

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

STATE OF NEW MEXICO,

Plaintiff,

v.

D-101-CR-2024-00013

ALEXANDER BALDWIN,

Defendant.

STATE'S REPLY TO DEFENDANT ALEC BALDWIN'S RESPONSE AND HANNAH GUTIERREZ' RESPONSE TO THE STATE'S MOTION FOR USE IMMUNITY

The State of New Mexico, through Special Prosecutors Kari T. Morrissey and Erlinda O. Johnson, respectfully submit the following in reply to the responses of Alec Baldwin and Hannah Gutierrez to the State's Motion for Use Immunity.

FACTS

1. After the shooting of Halyna Hutchins by Alec Baldwin, Hannah Gutierrez provided several statements to include a statement to law enforcement on November 9, 2021, and another statement to OSHA investigators on December 16, 2021. In the statement provided November 9, 2021, Ms. Gutierrez waived her Fifth Amendment privilege with the assistance of her attorney, Jason Bowles, and made numerous statements that the State now seeks to use in its case in chief against Alec Baldwin. In the statement provided on December 16, 2021, Ms. Gutierrez attended the meeting with OSHA investigators with Mr. Bowles and questions concerning her Fifth Amendment privilege were never discussed or raised. The statements the State seeks to introduce do not inculcate Ms. Gutierrez; they are statements of Ms. Gutierrez that inculcate Mr. Baldwin.

2. On February 6, 2024, the State listed Hannah Gutierrez as a witness on its witness list (contrary to Mr. Nikas' assertion on page 2 of his response). *See* State's Exhibit 1. The State filed an amended witness list on April 3, 2024, that did not list Ms. Gutierrez as a witness. The defendant filed an amended witness list on April 19, 2024, that listed Ms. Gutierrez as one of the defendant's witnesses. *See* State's Exhibit 2. The defendant then filed a subsequent witness list on May 6, 2024, that also listed Ms. Gutierrez as a witness for the defendant. *See* State's Exhibit 3.
3. All witness lists filed by the defendant contained a notice that the defendant reserved the right to call any witness disclosed by the State. The defendant has already begun serving subpoenas on the State's witnesses for the upcoming trial, so presumably the defendant agrees that when he notified the State of his intention to call witnesses disclosed by the State, he is free to call those witnesses. *See* State's Exhibit 4.
4. On May 6, 2024, the State filed an addendum to its witness lists and notified the defendant that the State was reserving the right to call any witnesses listed on the defendant's witness list. *See* State's Exhibit 5. Hannah Gutierrez is among those witnesses. It is worth noting that Zac Sneesby is also among those witnesses, and he too would offer substantial testimony that inculcates Mr. Baldwin. The defendant has motioned the Court to exclude his testimony despite the fact that he is on the defendant's witness list and has completed a pretrial interview.
5. During a zoom meeting prior to May 5, 2024, undersigned counsel was aware that Ms. Gutierrez was being scheduled for a pretrial interview and asked defense counsel, Heather LeBlanc, during an unrecorded break during a pretrial interview if Ms. Gutierrez would be asserting her Fifth Amendment privilege or actually answering questions.

Undersigned counsel made this inquiry because she was trying to determine how much time to set aside for Ms. Gutierrez's interview. Ms. LeBlanc responded that Ms.

Gutierrez would be answering questions. This caused counsel to believe that there was no need for use immunity given that the privilege was not going to be asserted, as Ms.

Gutierrez had previously waived her Fifth Amendment privilege on numerous occasions.

