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## EXPUNGEMENTS

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### GENERAL INFORMATION

- The Expungement process takes 120 days to complete. Expedited services are not available.
- **Effective July 1, 2025, individuals granted an expungement order will no longer need to separately request that the Judiciary seal or remove case records related to the arrest from its publicly accessible electronic database.** Pursuant to Act 003 (2025), the expungement order will be automatically transmitted by the HCJDC to the Judiciary for their consideration under section 831-3.2(f) of the Hawaii Revised Statutes. Expungement orders issued *prior* to July 1, 2025 still require individuals to contact the Judiciary directly.
- Arrest records that have been expunged from your criminal history record are confidential. Additionally, due to the confidentiality of the arrest records, information regarding the expungement application, including the status or receipt of an application, will not be provided over the phone or through email. Applicants will be notified by mail if their applications are denied.
- If you were only issued a citation or summons and not arrested or booked for a criminal offense, there is no arrest record to be expunged.

### NON-CONVICTION ARRESTS

[§831-3.2, Hawaii Revised Statutes \(HRS\)](#), authorizes the expungement of non-conviction arrest information. Arrest records will be expunged from the arresting agency and the statewide central repository of adult criminal history record information. Records may still be retained and made available by the courts. If you were arrested or charged with a crime and not convicted, you may apply to have that arrest expunged from your criminal history record. However, 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 four 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 INFORMATION

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/sentencing provisions are:

- [§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.

Only the court may issue an order granting the expungement of a conviction. To determine if your conviction qualifies, you should contact your attorney or a licensed Hawaii attorney or review the statutes listed above. Records of criminal convictions are available on the Hawaii State Judiciary's website, via the eCourt Kokua link [https://www.courts.state.hi.us/legal\\_references/records/jims\\_system\\_availability](https://www.courts.state.hi.us/legal_references/records/jims_system_availability). A copy of the Order Granting the Expungement of Conviction must be included with the Expungement Application.

## FREQUENTLY ASKED QUESTIONS

Click [here](#) for answers to several frequently asked questions.

## APPLICATION FORM

- The fee for a first-time expungement is \$35. The fee for a non-first-time expungement is \$50. The fee includes a non-refundable \$10 processing fee. Should your application be denied, the expungement fee minus the non-refundable \$10 will be returned to you.
- Payment of fee must be made by cashier's check or money order made payable to the "State of Hawaii". Business and personal checks are not accepted and will result in your application being denied.
- All qualifying charges will be expunged from your arrest record.
- The expungement process takes 120 days to complete. The certificate will be mailed to the address provided on the application form. There are no expedited services available.
- [Expungement Application \(Form HCJDC 159\(b\)\)](#)