
A BILL FOR AN ACT

RELATING TO THE CHILD ABUSE AND NEGLECT CENTRAL REGISTRY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 350-2.5, Hawaii Revised Statutes, is amended to read as follows:

"[+]§350-2.5[+] **Central registry; expungement.** (a) The department shall maintain a central registry of reported child abuse or neglect cases. When the department confirms a report by a preponderance of the evidence that a person is the perpetrator of child abuse or neglect, harm, or threatened harm, the person's name shall be included in the central registry.

(b) The department shall promptly expunge a person's name from the central registry if:

(1) The report is determined not confirmed by the department, including after administrative proceedings conducted pursuant to chapter 91; provided that in an administrative appeal hearing, the department shall have the burden of proving by a preponderance of the evidence that the confirmation was correct; or



(2) The family court determines that the report is not confirmed after:

(A) A petition arising from the report filed pursuant to section 587A-12 has been dismissed by order of the family court because the court did not find sufficient evidence based upon a preponderance of the evidence to assume jurisdiction pursuant to section 587A-5; or

(B) A written report with the disposition is submitted to the family court pursuant to a referral under section 586-10.5, and the family court finds that the facts supporting the confirmation were not proven by a preponderance of the evidence.

The family court shall retain exclusive jurisdiction for purposes of determining that a report was correctly confirmed under this paragraph as long as the family court matter is pending. The person whose name is included in the central registry shall not request an administrative appeal hearing to contest the confirmation unless the family court dismisses or



1 closes the related matter without making findings as
2 to the facts supporting the confirmation.

3 (c) A person who has been confirmed as the perpetrator of
4 abuse or neglect, harm, or threatened harm, whose name has not
5 been expunged from the central registry pursuant to subsection
6 (b), may submit a request for expungement to the department;
7 provided that:

8 (1) The confirmation is more than five years old;

9 (2) The record does not involve aggravated circumstances
10 or conduct described in paragraph (1)(B) of the
11 definition of child abuse or neglect in section 350-1;
12 and

13 (3) There are no other reports of abuse or neglect
14 subsequent to the confirmation.

15 Requests submitted that do not meet these minimum requirements
16 shall be denied.

17 (d) A survivor of human trafficking, sexual exploitation,
18 domestic violence, or coercive abuse who has been confirmed as
19 the perpetrator of abuse or neglect, harm, or threatened harm,
20 whose name has not been expunged from the central registry



1 pursuant to subsection (b), may submit a request for expungement
2 to the department; provided that:

3 (1) The confirmation is more than three years old;

4 (2) There is a documented history of being a survivor of
5 human trafficking, sexual exploitation, domestic
6 violence, or coercive abuse verified through:

7 (A) Law enforcement report;

8 (B) Survivor-led agency advocacy letters;

9 (C) Medical or mental health provider verification;

10 (D) Court testimony; or

11 (E) Certification from a designated survivor-serving
12 organization.

13 (3) The record involved substantiated child neglect
14 directly caused by their status as a victim and not by
15 intentional abuse or criminal harm;

16 (4) There are no other reports of abuse or neglect
17 subsequent to the confirmation; and

18 (5) There is clear evidence of personal growth, emotional
19 safety, and parenting readiness, shown through:

20 (A) Completion of support programs;



1 (B) Letters from service providers or cultural
2 practitioners;

3 (c) Stable housing and income; or

4 (D) Personal testimony reflecting accountability and
5 consistent protective behavior.

6 ~~[(d)]~~ (e) A person seeking to have the person's own name
7 expunged pursuant to subsection (c) or (d) shall submit a
8 request for expungement to the department on a form prescribed
9 by the department. The request for expungement shall be
10 reviewed in accordance with rules adopted by the department
11 pursuant to chapter 91 that shall consider, at minimum, the
12 following criteria:

13 (1) Length of time since the report was confirmed;

14 (2) Severity of the abuse or neglect, harm, or threatened
15 harm;

16 (3) Age of the child at the time of the report;

17 (4) Age of the confirmed perpetrator at the time of the
18 report;

19 (5) Evidence of the confirmed perpetrator's
20 rehabilitation; and



1 (6) Any other relevant information received and deemed
2 credible by the department.

3 ~~[(e)]~~ (f) Upon review of a request for expungement, the
4 department may grant the request for expungement based on a
5 finding of good cause shown that the expungement would serve the
6 interests of justice. A person whose request for expungement is
7 denied shall not submit another request for expungement for a
8 period of five years from the date of the denial or five years
9 from the date the denial is affirmed on appeal, whichever is
10 later.

11 ~~[(f)]~~ (g) Notwithstanding any other provision of law to
12 the contrary, the department may review reports on its own
13 action and, in its discretion, may expunge a person's name from
14 the central registry based on criteria established in rules
15 adopted pursuant to chapter 91.

16 ~~[(g)]~~ (h) Records and information contained in a report
17 for which a person's name is expunged from the central registry
18 shall be retained by the department solely for future risk and
19 safety assessment purposes."

20 SECTION 2. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect on July 1, 2026.

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INTRODUCED BY:

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JAN 27 2026



H.B. NO. 2353

Report Title:

Child Abuse and Neglect; Registry; Expungement; Survivors

Description:

Provides a path for expungement from the child abuse and neglect registry for survivors of human trafficking, sexual exploitation, domestic violence, or coercive abuse if certain conditions are met.

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