



House Committee on Consumer Protection and Commerce  
Honorable Scot Z. Matayoshi, Chair  
Honorable Tina Nakada Grandinetti, Vice Chair

**RE: Testimony with Comments on H.B. 2227, Relating to Eviction Records**  
Hearing: February 5, 2026 at 2:00 p.m.

Dear Chair and Members of the Committee:

My name is Ben Creps. I am a staff attorney at the Public First Law Center, a nonprofit organization that promotes government transparency. Thank you for the opportunity to respectfully submit testimony with comments on H.B. 2227.

We do not take a position on the policy advanced by this measure. We opposed H.B. 463 (2025) on constitutional grounds. During the interim, we worked on a proposal to address those concerns. As written, we do not have First Amendment concerns about H.B. 2227.

The non-sealing approach taken by H.B. 2227 – which proposes to keep eviction records offline until entrance of a writ of possession – was recently approved in principle by the Hawai`i Supreme Court in *State v. Rogan*, 153 Haw. 233 (2025). There, the Court held that removing expunged records from the judiciary’s publicly accessible online database (eCourt Kokua) served the intent of the expungement law “without dulling the public’s constitutional right of access to judicial records.”

Thank you again for the opportunity to testify with comments on H.B. 2227.

