

Honolulu, Hawaii

APR 10 2026

RE: H.B. No. 2279  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2279, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EXPUNGEMENT ORDERS,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the expungement orders law to reflect that a person who is arrested for or charged with a crime but convicted of a violation is eligible for an expungement of their arrest record for that incident.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Office of Hawaiian Affairs, Community Alliance on Prisons, ACLU Hawai'i, and one individual.

Your Committee finds that in *Barker v. Young*, 153 Hawai'i 144 (2023), the Hawaii Supreme Court held that a person who is initially arrested for or charged with a crime that is a felony, misdemeanor, or petty misdemeanor, but is later convicted of a violation, is eligible for an expungement of the person's record. Before the *Barker* decision, these individuals had no meaningful recourse to seek expungement of their arrest records, even when their cases ultimately resulted only in violations, and caused them to often face significant barriers to housing and employment,



as potential landlords and employers often view any court record, even for minor violations, as a red flag. This measure will align the State's statutory framework with judicial precedent to help individuals overcome minor infractions that previously prevented them from accessing employment, housing, and other opportunities that enable them to become productive and contributing members of the State's communities.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2279, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



