behooves us as a community to have diversity on our boards and commissions. The first step toward that diversity is ensuring that women of all backgrounds have an active voice at the table.

Thank you for this opportunity to provide testimony in support of HB 189.

Sincerely,

Cathy Betts
Executive Director
Hawai'i State Commission on the Status of Women



January 24, 2013

To: Representative Karl Rhoads, Chair
Representative Sharon Har, Vice Chair and
Members of the House Committee on Judiciary

From: Katie Reardon Polidoro, Co-Chair, Hawaii State Democratic Women's Caucus

RE: HB 189 Relating to Gender Equity

Position: Support

The Hawaii State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawaii's women and girls. It is because of this mission, the Women's Caucus strongly supports this measure which encourages the Governor's office to consider the goal of gender equity when making appointments to boards and commissions.

Striving towards gender equity in appointments is a meaningful step towards ensuring that women have an equal voice when important public policy decisions are made. More importantly, ensuring that women hold positions of respect and power helps grow a new generation of young girls who will engage with their community. Seeing women as prominent decision makers helps girls envision their own careers and goals. Accordingly, we support HB 189 and ask you to pass it. Mahalo.

WRITTEN TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

January 25, 2013

TO:

Representative Karl Rhoads, Chair
Representative Sharon E. Har, Vice Chair
Members of the Committee on Judiciary

FROM:

Melissa T. Pavlicek

RE: SUPPORT FOR HB 189 RELATING TO GENDER EQUITY

Aloha kakou,

My name is Melissa Pavlicek and I am providing testimony in support of HB 189. Gender equity is a cornerstone of our society's continued prosperity and should be granted a high level of importance. Numerous reports have documented the increase in workplace quality and productivity in organizations with gender-balanced leadership teams. As a former chair of the Hawaii State Bar Association's Diversity Committee and as a former president of Hawaii Women Lawyers, I have long supported the spirit embodied in this measure.

Great achievements are the results of even greater teams. Building the best team is about finding a group of individuals from different backgrounds who can provide various solutions to a problem. As a team's diversity increases, so do its capabilities. Let's continue to move Hawai'i forward to a future of diversity and equality.

Mahalo,

Melissa T. Pavlicek

har2-Vincent

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 24, 2013 6:04 AM
To: JUDtestimony
Cc: margaretwille@mac.com
Subject: Submitted testimony for HB189 on Jan 25, 2013 14:00PM

HB189

Submitted on: 1/24/2013

Testimony for JUD on Jan 25, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret Wille	Individual	Support	No

Comments: I am in support of this legislation. Margaret Wille, attorney at law County of Hawaii District 9 Councilperson

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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har2-Vincent

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 24, 2013 9:35 PM
To: JUDtestimony
Cc: henry.lifeoftheland@gmail.com
Subject: Submitted testimony for HB189 on Jan 25, 2013 14:00PM
Attachments: 01.25.13 HB189 Equality.pdf

HB189

Submitted on: 1/24/2013

Testimony for JUD on Jan 25, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Henry Curtis	Individual	Support	No

Comments:

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