6. On May 5, 2024, undersigned counsel emailed Mr. Bowles, regarding the interview of Ms. Gutierrez and her willingness to answer questions and was notified that Ms. Gutierrez intended to assert her Fifth Amendment privilege. Undersigned counsel explained to Mr. Bowles that Ms. LeBlanc previously seemed to indicate that Ms. Gutierrez was not intending to assert her privilege against self-incrimination. *See State's Exhibit 6.* Mr. Bowles confirmed that she would assert her privilege but also agreed that the privilege could not properly be asserted to all questions because some questions do not expose Ms. Gutierrez to criminal liability. *See State's Exhibit 7.*
7. Ms. Gutierrez's interview was initially scheduled for May 10, 2024, but was then rescheduled to May 9, 2024, due to Mr. Bowles' schedule. *See State's Exhibit 8.* The interview on May 9, 2024, was also cancelled due to Mr. Bowles' schedule. *See State's Exhibit 9.* Undersigned counsel then took steps to reschedule the interview herself through the prison where Ms. Gutierrez is housed and the interview finally took place on May 14, 2024. *See State's Exhibit 10.* During the interview Ms. Gutierrez asserted her privilege to numerous questions that arguably did not expose Ms. Gutierrez to criminal liability. *See State's Exhibit 12.*
8. On the evening of May 14, 2024, undersigned counsel emailed Mr. Bowles and indicated that undersigned counsel intended to ask the Court for use immunity for Ms. Gutierrez.

Mr. Bowles responded the same evening that use immunity would “take care of any issues” but that he wanted to think about it overnight. Mr. Bowles indicated that he would confirm his position with undersigned counsel the following day. Mr. Bowles never followed-up with undersigned counsel as he stated he would and ultimately the State filed the motion or use immunity. *See* State’s Exhibit 11.

9. Undersigned counsel submits that her motion for use immunity is not untimely.

Undersigned counsel was initially under the impression that Ms. Gutierrez was not going to assert her Fifth Amendment privilege and was later under the impression that she would only assert her Fifth Amendment privilege to questions that actually expose her to criminal culpability. Ms. Gutierrez has been listed on the State’s witness list (*See* State’s Exhibit 1), the defendant’s witness list(s) (*See* State’s Exhibits 2 and 3) and both parties have reserved the right to call witnesses listed on the other party’s witness list. *See* State’s Exhibits 1, 2 and 3. Ms. Gutierrez submitted to a pretrial interview on May 14, 2024, wherein the defendant’s counsel did not ask a single question of Ms. Gutierrez. *See* State’s Exhibit 12.

10. On June 3, 2024, undersigned counsel filed her motion asking the Court to grant Ms. Gutierrez use immunity.

ARGUMENT

Before the Court can determine whether use immunity should be granted, the Court first needs to determine whether the questions that will be posed to Ms. Gutierrez during Mr. Baldwin’s trial trigger her Fifth Amendment privilege. If they do not, then use immunity is not an issue and Ms. Gutierrez simply must testify truthfully under penalty of perjury. “The trial judge must make a proper inquiry into the legitimacy and scope of the witness’ assertion of his

Fifth Amendment privilege. A blanket assertion of the privilege without inquiry by the court, is unacceptable.” *United States v. Goodwin*, 625 F.2d 693 at 701 (1980).

“The constitutional protection against self-incrimination has long been "confined to real danger and does not extend to remote possibilities out of the ordinary course of law." *Heike v. United States*, 227 U.S. 131, 144, 57 L. Ed. 450, 33 S. Ct. 226 (1913). In the seminal case of *Hoffman v. United States*, 341 U.S. 479, 95 L. Ed. 1118, 71 S. Ct. 814 (1951), the Supreme Court opined, however, that "the privilege afforded not only extends to answers that would in themselves support a conviction . . . but likewise embraces those which would furnish a link in the chain of evidence needed to prosecute the claimant." *Id* at 486.

In the instant case, the State seeks information from Hannah Gutierrez regarding the criminal culpability of Alec Baldwin. During her pretrial interview on May 14, 2024, Ms. Gutierrez was asked what it was like to work with Mr. Baldwin – was he easy to work with or difficult to work with. Ms. Gutierrez asserted Fifth Amendment Privilege. Ms. Gutierrez was also asked if she conducted a firearms training with Mr. Baldwin and was asked follow-up questions about what the training consisted of. Ms. Gutierrez asserted her Fifth Amendment privilege to all questions regarding the training. *See* State’s Exhibit 12, page 3 of 8. Ms. Gutierrez was asked if Mr. Baldwin was attentive during the training, using his cell phone, making any videos or FaceTiming family members during the training and Ms. Gutierrez asserted her Fifth Amendment privilege to these questions which seemingly do not encroach on her Fifth Amendment privilege at all. *See* State’s Exhibit 12, page 4 or 8. Ms. Gutierrez was asked if Mr. Baldwin’s holster was available for the training and whether she discussed a subsequent training session with Mr. Baldwin and Ms. Gutierrez asserted her Fifth Amendment privilege. Ms. Gutierrez also asserted her Fifth Amendment privilege to questions regarding

