



*The Judiciary, State of Hawai‘i*

**Testimony to the Senate Committee on Judiciary and Labor**

Senator Gilbert S. C. Keith-Agaran, Chair  
Senator Maile S. L. Shimabukuro, Vice Chair

Wednesday, March 2, 2016, 10:02 a.m.  
State Capitol, Conference Room 016

By

Lori Okita  
Chief Court Administrator  
First Circuit

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**Bill No. and Title:** Senate Bill No. 2315, Senate Draft 1, 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. 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. 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.

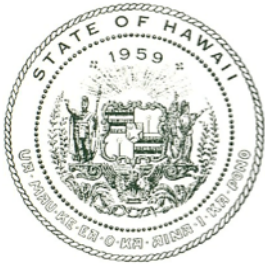


Senate Bill No. 2315, Senate Draft 1 Relating to Jury Duty  
Senate Committee on Judiciary and Labor  
Wednesday, March 2, 2016, 10:02 a.m.  
Page 2

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.

HAWAII  
STATE  
COMMISSION  
ON THE  
STATUS  
OF  
WOMEN



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February 29, 2016

To: Senator Gilbert S.C. Keith-Agaran, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
Members of the Senate Committee on Judiciary

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

Re: Testimony in Support, SB 2315, SD1, Relating to Jury Duty

Thank you for this opportunity to testify in strong support of SB 2315, SD1, 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. Yet, this policy does not appear to be well publicized and has the potential of being confusing for certain marginalized groups (for instance, women who have limited english proficiency). 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 SB 2315, SD1 as a sound public health policy for women and children.

Thank you for this opportunity to testify.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Subject:** \*Submitted testimony for SB2315 on Mar 2, 2016 10:02AM\*  
**Date:** Friday, February 26, 2016 5:10:46 PM

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**SB2315**

Submitted on: 2/26/2016

Testimony for JDL on Mar 2, 2016 10:02AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Rocca	Hawaii State Coalition Against Domestic Violence	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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**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Subject:** \*Submitted testimony for SB2315 on Mar 2, 2016 10:02AM\*  
**Date:** Saturday, February 27, 2016 3:38:58 PM

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**SB2315**

Submitted on: 2/27/2016

Testimony for JDL on Mar 2, 2016 10:02AM in Conference Room 016

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

Comments:

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**SB2315 SD1**  
**RELATING TO JURY DUTY**  
Senate Committee on Judiciary and Labor

March 2, 2016

10:02 a.m.

Room 016

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB2315 SD1, 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 SD1. Mahalo for the opportunity to testify.

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Subject:** Submitted testimony for SB2315 on Mar 2, 2016 10:02AM  
**Date:** Monday, February 29, 2016 2:46:04 PM

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**SB2315**

Submitted on: 2/29/2016

Testimony for JDL on Mar 2, 2016 10:02AM in Conference Room 016

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

Comments: Aloha Chair, Vice Chair and members, We apologize that we missed the deadline for testimony in the previous committee. We have supported this measure for several years now and hope that this will be the year it passes. We concur with the committee report and add that jury duty has placed an undue burden on nursing mothers. The consequences are documented by previous testifiers, including our Co-Chair Cathy Betts, ED, Hawaii State Commission on the Status of Women. Mahalo, Ann S. Freed Co-Chair, Hawaii Women's Coalition

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healthy mothers  
healthy babies

COALITION OF HAWAII

Wednesday, March 2, 2016  
10:00AM  
Conference Room 016

**To:** Senate Committee on Judiciary and Labor

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

**Re:** Testimony in Support of SB 2315 SD1, Relating to Jury Duty Exemption for Breastfeeding Women

Dear Senate Committee Members,

Thank you for hearing SB 2315 SD1. 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 SB 2315 SD1 and ask this Committee to pass it.

Thank you for the opportunity to testify.





March 1, 2016

Senator Gilbert S.C. Keith-Agaran, Chair  
Senate Committee on Judiciary and Labor

**Re: S.B. 2315, S.D.1 Relating to Jury Duty**

**Hearing: Wednesday, March 2, 2016, 10:02 a.m.**

Dear Chair Keith-Agaran and Members of the Committee on Judiciary and Labor:

Hawaii Women Lawyers submits testimony in **support** of S.B.2315, S.D.1, 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.1 and respectfully request that the Committee pass S.B. 2315, S.D.1 in its current form. Thank you for the opportunity to submit testimony on this measure.



**BREASTFEEDING HAWAII**  
P.O. BOX 30142  
HONOLULU, HI 96820  
[www.breastfeedinghawaii.org](http://www.breastfeedinghawaii.org)

February 28, 2016

**TESTIMONY IN STRONG SUPPORT OF SB2315 SD1, RELATING TO JURY DUTY**

To: Senate Committee on Judiciary and Labor  
Senator Gilbert Keith-Agaran, Chair  
Senator Maile Shimabukuro, Vice Chair  
Hawaii State Capitol, Room 016  
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  
Wednesday, March 2, 2016 at 10:02am

Dear Senator Keith-Agaran, Senator Shimabukuro and committee members:

Breastfeeding Hawaii strongly supports SB2315 SD1, 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 SD1 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 whom 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 SD1 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 not 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. The difference for women who do work and continue to express breast milk compared to women serving on jury duty is that women at work are protected by law with access to breaks as needed for expressing breast milk, an electric outlet, and a private space for pumping that is not a bathroom. We recognize these accommodations are difficult for the courts to provide to a breastfeeding mother while keeping within the structure of court cases/proceedings. Therefore, we strongly urge the Judiciary and Labor Committee to pass SB2315 SD1.

Thank you for this opportunity to testify.

February 29, 2016

To: Senator Gilbert S.C. Keith-Agaran, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
Members of the Senate Committee on Judiciary and Labor

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

Re: Testimony in Support, SB 2315 SD1, Relating to Jury Duty

Thank you for this opportunity to testify in strong support of SB 2315,SD1 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 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. We urge this Committee to pass SB 2315 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