

Honolulu, Hawaii

MARCH 2, 2006

RE: S.B. No. 2244  
S.D. 1

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2244 entitled:

"A BILL FOR AN ACT RELATING TO EXPUNGEMENTS,"

begs leave to report as follows:

The purpose of this measure is to require the deletion of digitized arrest records, rather than the return of hard copy materials, and limits expungements to applicants that have no convictions on their criminal records.

Testimony in support of this measure was submitted by the Attorney General and the Department of Human Services. Testimony in opposition to this measure was submitted by the Office of the Public Defender and two individuals.

Your Committee received testimony objecting to the inclusion of a violation of state law in the definition of a crime. Concerns were also raised that the measure would prohibit a person who has a previous conviction and who is arrested for reasons unrelated to the previous conviction from seeking to expunge his or her arrest record.

Your Committee finds that, based upon the concerns raised by those testifying in opposition to the measure, portions of the measure, regarding the requirement that a person who has a previous conviction may not have an arrest expunged and the section defining a violation as a crime, should be removed from



this measure. Your Committee also amended this measure by making nonsubstantive, technical changes.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2244, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2244, S.D. 1, and be placed on the calendar for Third Reading.

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



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COLLEEN HANABUSA, Chair



The Senate  
Twenty-Third Legislature  
State of Hawaii

Record of Votes of the  
Committee on Judiciary and Hawaiian Affairs  
(Bills and Resolutions)

Measure:*	Committee Referral:	Date:		
SB 2244	JHW	2/17/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to:				
<input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
HANABUSA, Colleen (C)	/ / / / /			
HEE, Clayton (VC)				
CHUN OAKLAND, Suzanne				
ENGLISH, J. Kalani				
IHARA, Jr., Les				
WHALEN, Paul				
TOTAL	9	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> , Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b>				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Do not list more than one measure per Record of Votes.