whether Mr. Baldwin rushed her, whether he was “in charge” of the movie set and whether she initially offered Mr. Baldwin a fake gun on October 21, 2021, to rehearse with. *See* State’s Exhibit 12, pages 5 and 7. Most of these questions were freely answered by Ms. Gutierrez during previous interviews after she waived her Fifth Amendment privilege and voluntarily gave statements to law enforcement and OSHA investigators in 2021.

The State is asking the Court to determine the questions to which Ms. Gutierrez can assert her Fifth Amendment privilege under the law. For those questions that the Court determines she has a valid right to assert her Fifth Amendment privilege she should be granted use immunity and be ordered to testify. Ms. Gutierrez possesses highly inculpatory information about Mr. Baldwin and the jury’s role is a truth-seeking role that should not be infringed upon.

Ms. Gutierrez previously stated that Mr. Baldwin was not supposed to be cocking the gun or pulling the trigger during the rehearsal that resulted in Ms. Hutchins’ death. *See* State’s Exhibit 13, page 130 and State’s Exhibit 14, page 54. Ms. Gutierrez previously stated that Mr. Baldwin was largely inattentive during her firearms training with him and was speaking to family members on the phone, sending text messages and making videos for his children during the training. *See* State’s Exhibit 13, page 65 and State’s Exhibit 14, pages 32-33. Ms. Gutierrez previously stated that she instructed Mr. Baldwin during the training session not to point the gun at others, keep his finger off the trigger and out of the trigger guard. *See* State’s Exhibit 13, page 67 and State’s Exhibit 14, page 33. Ms. Gutierrez told law enforcement that because Mr. Baldwin was a producer on the film, he “kind of does whatever he wants so the other producers have to reel him in all the time.” *See* State’s Exhibit 13, page 151. Ms. Gutierrez explained to OSHA investigators that Mr. Baldwin was not available for the firearms training with the other actors. *See* State’s Exhibit 14, page 31. In a text message dated October 17, 2021, after a day of

filming where Mr. Baldwin had numerous outbursts, Ms. Gutierrez described him to a fellow crew member as “crazy.” *See* State’s Exhibit 15. Finally, in a recorded jail call Ms. Gutierrez indicated that she offered a fake gun for the rehearsal on October 21, 2021. *See* call 10.36.101.213-ac31b0070a2465d567f62ed3dae40d previously provided to defense counsel.

The jury is entitled to hear all of the admissible evidence and testimony and give the witness’s testimony the weight they think it deserves. The jury’s role is one of truth-seeking and as such the jury should not be deprived of reliable and probative evidence. *State v. Trujillo*, 131 N.M. 709; 2002-NMSC-005; 42 P.3d 814 (2002). *See also Stenson v. Edmonds*, 2022 U.S. Dist. LEXIS 240599, 7, 2022 WL 19299121 (the court found that certain witnesses should be compelled to testify in accordance with the jury’s truth-seeking role), *See also Tenn v. St.* 471 U.S. 409; 105 S. Ct. 2078; 85 L. Ed. 2d 425 (1985) (the court found that the it was permissible for the State to present a co-conspirators confession in its rebuttal case because failure to do would have impeded the jury’s truth-seeking function).

In his response to the State’s Motion for Use Immunity, Mr. Baldwin asserted that he is somehow prejudiced by the granting of use immunity to Ms. Gutierrez. Mr. Baldwin and his counsel have been aware of Ms. Gutierrez’s inculpatory statements concerning Mr. Baldwin’s conduct for more than two years. Every statement the State intends to elicit from Ms. Gutierrez was previously made and provided to the defendant. The defense never notified the State that Ms. Gutierrez was intending to assert her Fifth Amendment privilege upon listing her on their witness list and scheduling a pretrial interview – if fact, defense counsel stated to undersigned counsel that Ms. Gutierrez would answer questions posed during the interview. Moreover, Mr. Bowles agreed that Ms. Gutierrez would not give a blanket assertion of her Fifth Amendment privilege during the interview but instructed his client to do just that. Mr. Bowles indicated to

undersigned counsel that her suggestion of use immunity for his client seemed to address his concerns and then nearly four weeks later filed a response in opposition (likely changing his position after speaking to counsel for the defendant). Ms. Gutierrez is on the defendant's witness list and has completed a pretrial interview and can be subject to a follow-up interview prior to trial to satisfy the defendant's concerns.

