

STAND. COM. REP. NO. 1634-24

Honolulu, Hawaii

APR 03, 2024

RE: S.B. No. 2706  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 2706, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS,"

begs leave to report as follows:

The purpose of this measure is to establish the Clean Slate Expungement Task Force to develop legislation for a state-initiated record clearing program.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Crime Victim Compensation Commission; Community Alliance on Prisons; Last Prisoner Project; Hawai'i State Coalition Against Domestic Violence; American Civil Liberties Union of Hawai'i; Hawai'i Innocence Project; Beyond Guilt Hawai'i; Democratic Party of Hawai'i; Opportunity Youth Action Hawai'i; Sex Abuse Treatment Center; Reimagining Public Safety in Hawai'i Coalition; Drug Policy Forum of Hawai'i; Law Office of Georgette A. Yaindl, LLC; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General and Honolulu Police Department. Your Committee received comments on this measure from the Judiciary and Department of the Prosecuting Attorney of the City and County of Honolulu.

2024-2729 SB2706 HD1 HSCR HMSO



Your Committee finds that as of 2019, three hundred thousand residents of the State have been adversely affected by their past criminal records, hindering their ability to access employment, housing, and other opportunities. This measure establishes the Clean Slate Expungement Task Force to develop legislation for a state-initiated record clearing program.

Your Committee has amended this measure by:

- (1) Clarifying the objectives of the Clean Slate Expungement Task Force, including an objective that the Task Force provide recommendations to the Judicial Council that will inform the review of the Hawaii Penal Code;
- (2) Amending the membership of the Clean Slate Expungement Task Force, including:
  - (A) Specifying that representatives of private organizations are to be invited by the Task Force, rather than mandated; and
  - (B) Adding that the Task Force invite two directly impacted individuals with lived experience in the criminal legal system to participate as members of the Task Force;
- (3) Adding SEARCH - System for the Electronic Analysis and Retrieval of Criminal Histories - to the groups to be sought to provide technical assistance;
- (4) Requiring an additional interim report to be submitted to the Legislature before the Regular Session of 2026;
- (5) Extending the deadline for the final report to be submitted to the Legislature to forty days before the Regular Session of 2027;
- (6) Extending the dissolution date of the Clean Slate Expungement Task Force to June 1, 2027; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2706, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2706, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



