

Defense in “Rust” shooting case claims inaccurate charges filed against Hannah Gutierrez-Reed

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A motion is set to be filed in the case of the on-set shooting during the filming of the Alec Baldwin movie “Rust” last year that claims the prosecution filed inaccurate charges against set armorer Hannah Gutierrez-Reed.

The motion claims the added firearm enhancement charge is inaccurate. Gutierrez-Reed’s attorney, Jason Bowles, says the charge is invalid because its basis in the 2022 version of the charge, and the incident in question occurred in 2021. “The prior law, you had to have brandishing. You had to have the intent to intimidate or to assault somebody, in essence. And I don’t think they can prove that on anybody,” said Bowles to KOAT.

Bowles explained, “My client did not have that intent. She could not have had that intent. She didn’t have the weapon in her possession. So, she didn’t have to have the intent. And she did not violate that firearm enhancement that was on the books at the time.” Gutierrez-Reed, as the set armorer, was responsible for the safe use and storage of firearms on the set. She was not, however, in possession of the gun when it was fired and killed cinematographer Halyna Hutchins. The film’s lead actor and producer, Alec Baldwin, was the person holding the firearm when it discharged and hit Hutchins in the chest during a rehearsal on set.

If Bowles is successful in getting the firearm enhancement charge thrown out, the maximum sentence Gutierrez-Reed would face would be 18 months if convicted. According to the LA Times, attorneys for Baldwin filed the same motion to dismiss his firearms enhancement charge, saying, “The prosecutors in this case have committed an unconstitutional and elementary legal error by charging Mr. Baldwin under a statute that did not exist on the date of the accident.”