In her response to the State's Motion for Use Immunity, Ms. Gutierrez cited to *Hoffman v. United States*, 341 U.S. 479 (1951) in support of her argument against the granting of immunity. However, *Hoffman* was not a case that dealt with use immunity, it simply explained the scope of a defendant's Fifth Amendment privilege but does not stand for proposition that the jury should be deprived of probative and material testimony with a grant of use immunity. Similarly, Ms. Gutierrez relied on *State v. Belanger*, 146 N.M. 357. In *Belanger* the Court found that the defendant could motion the Court for use immunity for a witness and the Court could order use immunity over the State's objection. *Belanger* does not support Ms. Gutierrez's argument against immunity, rather it supports the granting of immunity when it is opposed by the other party, as in the instant case. Ms. Gutierrez asserted in her response that somehow her testimony in the Baldwin trial would expose her to heightened criminal culpability in her pending case due to the high-profile nature of the case against Mr. Baldwin. Ms. Gutierrez seemed to assert that she would be unable to obtain a fair trial in her pending case for a completely unrelated incident if she were to appear to Mr. Baldwin's trial and testify truthfully regarding the culpability of Mr. Baldwin. If there was any real danger that Ms. Gutierrez would be unable to get a fair trial in her pending case, there is a remedy under the law – change of venue. Ms. Gutierrez is free to file a motion for change of venue if she is able to demonstrate that her fear is based in reality.

Ms. Gutierrez also argued that, assuming she wins her appeal and she is granted a new trial, she will be prejudiced by the statements made during Mr. Baldwin's trial during a possible retrial. Ms. Gutierrez claimed that "once the statements are out of the bag – their origin is irrelevant." However, any statement that could potentially incriminate Ms. Gutierrez is already out of the bag. Ms. Gutierrez provided four statements after the death of Ms. Hutchins (on scene to numerous law enforcement officers at varying times, two to law enforcement three weeks apart and one to OSHA investigators) two of which were in the presence of her counsel who wishes to convince this court that Ms. Gutierrez's statements are somehow secret. Ms. Gutierrez's statements were played to the jury during her trial which was also viewed by millions of people online and rehashed in countless news stories. This argument is nonsensical given that the State wants to extract testimony from Ms. Gutierrez that is inculpatory to Mr. Baldwin, not Ms. Gutierrez.

Ms. Gutierrez claimed that if the Court were to grant use immunity the State would be "given a free pass to cross-examine her on any topic it wanted." This simply is not how evidence and testimony occur at trial. Neither party is ever given a free pass to ask about any topic. The Court can limit the State's questioning of Ms. Gutierrez to specific questions about Baldwin's culpability and can afford Mr. Baldwin's attorneys adequate room to question her about her own culpability in the death of Ms. Hutchins that give rise to Mr. Baldwin's defense with regard to proximate cause. The vast majority of this testimony is out in the public already – Ms. Gutierrez admitted to loading the gun, identified the box of dummy ammunition she was pulling rounds from that was later matched to a photo of rounds provided by her father, left guns unattended and did not conduct proper safety checks of the guns. Moreover, Mr. Baldwin's attorneys fully intend to elicit all testimony that Ms. Gutierrez provided to law enforcement that

inculpates her, they just intend to illicit it in a vacuum under the exception to the prohibition against hearsay pertaining to statements against interest and the world will be watching. The world will be watching whether the Court allows the State an opportunity to ask its questions of Ms. Gutierrez or only permits Mr. Baldwin to elicit one-sided testimony in a vacuum. The effect on Ms. Gutierrez is the same – her incriminating statements will be aired during yet another high-profile trial. There is no constitutional injury to Ms. Gutierrez by the State’s extraction of inculpatory statements about Mr. Baldwin’s conduct by Ms. Gutierrez. The injury comes from Mr. Baldwin’s right to present exculpatory evidence related to Ms. Gutierrez’s criminal conduct that tends to lessen his own culpability, but Mr. Baldwin is entitled to present his defense. None of the defendants’ arguments hold water against the truth-seeking and fact-finding mission of the jury during a trial. The jury must be given all of the facts about Mr. Baldwin’s conduct, both inculpatory and exculpatory.

