

STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
FIRST JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO,

Plaintiff,

v.

D-101-CR-2024-00013

ALEC BALDWIN,

Defendant.

**STATE'S MOTION IN LIMINE 11 TO PROHIBIT  
THE DEFENDANT'S STATEMENTS AS HEARSAY AND  
PROHIBIT TESTIMONY REGARDING THE "CREW LETTER"**

COMES NOW, Special prosecutors, Kari T. Morrissey and Erlinda O. Johnson, who respectfully request this court exclude evidence and testimony related to a letter by twenty-five crew members and to exclude the defendant's statements if offered by the defense and as grounds state as follows:

1. It is anticipated that the defendant will attempt to elicit testimony regarding a letter signed by twenty-five of the more than 150 crew members disputing that the Rust set was chaotic and dangerous. The purported opinions of the twenty-five crew members are hearsay unless those witnesses testify during the trial. Each witness can testify to their own experiences on the set but should not be allowed to discuss a letter that purports to have the opinions of other witnesses who will not be called to testify during the trial. The letter itself is inadmissible hearsay and does not fall within an exception to the rule against hearsay. See State's attached exhibit.
2. The defendant's statements if offered by the State are an exception to the rule against hearsay, but statements offered by the defendant are inadmissible. *See* 11-801 NMRA.

WHEREFORE, for the above-stated reasons the State respectfully requests the “crew letter” and the defendant’s statements if offered by the defendant be excluded.

Respectfully submitted,

/s/ Kari T. Morrissey  
Kari T. Morrissey  
Erlinda O. Johnson  
Special Prosecutors  
1303 Rio Grande Blvd. NW, Ste. 5  
Albuquerque, NM 87104  
T: 505-361-2138

**CERTIFICATE OF SERVICE**

I hereby certify that on the 24<sup>th</sup> day of June 2024, I served the forgoing pleading to all parties or counsel of record through odyssey file and serve and via email:

/s/ Kari T. Morrissey  
Kari T. Morrissey



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To Whom It May Concern,

This letter is written on behalf of the cast and crew of the film production, *Rust*. It has not been sanctioned or influenced in any way by the producers.

We, the undersigned, believe the public narrative surrounding our workplace tragedy to be inadequate and wish to express a more accurate account of our experience.

We are hurting from the loss of our friend and colleague, Halyna Hutchins. She was, in many ways, at the heart of our production, and losing her hurt every single one of us. We are hurting from the loss of our togetherness, our spirit, and the loss of our labor. We are hurting for our friends that have been targeted by the public as they themselves grieve.

Unfortunately, in the film industry, it is common to work on unprofessional or hectic productions to gain experience and credits. Many of us have worked on those types of productions. *Rust* was not one of them. *Rust* was professional. We do acknowledge that no set is perfect, and like any production, *Rust* had areas of brilliance and areas that were more challenging.

While we stand firmly with our unions and strongly support the fight for better working conditions across our industry, we do not feel that this set was a representation of the kind of conditions our unions are fighting against. We do support any and all efforts to make film sets safer to work on for all cast, crew and working animals.

The descriptions of *Rust* as a chaotic, dangerous, and exploitative workplace are false and distract from what matters the most: the memory of Halyna Hutchins, and the need to find modern alternatives to outdated industry firearm and safety practices.

While it is true that a few crew members quit prior to the accident, the vast majority of us remained, never feeling the need to protest or quit. We were enjoying our workplace. Those disgruntled few do not represent the views of all of us.

On *Rust*, our working hours and wages were fair and consistent with expectations. Twelve-hour days and turnarounds were standard and typically we worked from 6 a.m. to 6 p.m. Bonanza Creek Ranch is a historic film set, and its location and transportation requirements were well understood by all crew members. Housing was provided as required by the union. Payments were made, generally on time, and amounts were as agreed to, per individual or department deals.

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The working morale on set was high. Laughter and optimism were common amongst cast and crew. From the director down to the production assistants, all departments worked well together, collaborating and helping each other achieve shared artistic goals. We were aware that we were producing good work; capturing beautiful imagery and great performances, and we were proud to be doing so. The work was hard, but meaningful.

We were inspired by the quality of the screenplay and the performances of the cast. Halyna's work ethic was inspiring and we were working to our highest ability to support her vision. The days were scheduled tightly, but appropriately. We were keeping pace, not falling behind schedule.

As a crew, we have no authority as to what happens "above the line." That is the work of the producers. But, in our experience, the producers and production managers were supportive of our efforts. They were on set daily, and engaged with the crew, sharing in the same creative process. We felt that we were not just working for them, but with them. They availed themselves during safety meetings to discuss any and all safety or other concerns.

Please do not allow a few disgruntled employees to affect your view of the rest of us. We are professionals in every department: Accounting, Assistant Directors, Casting, Camera, Art, Props, Special Effects, Electrics, Grips, Costumes, Hair, Makeup, Sound, Locations, Medics, Animal Wranglers, Health and Safety, Transportation, Craft Services, Catering, Stunts, Construction and Production Office. We have worked at the highest levels in the industry and can and will be counted on to do so again.

In the meantime, we are supporting each other and cooperating with investigators. We kindly request that your speculation and generalizations about us and our colleagues be sympathetic until an investigation is concluded. We are grateful to our many friends and family that have reached out to us privately to offer compassion and support.

Sincerely,

Cast & Crew of *Rust*

David Stevens, Bryan Norvelle, Terese Davis, Thomas Gandy, Roman Gandy, Anna Williams, Monica Spendlove, Stacy Lockhart, Katya Luce, Devon Werkheiser, Tim Barrera, Emily Hayes, Jaden Potts, Jiji Hise, Cathy Harrison, Daniel Ornitz, Nicole Montoya, Luke Hussack, Chee Ho, Joe Heise, Emily Price, Matt Hemmer, Imani Caldwell, Isabel Langdale, Sweet Pea Kadis

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