

PILOT PROJECT TO EXPUNGE CERTAIN ARREST RECORDS

Overview of Hawaii's Expungement Pilot Project
Acts 62 (2024) & Act 005 (2025)

INTRODUCTION

- Act 62, Session Laws of Hawaii 2024, enacted June 21, 2024.
- Established a pilot project, administered by the Department of the Attorney General, to expunge certain arrest records under HRS §712-1249 (possession of less than one ounce of marijuana).
- Implemented using existing funding and resources of the Hawaii Criminal Justice Data Center (HCJDC).

PILOT PROJECT CRITERIA

- Expungement application/fee not required.
- Arrest occurred before January 11, 2020.
- Arrest resulted in a single charge under HRS §712-1249.
- Arrest occurred in a county with a population of 200,000–500,000.
- Case terminated with a final disposition other than conviction.

ACT 005 (2025) UPDATE

- April 2025, ACT 005 enacted.
- Expanded eligibility: all arrests under HRS §712-1249 qualify for expungement.
- Drug type no longer required for review to determine eligibility.

PILOT PROJECT DATA

- 2,268 records identified as potentially eligible (Hawaii Police Department & Sheriff's).
- 1,072 records processed for expungement.
- 989 expungements granted.
- 83 expungements denied (due to conviction, undetermined disposition, warrant issued, or acquittal by reason of insanity).

RESOURCES & TIMELINE

- 872 staff hours used (4 staff members).
- Average time per expungement: 45 days (includes confirmation from law enforcement agency).

RE-ARREST DATA

- Since project launch, July 2024: 101 individuals who qualified for the project were re-arrested, a total of 428 charges;
 - 165 felonies
 - 95 misdemeanors
 - 102 petty misdemeanors
 - 66 other charges
 - 5 were re-arrested for HRS §712- 1249.