



The Judiciary, State of Hawai'i

Testimony to the House Committee on Health

Representative Della Au Belatti, Chair
Representative Dee Morikawa, Vice Chair

Friday, March 14, 2014, 9:00 a.m.
State Capitol, Conference Room 329

By

Susan Pang Gochros
Chief Staff Attorney and Department Head
Intergovernmental and Community Relations

Bill No. and Title: Senate Bill No. 2452, Relating to Jury Duty

Purpose: Exempts breastfeeding mothers from jury duty for no more than one year from the time the mother begins breastfeeding the child and ceases when the mother is no longer breastfeeding the child. It further provides that the mother may be exempt for each child a mother breastfeeds.

Judiciary's Position:

The Judiciary recognizes the good intentions behind this bill but 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* Hawaii 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 and a blanket exemption simply opens the door for other exemptions so that the importance of jury duty could eventually be undermined. 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 a simple call



Senate Bill No. 2452, Relating to Jury Duty
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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.

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 of commenting on Senate Bill 2452.

HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



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LESLIE WILKINS

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CARMILLE LIM
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Executive Director
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March 14, 2014

To: Representative Della Au Belatti, Chair
Representative Dee Morikawa, Vice Chair
Members of the House Committee on Health

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

Re: Testimony in Support, SB 2452, Relating to Jury Duty

Thank you for this opportunity to testify in strong support of SB 2452, 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. However, all research shows a significant link between breastfeeding and better public health. We should support breastfeeding mothers in whatever way we can, through policies, practices and legislation.

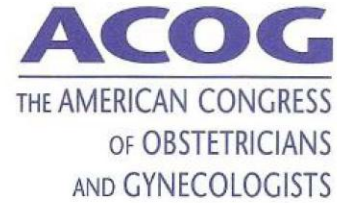
In Hawaii, only one in five children receives the absolute minimum of six months breastfeeding as recommended by the American Academy of Pediatrics. The World Health Organization recommends exclusive breastfeeding for six months, with continued breastfeeding to two years of age in order to reduce risk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

Women should not have to choose between continued breastfeeding and a civic obligation to report to jury duty. Allowing a one year 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. We urge this Committee to pass SB 2452 as a sound public health policy for women and children.

Thank you for this opportunity to testify.

***American Congress of Obstetricians and Gynecologists
District VIII, Hawaii (Guam & American Samoa) Section***

Lori Kamemoto, MD, MPH, FACOG, Chair
94-235 Hanawai Circle, #1B
Waipahu, Hawaii 96797



DATE: Friday, March 14, 2014
TIME: 9:00 AM
PLACE: Conference Room 329

To:

COMMITTEE ON HEALTH

Rep. Della Au Belatti, Chair
Rep. Dee Morikawa, Vice Chair

From: Lori Kamemoto, MD, MPH, Chair

Greigh Hirata, MD, Vice Chair

American Congress of Obstetricians and Gynecologists, Hawaii Section

Re: SB2452, Relating to Jury Duty

Position: Strongly Support

The American Congress of Obstetricians and Gynecologists (ACOG), Hawaii Section, strongly supports SB2452, exempting breastfeeding women from jury duty. ACOG strongly encourages breastfeeding for all women, and supports this bill.

Research performed in the United States and in other countries demonstrates that breastfeeding provides benefits to infants, women, families and society as a whole. In 1971, U.S. breastfeeding rates were only 24.7%. According to the Centers for Disease Control and Prevention (CDC), U.S. breastfeeding rates continue to rise and breastfeeding initiation was 77% in 2010. In 2010, breastfeeding at 6 months was 49%, and 27% at 12 months. [Breastfeeding Report Card-United States, 2013. CDC.]

Information by state available from the CDC (2010) shows that 87.4% of Hawaii mothers ever breastfed, 64.9% are still breastfeeding at 6 months, and 42.2% at 12 months (Breastfeeding Report Card 2013, United States: Outcome Indicators. CDC.). All women and infants can benefit from breastfeeding for at least 6 months after birth.

With few medical exceptions, nearly all women are able to breastfeed. The American Congress of Obstetricians and Gynecologists strongly supports breastfeeding and urges health care professionals caring for women and their

infants, hospitals, and employers to support women in choosing to breastfeed their infants. All should work to facilitate the continuation of breastfeeding in the workplace and public facilities. (ACOG Committee Opinion #361)

Exemption from jury duty for breastfeeding mothers will allow women to continue to breastfeed their infants without the worry of availability of breastfeeding facilities, breast pumps, and time for feeding or pumping during jury duty or sequestration.

Hawaii ACOG strongly supports SB2452, that will result in avoiding the interruption or stopping of breastfeeding caused by jury duty, and allow the proven benefits of breastfeeding to continue.

