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Statement of Gloria Allred

'Twas the nightmare before Christmas

We represent Olga Solovey, Anatolii Androsovykh, and Svetlana Zemko, the mother, father, and sister, respectively, of "Rust" cinematographer, Halyna Hutchins. As you can imagine, Halyna's family was devastated after hearing that the criminal case against Alec Baldwin in New Mexico was dismissed by the judge before the jury was given the opportunity to fully hear the facts related to Halyna's death. My clients believe that there was no justice because an impartial jury was not given the opportunity to reach a verdict regarding the guilt or innocence of Alec Baldwin. The sudden dismissal with prejudice of the criminal case by the Court has left the family reeling from what they feel was an unjust outcome and a denial of justice in the criminal justice system for their beloved Halyna who was killed when a bullet was discharged from the gun held by Alec Baldwin. They expected better from a Court in the United States of America.

Olga, Anatolii, and Svetlana had fully supported the appeal of the Court's dismissal with prejudice that had been initiated by Special Counsel, Kari Morrissey, with the authorization of the District Attorney in Santa Fe. However, based upon Ms. Morrissey's press statement yesterday, the Attorney General of New Mexico "did not intend to exhaustively pursue the appeal on behalf of the prosecution." As such, the Special Counsel felt that she had no other option and needed to inform the Court that she was withdrawing the notice of appeal from the dismissal of the criminal case, even though she felt that the dismissal of the criminal case was wrongly decided by the judge at the trial.

The District Attorney and Special Counsel felt that they had no other option because in New Mexico the state's Attorney General is the only one who is legally entitled to pursue an appeal and defend the state, and he had indicated that he would not do that in this case. His decision is the rare exception to his office's usual practice of defending a prosecutor's case on appeal.

In plain English that meant that it was futile for the prosecution to continue to take any additional steps to pursue the appeal.

This news has been very upsetting to Halyna's mother, father, and sister.

First, Judge Marlowe Sommer took the criminal case away from the jury depriving them of the ability to decide the criminal case against Alec Baldwin in which he was charged with involuntary manslaughter. Then the New Mexico Attorney General, Raúl Torrez, decided that he would not allow justices in New Mexico's appellate courts to decide if the trial judge's decision was correct or if the Trial Court had wrongly decided the case and if as a result there should be a new trial and a New Mexico jury should have an opportunity to decide if Alec Baldwin was guilty or not guilty of involuntary manslaughter.

Clearly, the rights of Alec Baldwin were protected, but the due process rights of the victims, Halyna Hutchins and her parents, and sister, were violated.

Even though the New Mexico victim's rights statute states that "a victim shall have the right to be treated with fairness and respect for the victim's dignity throughout the criminal justice process," that did not happen here.

For example, even though the New Mexico victim's rights law indicates that a victim shall have a right to confer with the prosecution, the New Mexico Attorney General never even spoke to Halyna's parents and sister, nor did he reach out to their private attorneys to contact them. In addition, he never gave a reason that he would not pursue an appeal.

We are very grateful to Special Prosecutor Kari Morrissey, who was dedicated to achieving justice for the victims in this criminal case, and who worked night and day and on weekends to prepare this criminal case for the jury to decide and who was willing to pursue this case and support the Attorney General in an appeal to higher courts in New Mexico. We believe that she has been unfairly attacked and that she was and is a true professional and a talented attorney.

Unfortunately, however, the New Mexico Attorney General has blocked her desire to continue the appellate process and, as such, any additional steps taken by her would be futile. As she said in her notice of withdrawal of her notice of appeal, "the charges against Mr. Baldwin were pursued after the discovery of very significant evidence that Mr. Baldwin violated gun safety rules established for the safe handling of firearms on movie sets."

Even though the criminal case has concluded, and Halyna's parents were denied justice in the criminal case, we will continue the fight for justice in our civil lawsuit against Alec Baldwin and "Rust" productions, and we will vigorously continue to litigate our case in the civil court in New Mexico.

As for Olga, Halyna's mother, it is another Christmas without her beloved daughter Halyna, and another Christmas without justice.

Halyna, her parents, and sister deserve justice and accountability, and we will fight the good fight for them in their lawsuit.

We have confidence that a New Mexico jury, if allowed to decide their civil case, would do the right thing, and we as their lawyers will do anything and everything that is legally possible and appropriate to win justice for Halyna and her family.

Although the Attorney General of New Mexico, Raúl Torrez, is the grinch who stole this Christmas, we will work to assure that a future Christmas will be without this grinch.

Gloria Allred, John Carpenter, Carlos Hernandez, and Alina Vulic Representing
Olga Solovey, Anatolii Androsovyh, and Svetlana Zemko
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