WHEREFORE, for the foregoing reasons, the State respectfully renews it’s request for the granting of use immunity for Hannah Gutierrez and an order requiring her to testify under penalty of perjury.

Respectfully Submitted,

/s/Kari T. Morrissey

Kari T. Morrissey

Erlinda O. Johnson

Special Prosecutors

First Judicial District

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Albuquerque, New Mexico 87104

(505) 361-2138

ktm@morrisseylewis.com

I hereby certify that a true and accurate copy of the foregoing was provided to counsel for the defendant via e-mail this 13th day of June 2024.

/s/Kari T. Morrissey
Kari T. Morrissey

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT

STATE OF NEW MEXICO,

Plaintiff,

vs.

ALEXANDER RAE BALDWIN III

No. D-101-CR-202400013

Defendant.

Judge T. Glenn Ellington

STATE OF NEW MEXICO'S FIRST WITNESS LIST FOR TRIAL

1. Ross Addiego
c/o Vigil Law Firm, P.A.
Jacob G. Vigil, Esq.
2014 Central Ave. SW
Albuquerque, New Mexico 87104;
2. Lt. Tim Benavidez Santa Fe Sheriff's Office
35 Camino Justicia, Santa Fe, NM 87508
3. Detective Joel Cano Santa Fe Sheriff's Office
35 Camino Justicia, Santa Fe, NM 87508;
4. Bryan Carpenter
600 Old Highway 35 S, Carthage, MS 39051;
5. Jerrilyn Conway , FBI forensics examiner (DNA expert FBI)
2501 Investigation Parkway, Quantico, VA 22135;
6. Robert W. Gillette (FBI Explosives Unit).

- c/o First Judicial District Attorney's Office
327 Sandoval St., Santa Fe, NM 87501;
7. Corporal Alexandra Hancock Santa Fe Sheriff's Office
35 Camino Justicia, Santa Fe, NM 87508;
 8. Heather Jarrell OMI MD,
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 9. Deputy Joseph Lujan Santa Fe Sheriff's Office
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 10. Seth Kenney PDQ Arm and Prop,
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 11. Detective Nicholas Lefleur
Santa Fe Police Department
 12. Mamie Elizabeth Mitchell
c/o Gloria Allred
Allred, Maroko & Goldberg
6300 Wilshire Blvd., Suite 1500
Los Angeles, CA 90048
 13. CST Marissa Poppell Santa Fe Sheriff's Office
35 Camino Justicia, Santa Fe, NM 87508;
 14. Jenson Ackles c/o Family Business Beer Company,
19510 Hamilton Pool Road, Dripping Springs Texas 78620;
 15. Cherylyn Schafer, Certified Medic, 325 Morrison Drive
Bosque Farms, NM 87068;
 16. Joel Souza
2869 Chamier Place, Fremont, CA 94555;
 17. Sarah Brianne Zachry
7523 Rio Salada Court NW Albuquerque, NM 87120;

18. John Joseph Ziello
15366 Atkinsons Ave. Gardena, CA 90249
19. Bryce Ziegler, Forensic Examiner FBI
2501 Investigation Parkway, Quantico, VA 22135;
20. Det. Samantha Talamante Santa Fe Sheriff's Office
35 Camino Justicia, Santa Fe, NM 87508;
21. Lorenzo Montoya, Inspector
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New Mexico Environmental Department
Post Office Box 5469
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22. Christina Espinoza, Records Custodian —
c/o Jennifer Olson, Esq.
New Mexico Environmental Department
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Santa Fe, New Mexico 87502
23. Lucien C. "Luke" Haag
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25. Lane Luper Camera Assistant
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26. Mike Primeau
Primeau Forensics

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c/o Matthew M. Beck
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28. Shannon Prince, FBI.
Physical Scientist/Forensic Examiner
FBI Laboratory
Latent Print Operations Unit
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29. Michael Haag
Forensic Science Consultants, LLC
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30. Hannah Gutierrez
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32. Gabrielle Pickle
c/o Scott Humphrey
HUMPHREY + LAW

2632 Wilshire Blvd. No. 560
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Dated: February 8, 2024

/s/ Kari T. Morrissey

Kari T. Morrissey, Special Prosecutor
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STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT

STATE OF NEW MEXICO,

v.