Thank you for the opportunity to submit this testimony.



Hawaii Women's Coalition

COMMITTEE ON HEALTH

Rep. Della Au Belatti, Chair

Rep. Dee Morikawa, Vice Chair

DATE: Friday, March 14, 2014

TIME: 9:00 AM

PLACE: Conference Room 329

STRONG SUPPORT FOR SB 2452 that Exempts breastfeeding mothers from jury duty for up to one year from the time the mother began breastfeeding the child.

Aloha Chair Au Belatti, and committee members,

The Coalition is in support of this bill that is part of the Coalition's and the Women's Legislative Caucus Packages.

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."

This seems to simply be logical since the task of providing for breastfeeding and/or infant care spaces in our courtrooms seems to elude us.

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 women from jury duty.

Please pass this important bill out of committee.

Mahalo for the opportunity to testify,

Ann S. Freed

Co-Chair, Hawai'i Women's Coalition

Contact: annsfreed@gmail.com

Phone: 808-623-5676

morikawa2-Joanna

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 13, 2014 6:08 AM
To: HLTtestimony
Cc: Ter@hawaii.rr.com
Subject: *Submitted testimony for SB2492 on Mar 14, 2014 09:00AM*

SB2492

Submitted on: 3/13/2014

Testimony for HLT on Mar 14, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Terri Pacheco APRN	HAPN	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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SB2452

Submitted on: 3/12/2014

Testimony for HLT on Mar 14, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall	League of Women Voters 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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Planned Parenthood of Hawaii

To: Hawaii State House of Representatives Committee on Health
Hearing Date/Time: Friday, March 14, 2014, 9:00 a.m.
Place: Hawaii State Capitol, Room 329
Re: Testimony of Planned Parenthood of Hawaii in support of S.B. 2452

Dear Chair Belatti and Members of the Committee on Health,

Planned Parenthood of Hawaii writes in support of S.B. 2452, which seeks to exempt breastfeeding mothers from jury duty for up to one year from the time the mother began breastfeeding the child.

Planned Parenthood of Hawaii (“PPHI”) is dedicated to providing Hawaii’s people with high quality, affordable and confidential sexual and reproductive health care, education, and advocacy. PPHI supports S.B. 2452 because it will support breastfeeding mothers and improve their sexual and reproductive health.

Breastfeeding has been proven to be beneficial for both infants and mothers. According to the U.S. Department of Health and Human Services Office on Women’s Health, breastfeeding may operate as a natural birth control, lower the risk of breast and ovarian cancer and type 2 diabetes, and reduce post-partum depression.¹ Further, breastfeeding can improve an infant’s immune system and protect the infant from germs and illness, such as ear infections, stomach viruses, asthma, obesity, types 1 and 2 diabetes, childhood leukemia, and some respiratory infections.²

Jury duty is burdensome to breastfeeding mothers, who may have to spend hours or days serving on a jury. Barriers to breastfeeding include lack of access to a clean, private space to express breast milk, lack of access to electric outlets needed to operate a breast pump and the inability to take regular and long enough breaks to express breast milk. Granting an exemption is an easy, no cost option that allows breastfeeding mothers to take on the important civic responsibility of jury duty at a later time while giving them and their babies the opportunity to reap the health benefits of breastfeeding.

Thank you for this opportunity to testify.

Sincerely,
Laurie A. Temple
Director of Public Affairs & Government Relations\

¹ U.S. Dept. of Health and Human Services, Office of Women’s Health, *Breastfeeding Fact Sheet* (2013) , available at <http://www.womenshealth.gov/publications/our-publications/fact-sheet/breastfeeding.html>.

² *Id.*

HONOLULU
1350 S. King Street, Suite 310
Honolulu, HI 96814
808-589-1149

KAUAI
357 Rice Street, Suite 101
Lihue, HI 96766
808-482-2756

KONA
Hualalai Medical Center
75-184 Hualalai Road, Suite 205
Kailua Kona, HI 96740
808-329-8211

MAUI
Kahului Office Center
140 Ho’ohana Street, Suite 303
Kahului, HI 96732
808-871-1176



LATE

**GAY LESBIAN
BISEXUAL AND
TRANSGENDER
CAUCUS**



**DEMOCRATIC
PARTY OF
HAWAII**

COMMITTEE ON HEALTH

Chair: Della Au Belatti

Vice Chair: Dee Morikawa

Members: Representatives Mele Carroll, Mark J. Hashem, Jo Jordan, Bertrand Kobayashi Marcus R. Oshiro, Justin H. Woodson, Lauren Kealohilani Matsumoto

HEARING ON SB 2452 (SSCR2597)

DATE: Friday, March 14, 2014

TIME: 9:00 AM

PLACE: Conference Room 329

RELATING TO JURY DUTY. Exempts breastfeeding mothers from jury duty for up to one year from the time the mother began breastfeeding the child.

