

Expungement Application

Hawaii Criminal Justice Data Center, Department of the Attorney General

Complete this form in its entirety. **ILLEGIBLE or INCOMPLETE applications will result in a denial. The expungement certificate will be mailed to the address provided within the 120 days authorized by HRS 831-3.2(a).** Due to the confidentiality of the arrest records, information, including the status of an application, will NOT be provided over the phone or through email. Although optional, please attach a copy of your valid photo ID, which may assist with timelier processing.

The fee for a first-time expungement is \$35. Non-first-time expungements are \$50. The fee includes a non-refundable \$10 processing fee. Should your application be denied, the application fee minus the non-refundable \$10 will be returned to you.

EXPUNGEMENT OF NON-CONVICTION INFORMATION

§831-3.2, Hawaii Revised Statutes, authorizes the expungement of non-conviction arrest information. Arrest records will be expunged from the arresting agency and the statewide repository of adult criminal history record information. Records may still be retained and made available by the courts. An expungement order shall NOT be issued:

- In the case of an arrest for a felony or misdemeanor where conviction has not been obtained because of bail forfeiture;
- For a period of five years after arrest or citation in the case of a petty misdemeanor or violation where conviction has not been obtained because of a bail forfeiture;
- In the case of an arrest of any person for any offense where conviction has not been obtained because the person has rendered prosecution impossible by absenting oneself from the jurisdiction;
- In the case of a person who was involuntarily hospitalized pursuant to §706-607, or who was acquitted or had charges dismissed pursuant to chapter 704 due to a physical or mental disease, disorder, or defect;
- For a period of one year upon discharge of the defendant and dismissal of the charge against the defendant in the case of a deferred acceptance of guilty plea or nolo contendere plea, in accordance with chapter 853; and
- Pursuant to §712-1200, for a period of three years upon discharge of the defendant and dismissal of a §712-1200 charge against the defendant in the case of a deferred acceptance of guilty plea or nolo contendere plea.

EXPUNGEMENT OF CONVICTION FOR FIRST-TIME DRUG RELATED/PROPERTY OFFENDERS & DUI <21

The court may grant an order for the expungement of conviction for certain offenses and circumstances noted below. The conviction information is expunged from the statewide repository of adult criminal history record information only. Records may still be retained and made available by the arresting agency and the courts. Qualifying offenses include:

- §291E-0064(e) – Operating a vehicle after consuming a measurable amount of alcohol; persons under the age of twenty-one;
- §706-622.5 – Sentencing for first-time drug offender;
- §706-622.8 – First-time drug offender prior to 2004; and
- §706-622.9 – Sentencing for first-time property offender

If you are applying to have a conviction expunged, you MUST ATTACH A COPY OF THE COURT ORDER GRANTING THE EXPUNGEMENT. Applications without a copy of the court order granting the expungement of conviction will be denied.

Current Legal Name (Last, First, Middle): _____

Other Names Used: _____

Social Security Number: _____ **Date of Birth:** _____ **Sex: M** ____ **F** ____
(SSN is optional; if provided, SSN will only be used to aid in verifying correct record is expunged)

Home Address: _____

Mailing Address: _____

Phone: _____ **Email:** _____

Initial by all that apply:

	Expungement of Non-Conviction Information: In accordance with the provisions of §831-3.2 , HRS, I hereby submit this written application to have my arrest record expunged for all qualifying alleged offense(s) for which no conviction has been secured, or for which I have found to be eligible for redress under chapter 661B. Further, I hereby declare that I am not a fugitive from justice. If I am found to have no record of conviction, I also request the return of non-digitized fingerprints and photographs.
	Expungement of First-time Drug Offender, Property Offender and/or DUI <21: In accordance with the provisions of §§706-622.5, 706-622.8, 706-622.9, and 291E-0064(e) , HRS, I hereby submit this written application and a copy of my Court Order Granting the Expungement of Conviction for First-time Drug-related/Property Offender and/or Conviction for Driving Under the Influence; persons under the age of 21 to have my conviction expunged.

Before submitting application, confirm these items are complete:

- Signature of applicant Copy of valid photo ID (optional)
 Mailing Address Court Order Granting Expungement, if applicable
 Payment – Money Order or Cashier's Check payable to "State of Hawaii"
(First-time expungement: \$35; Non-First-time Expungement: \$50)

LEAVE BLANK; HCJDC USE ONLY

Signature _____

Date _____

Submit completed application to:

Hawaii Criminal Justice Data Center, Attn: Expungement
465 South King Street, Room 102
Honolulu, HI 96813