D-101-CR-2024-13

ALEXANDER RAE BALDWIN,
Defendant.

FIRST AMENDED DEFENDANT'S WITNESS AND EXPERT WITNESS LIST

Defendant Alexander Rae Baldwin, by and through his counsel of record, Luke Nikas and Alex Spiro of Quinn Emanuel Urquhart & Sullivan, LLP, hereby submits his list of witnesses he may call at trial:

1. David Halls, c/o Lisa Torracco
Email: lisatorracco@gmail.com
Telephone: 505-244-0530
2. Dr. Bianca Alvarez
2211 Lomas Blvd
Albuquerque, NM 87106
3. Christina Espinoza
c/ o Jennifer Olson, Esq.
New Mexico Environmental Department
Post Office Box 5469
4. Robert Shilling
327 Sandoval St. Santa Fe, NM 87501
5. S.A. Jose Cortez
jacortez@fbi.gov
6. Deputy Sheriff Steven Orr
35 Camino Justicia, Santa Fe, NM 87508
7. Det. Joel Cano
35 Camino Justicia, Santa Fe, NM 87508
8. Det. Roy Arndt-Trujillo

35 Camino Justicia, Santa Fe, NM 87508

9. Lt. Michael Martinez
35 Camino Justicia, Santa Fe, NM 87508

10. Sgt. Christopher Zook
35 Camino Justicia, Santa Fe, NM 87508

11. Cpl. Oliver MacCartney
35 Camino Justicia, Santa Fe, NM 87508

12. Cpl. Ernest Alderete
35 Camino Justicia, Santa Fe, NM 87508

13. Major Gabriel Gonzales
35 Camino Justicia, Santa Fe, NM 87508

14. Undersheriff Ken Johnson
35 Camino Justicia, Santa Fe, NM 87508

15. Sheriff Adan Mendoza
35 Camino Justicia, Santa Fe, NM 87508

16. Hannah Gutierrez
c/o Bowles Law Firm
4811 Hardware Dr., N.E., Bldg. D, Suite 5
Albuquerque, NM 87192

17. John Ziello
15366 Atkinsons Ave.
Gardena, CA 90249

18. Karen Keuhn
6 Frontier Court
Peralta, New Mexico 87042

19. Catherine Walters
c/o David Foster
210 Montezuma Avenue, Suite 200
Santa Fe, New Mexico 87501

The defense reserves the right to call any witness listed on any State's witness list, any witness called by the state, any rebuttal witness, and any witness needed for authentication or chain of custody, and further reserves the right to supplement or amend this list.

Respectfully submitted,

QUINN, EMANUEL, URQUHART & SULLIVAN

By: /s/ Luke Nikas

Luke Nikas (*admitted pro hac vice*)

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By: /s/ Heather M. LeBlanc

Heather M. LeBlanc

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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2024, I electronically filed the foregoing with the Clerk of the Court using the Court's electronic filing system, which caused all participants and counsel of record to be served, as more fully reflected on the Notice of Electronic Filing.

/s/ Heather M LeBlanc
Heather M. LeBlanc
Counsel for Defendant

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT

STATE OF NEW MEXICO,

v.

D-10 I-CR-2024-13

ALEXANDER RAE BALDWIN,
Defendant.