TESTIMONY IN SUPPORT

The American Academy of Pediatrics and the World Health Organization recommended breast milk for twelve months to reduce the risks of obesity, diabetes, infectious diseases, such as, ear nose and throat infections common in children, asthma, allergies and certain childhood cancers. Separating the mother from baby presents a serious challenge to breastfeeding women, as the interruption in feeding seriously affects their ability to produce an adequate supply of breast milk.

Jury duty exemption is a "win-win". There are no costs involved. This will have a positive impact on the woman's ability to keep up an adequate supply of breast milk without disruption. Breastfeeding women will not need to find infant care, which is literally nonexistent. They will not have to pump milk for someone else to feed their babies.

Currently there are no allocated breastfeeding rooms in the courthouses, no breastfeeding policy, and no way to leave and express milk while they are sequestered. Many women cannot afford or do not own a pump.

Twelve states (California, Idaho, Illinois, Iowa, Kansas, Kentucky, Mississippi, Montana, Nebraska, Oklahoma, Oregon, and Virginia) and Puerto Rico, have laws that exempt breastfeeding women from jury duty.

I hope Hawaii, "The Healthy State", becomes the 13th State to acknowledge the importance of breastfeeding.

Mahalo for the opportunity to testify,

Jo-Ann M. Adams
Legislative Liaison



healthy mothers
healthy babies

COALITION OF HAWAII

LATE

March 13, 2014

To: Representative Della Au Belatti, Chair; Representative Dee Morikawa, Vice Chair; and members of the Committee on Health
From: Lisa Kimura, Executive Director, Healthy Mothers Healthy Babies Coalition of Hawaii
Re: Testimony in Support of SB 2452, Relating to Jury Duty Exemption for Breastfeeding Women
Hearing: March 14, 2014 at 9:00am

Thank you for hearing SB 2452. 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 2452 and ask this Committee to pass it.

Thank you for the opportunity to testify.

LATE

To: Senator Clayton Hee, Chair
Senator Maile S. L. Shimabukuro
Members of the Senate Committee on Judiciary and Labor

Date: Thursday, February 20, 2014 10:30am

On behalf of Breastfeeding Hawaii, I would like to express **our support of SB2452 Jury Duty for Breastfeeding Women**, exempting them from jury duty during the time they are breastfeeding or expressing milk for their baby.

Breastfeeding Hawaii is a non profit 501 © 3 organization representing Hawaii locally and nationally at the National US Breastfeeding Committee in Washington, D.C. Our mission is to protect, promote and support breastfeeding in the State of Hawaii. We do this through the organization of community efforts, outreach, policy change, education, legislation and advocacy.

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.

Mother-child separation presents a serious challenge to continuing breastfeeding. It costs nothing to exempt a breastfeeding woman from jury duty, and can make a big difference in further preserving the breastfeeding relationship. A woman should never have to worry about how she is going to feed her baby or pump her milk, while required to sit in a courtroom jury box or be sequestered in jury deliberations.

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 women from jury duty.

Breastfeeding Hawaii believes in supporting breastfeeding women to continue to breastfeed and/or provide breastmilk for their infant. We realize a mother may chose to perform her civic responsibility but if she cannot due the need to be with her infant to breastfeed or provide milk for the baby, she needs to be provided this exemption.

We also respectfully suggest the following amendment to this bill by changing the wording of Section 2, SS 612-6 Exempt When

“9) a mother who is breastfeeding a child or expressing breast milk ; and provided further that a mother may be exempt under this section for each child the mother breastfeeds. “

Accordingly, we encourage this Committee to favorably pass this bill, with the wording changes of Section 2, SS 612-6 , 9) noted above.

Thank you for this opportunity to share our viewpoint on this issue.

Janel Takasaki, RN, BSN, IBCLC
President
Breastfeeding Hawaii
State Breastfeeding Coalition

To: Representative Della Au Belotti, Chair

Representative Dee Morikawa, Vice Chair

And members of Committee on Health

From: Debrah Trankel RNC, CNIV, BSN, CLC, IBCLC

Staff Nurse @ QMC, UH Grad Student

Member Women's Coalition & Tobacco Coalition

Re: Bills HB 2033/SB 2452

Exempting Breastfeeding Mothers from Jury Duty

Dear Legislators,

Why this Issue is important:

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 the risks of obesity, diabetes, infectious diseases such as ear nose and throat infections common in children, asthma, allergies and certain childhood cancers. As a global public health recommendation, infants should be exclusively breastfed for the first six months of life to achieve optimal growth, development and health. Thereafter, to meet their evolving nutritional requirements, infants should receive nutritionally adequate and safe complementary foods while breastfeeding continues, for at least two years and beyond. Breastfeeding benefits women too, by lowering the incidences of breast and ovarian cancer, Type 2 Diabetes, and in the early postpartum period decreased anemia and postpartum depression. Society benefits with lower health insurance costs, decreased work absences related to sick children, and enhanced work productivity for employers.

