



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Human Services

Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair

Thursday, February 18, 2016, 9:00 a.m.
State Capitol, Conference Room 329

By

Lori Okita
Chief Court Administrator
First Circuit

Bill No. and Title: House Bill No. 2585, Relating to Jury Duty

Purpose: Exempts mothers who breastfeed or express breast milk from jury duty; 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 by: (1) allowing breastfeeding mothers to be exempted from jury duty if it is determined that jury duty would entail a serious personal hardship, or that for other good cause the prospective juror should be excused either temporarily or otherwise.” *See* Hawai‘i Revised Statutes (HRS) § 612-7; and (2) ensuring that private, designated spaces (and times) are provided for breastfeeding mothers.

The Judiciary presently accommodates breastfeeding mothers in several ways. Under the present system, if a person calls the jury pool and explains that they are breastfeeding or that they are the caregiver of an infant or child, they are excused from jury duty for the year of service. Breastfeeding mothers may easily be deferred through this phone call to the jury pool office. We know of no situation where a breastfeeding mother was denied an exemption after bringing their situation to the jury pool’s attention.



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The Judiciary also accommodates breastfeeding mothers who wish to express milk during the period of jury service by providing space, time and privacy for doing so. Courts on each of the circuits have available designated rooms where breastfeeding mothers can express milk. We are aware of no situation where a breastfeeding mother has been required to serve on a jury if service on a jury would create a personal hardship, nor do we know of any situation where a breast feeding mother who wished to serve on jury duty was not accommodated if she made such a request.

Upon receiving a summons for jury duty, a nursing mother only needs to call the jury pool office and explain her situation. That information is made clear in the questionnaire she receives on a random basis that determines if she is eligible for jury duty. This is no different from people who have other conditions that would create a hardship for them if they were to serve. For instance, if a person explains that they are undergoing chemotherapy or dialysis and serving on a jury would constitute a personal hardship, the jury pool office provides a deferral.

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 House Bill 2585.



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RELATING TO JURY DUTY
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The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB2585, which would exempt mothers who breastfeed from jury duty service.

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

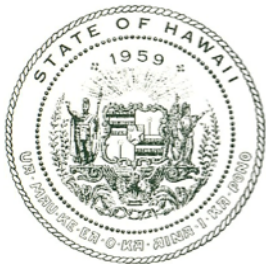
Studies have shown that there are many health benefits to breastfeeding, which include reducing the risk of chronic diseases for the infant and mother. More specifically, the U.S. Department of Health & Human Services – Office of Women's Health (OWH) indicates that breast milk reduces the risks of chronic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

Furthermore, breastfeeding benefits society and the environment. According to the OWH, the United States could save \$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 because it would prevent mothers from having to take leave for a sick infant. OWH also states that breastfeeding helps the environment, as there would be a reduction in waste from formula packaging and bottles.

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

OHA urges the committee to **PASS** HB2585. Mahalo for the opportunity to testify.

HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



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February 17, 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, 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 for one year. 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.

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. Twelve states in the United States in addition to Puerto Rico and American Samoa have all passed laws exempting breastfeeding women from jury duty. 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.



Hawaii Women's Coalition

COMMITTEE ON HUMAN SERVICES

Rep. Dee Morikawa, Chair

Rep. Bertrand Kobayashi, Vice Chair

DATE: Thursday, February 18, 2016

TIME: 9:00 A.M.

PLACE: Conference Room 329

STRONG SUPPORT FOR HB2582 relation to exemption from jury duty

The Coalition is in strong support of this bill. According to Breastfeeding Hawai'i, **only one in five children in Hawaii receives the absolute minimum of six months exclusive breastfeeding**, and fewer than one in three are receiving any breast milk at twelve months as recommended by the American Academy of Pediatrics and the World Health Organization to reduce risk of obesity, diabetes, infectious disease, asthma, allergies and certain childhood cancers.

Women who breastfeed their children benefit too, with lower rates of breast and ovarian cancers, metabolic syndrome and type 2 diabetes. Society benefits with lower health insurance costs and higher worker productivity.

There is precedent in the United States. **Twelve states** - California, Idaho, Illinois, Iowa, Kansas, Kentucky, Mississippi, Montana, Nebraska, Oklahoma, Oregon and Virginia, and the territory of Puerto Rico have laws that exempt breastfeeding woman from jury duty.

Please pass this humane, cost-saving, common sense measure out of committee.

Mahalo for the opportunity to testify,
Ann S. Freed Co-Chair, Hawai'i Women's Coalition
Contact: annsreed@gmail.com Phone: 808-623-5676

Edward Thompson, III

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 17, 2016 11:03 AM
To: HUS testimony
Cc: susan.wurtzburg@gmail.com
Subject: *Submitted testimony for HB2585 on Feb 18, 2016 09:00AM*

HB2585

Submitted on: 2/17/2016

Testimony for HUS on Feb 18, 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:

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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Edward Thompson, III

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 13, 2016 11:36 PM
To: HUS testimony
Cc: jossilyn@hawaii.edu
Subject: Submitted testimony for HB2585 on Feb 18, 2016 09:00AM

Categories: Purple Category

HB2585

Submitted on: 2/13/2016

Testimony for HUS on Feb 18, 2016 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jossilyn	Individual	Support	No

Comments: I will send an email with my testimony.

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LATE

Edward Thompson, III

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 17, 2016 4:57 PM
To: HUS testimony
Cc: laurie.field@ppvnh.org
Subject: *Submitted testimony for HB2585 on Feb 18, 2016 09:00AM*

HB2585

Submitted on: 2/17/2016

Testimony for HUS on Feb 18, 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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