SECOND AMENDED DEFENDANT'S WITNESS AND EXPERT WITNESS LIST

Defendant Alexander Rae Baldwin, by and through his counsel of record, Luke Nikas and Alex Spiro of Quinn Emanuel Urquhart & Sullivan, LLP, hereby submits his list of witnesses he may call at trial:

1. David Halls, c/o Lisa Torracco
Email: lisatorracco@gmail.com
Telephone: 505-244-0530
2. Robert Shilling
327 Sandoval St. Santa Fe, NM 87501
3. S.A. Jose Cortez
jacortez@fbi.gov
4. Deputy Sheriff Steven Orr
35 Camino Justicia, Santa Fe, NM 87508
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6. Det. Roy Arndt-Trujillo
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11. Major Gabriel Gonzales
35 Camino Justicia, Santa Fe, NM 87508
12. Undersheriff Ken Johnson
35 Camino Justicia, Santa Fe, NM 87508
13. Sheriff Adan Mendoza
35 Camino Justicia, Santa Fe, NM 87508
14. Jonathan Jaramillo
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15. Hannah Gutierrez
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Albuquerque, NM 87192
16. John Ziello
15366 Atkinsons Ave.
Gardena, CA 90249
17. Karen Keuhn
6 Frontier Court
Peralta, New Mexico 87042
18. Catherine Walters
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19. Doran Curtin
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20. Reid Russell
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21. Zachariah Sneesby
25 Yerba Buena,

Cerrillos, NM 87010

22. Thomas E. Gandy
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23. Brian Bolman
819 Marquez Ln Sw,
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24. Lucas Hussack
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25. Elizabeth Small
eksmall@fbi.gov
26. Andrew Knight (records custodian)
New Mexico Environment Department
Office of General Counsel
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The defense reserves the right to call any witness listed on any State's witness list, any witness called by the state, any rebuttal witness, and any witness needed for authentication or chain of custody, and further reserves the right to supplement or amend this list, including based on newly discovered or disclosed evidence.

Respectfully submitted,

QUINN, EMANUEL, URQUHART & SULLIVAN

By: /s/ Luke Nikas

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LEBLANC LAW, LLC

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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2024, I electronically filed the foregoing with the Clerk of the Court using the Court's electronic filing system, which caused all participants and counsel of record to be served, as more fully reflected on the Notice of Electronic Filing.

/s/ Heather M LeBlanc
Heather M. LeBlanc
Counsel for Defendant

STATE'S EXHIBIT 4



From: Sara Clark saraclark@quinnemanuel.com
Subject: RE: Baldwin Trial Subpoenas
Date: June 11, 2024 at 8:08 PM
To: Kari Morrissey ktm@morrisseylewis.com, Erlinda Johnson erlinda@erlindajohnsonlaw.com
Cc: Alex Spiro alexspiro@quinnemanuel.com, Luke Nikas lukenikas@quinnemanuel.com, Heather LeBlanc heather@leblancclawnm.com, Michael Nosanchuk michaelnosanchuk@quinnemanuel.com, John Bash johnbash@quinnemanuel.com

Hi Kari,

The zip attached contains the individual subpoenas by name, and yes, for trial. They are below:

- Alessandro Pietta.pdf
- Bryan Carpenter.pdf
- Bryce Ziegler.pdf
- Byron French.pdf
- Connor Rice.pdf
- Heather Jarrell.pdf
- Jerrilyn Conway.pdf
- Justin Neal.pdf
- Kent Jorgenson.pdf
- Lucien Haag.pdf
- Michael Haag.pdf
- Mike Primeau.pdf
- Paul Jordan.pdf
- Robert Genoway.pdf
- Robert W. Gillette.pdf
- Shannon E. Prince.pdf
- Ysela Carillo.pdf

Sara Clark
Associate,
Quinn Emanuel Urquhart & Sullivan, LLP

700 Louisiana Street, Suite 3900
Houston, TX 77002
713-221-7010 Direct
210-857-8499 Cell
713.221.7000 Main Office Number
713-221-7100 FAX
saraclark@quinnemanuel.com
www.quinnemanuel.com

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From: Kari Morrissey <ktm@morrisseylewis.com>
Sent: Tuesday, June 11, 2024 10:06 PM
To: Sara Clark <saraclark@quinnemanuel.com>; Erlinda Johnson <erlinda@erlindajohnsonlaw.com>
Cc: Alex Spiro <alexspiro@quinnemanuel.com>; Luke Nikas <lukenikas@quinnemanuel.com>; Heather LeBlanc <heather@leblanclawnm.com>; Michael Nosanchuk <michaelnosanchuk@quinnemanuel.com>; John Bash <johnbash@quinnemanuel.com>
Subject: Re: Baldwin Trial Subpoenas

[EXTERNAL EMAIL from ktm@morrisseylewis.com]

Please provide the names of the witnesses you are referring to and what you want us to accept service for. Trial?