Separating the Mother-Baby dyad presents a serious challenge to breastfeeding women, as the interruption in feeding seriously affects their ability to produce an adequate supply of breast milk, and continuing breastfeeding. Jury duty exemption is a "win-win" situation for all. There are no costs involved in exempting a breastfeeding woman for 12 months, if she chooses, (as she has the right to serve as she desires to) from jury duty, and this support will have a positive impact on the woman's ability to keep up an adequate supply without disruption. Hawaii's women should not have to be concerned about how to find INFANT care, which is literally non-existent for babies under 6 months of age, and whether they will be able to pump enough extra to leave with someone else to feed their baby breast milk in their absence.

Then there is the matter of sitting in the courtroom, in a building with no currently allocated breastfeeding rooms, nor a breastfeeding policy that employees are aware of, and no way to leave and express milk while they are sequestered. Direct breastfeeding is considered superior to pumping and bottle feeding by expert. Many women cannot afford/do not own a pump. Even though it is a natural act, breastfeeding is also a learned behavior. Virtually all mothers can breastfeed provided they have ample support from their families and communities.

Breastfeeding is an unequalled way of providing ideal food for the healthy growth and development of infants; it is also an integral part of the reproductive process with important implications for the health of the mothers. Therefore, a legislative mandate is necessary to meet the health needs of Hawaii's mothers and babies by exempting breastfeeding mothers from jury duty. It is the right thing to do.

Twelve states (California, Idaho, Illinois, Iowa, Kansas, Kentucky, Mississippi, Montana, Nebraska, Oklahoma, Oregon, and Virginia, so far) and Puerto Rico, which is an American Territory, have laws that exempt breastfeeding women from jury duty. Most do not place a limit on the age of the child, but the Puerto Rico law specifies that the child is less than 24 months of age.

Thank you for passing the companion bill, HB 2033. I now ask for your continued support, and urge you to pass SB 2452, so this becomes a law. Mother-child separation presents a serious challenge to continuing breastfeeding. It costs nothing to exempt a breastfeeding woman from jury duty, and can make a big difference in further preserving the breastfeeding relationship, thereby keeping the woman and her infant healthy. I hope to see Hawaii, "The Healthy State", become the 13th State to acknowledge the importance of breastfeeding.

Sincerely, and with thanks from our Moms and Babies!

Debrah Trankel RNC, BSN, CLC, IBCLC

Breastfeeding Resource Links for your convenience:

Example of Laws:

<http://www.lrc.ky.gov/KRS/029A00/100.PDF> "Ky. Rev. Stat. § 29A.100

<http://www.lrc.ky.gov/record/07rs/SB111/bill.doc> SB 111

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+8.01-341.1> Va. Code Ann. § 8.01-341.1

<http://leg1.state.va.us/cgi-bin/legp504.exe?051+ful+CHAP0195> 2005 Chap. 195, HB 2708

<http://www.ncsl.org/issues-research/health/breastfeeding-state-laws.asp>

<http://legislature.idaho.gov/idstat/Title2/T2CH2SECT2-209.htm> 2-209

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+65.2-10> 2 65.2-102

Breastfeeding Resources:

1. Center for Disease Control

<http://www.cdc.gov/breastfeeding/data/>"www.cdc.gov/breastfeeding/data/

2. United States Breastfeeding Committee

www.usbreastfeeding.org

3. Department of Health and Human Services, Maternal & Child Health (MCHB)

www.mchb.hrsa.gov

Contact:

Debrah Trankel RNC, BSN, CLC, IBCLC

The Queen's Medical Center-Tower 10 Obstetrics dtrankel@queens.org

UHSONDH Grad student: dtrankel@hawaii.edu

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 13, 2014 10:49 AM
To: HLTtestimony
Cc: jlee16@gmail.com
Subject: Submitted testimony for SB2452 on Mar 14, 2014 09:00AM

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SB2452

Submitted on: 3/13/2014

Testimony for HLT on Mar 14, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Lee	Individual	Support	No

Comments: Please help mothers successfully breastfeed and bond with their infants by establishing this reasonable exemption from jury duty.

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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