

## **Amendment #7**

By: Chair Vance

### **LEGISLATIVE FINDINGS AND INTENT.**

(a) The legislature finds safeguarding the constitution isn't solely the responsibility of the courts; every branch of our state government bears the duty to uphold it. When the foundational institutions outlined in our constitution are disregarded or marginalized, it becomes imperative for the legislature to take action to fortify these institutions.

(b) It is the intent of the legislature is to protect the constitutional rights of Alaskans by empowering the grand jury to seek justice and minimize trauma to victims while upholding due process.

(c) The legislature further finds that a grand jury's constitutional duties to return indictments and investigate matters concerning public welfare and safety are complementary and must be performed in a manner that protects citizens' constitutional rights.

(d) It is the intent of the legislature that Criminal Rule 6(s), as amended by sec. 12 of this Act, overturns the decision of the Alaska Court of Appeals in *State v. Powell*, 487 P.3d 609 (Alaska App. 2021), to the extent the decision held that hearsay evidence admissible under the hearsay exception under Alaska Rule of Evidence 801(d)(3) is inadmissible at grand jury if certain foundational requirements cannot be met at the time of grand jury.