On 06/11/2024 9:02 PM MDT Sara Clark <saraclark@quinnemanuel.com> wrote:

Kari, Erlinda,

Please advise if you will accept service on behalf of the State's various experts and investigator.

Regards,
Sara

Sara Clark
Associate,
Quinn Emanuel Urquhart & Sullivan, LLP

700 Louisiana Street, Suite 3900
Houston, TX 77002
713-221-7010 Direct
210-857-8499 Cell
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for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

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

**STATE OF NEW MEXICO,
Plaintiff,**

vs.

**No. D-101-CR-202400013
The Honorable Mary Marlowe Sommer**

**ALEXANDER RAE BALDWIN,
Defendant.**

**SECOND ADDENDUM TO STATE OF NEW MEXICO'S THIRD AMENDED WITNESS
LIST FOR TRIAL**

- 37. Jonah Foxman
c/o David Frazee
555 12th Street NW, Suite 1200
Washington, DC 20004-1275
- 38. Craig Martin
Martin's Consulting
P.O. Box 3903
Las Vegas, NM 87701
(505) 692-0948
- 39. Kevin Napp
AirMethods
Tri-State CareFlight
5500 South Quebec Street
Suite 300
Greenwood Village, CO 80111
(303) 792-7400
- 40. Dr. Bianca Alvarez
2211 Lomas Blvd., NE
Albuquerque, NM 87106
(505) 272-2111
- 41. Dr. David Wachter
2211 Lomas Blvd., NE
Albuquerque, NM 87106
(505) 272-5062
- 42. Sgt. Ronald Leli
727 Veterans Memorial Hwy
Hauppauge, NY 11788
(631) 854-8400

43. John R. Metz
366 Los Ranchos NW
Albuquerque, NM 87107
(505) 991-5384

44. Byron French
NMRCFL
901 University Ave., SE
Albuquerque, NM 87106
(505) 241-5090

45. Any witnesses disclosed by defense, called as a witness by the defense or listed on the defense witness list.

Dated: May 6, 2024

/s/ Kari T. Morrissey
Kari T. Morrissey, Special Prosecutor
1303 Rio Grande Blvd., Suite 5
Albuquerque, New Mexico 87104-2698
505-361-2138
ktm@morrisseylewis.com

CERTIFICATE OF SERVICE

I hereby certify that I caused to be delivered via E-File and Serve a true and correct copy of the foregoing pleading to defense counsel, Luke Nikas, Alex Spiro, and Heather LeBlanc, on this 6th day of May, 2024.

/s/ Kari T. Morrissey
Kari T. Morrissey, Special Prosecutor
1303 Rio Grande Blvd., Suite 5
Albuquerque, New Mexico 87104-2698

STATE'S EXHIBIT 6

From: Jason Bowles jason@bowles-lawfirm.com
Subject: Re: Statement of Hannah Gutierrez
Date: May 5, 2024 at 8:56 PM
To: Kari Morrissey ktm@morrisseylewis.com
Cc: Erlinda Johnson erlinda@erlindajohnsonlaw.com



Sure I don't mind at all. She is going to assert her fifth. With the appeal and the other case. So she won't give any substantive testimony.
Sent from my iPhone

On May 5, 2024, at 9:45 PM, Kari Morrissey <ktm@morrisseylewis.com> wrote:

I had this belief because during a recent zoom call I specifically asked the Baldwin lawyers if Hannah was actually going to show up and provide an interview and they said yes. I certainly don't want my time wasted. If all she is going to do is plead the fifth then they can try to get her statements in under the hearsay rules without wasting everyone's time. Do you mind if I explain all of this to them so they will quit wasting our time. I am going to use your email tonight to stipulate that she is unavailable under the rules due to her Fifth Amendment privilege.

On 05/05/2024 9:34 PM MDT Jason Bowles <jason@bowles-lawfirm.com> wrote:

Why do you think she has agreed to testify for Baldwin? I already let them know she would invoke her fifth amendment privilege. This is why I asked to have a conversation to out through this.
Sent from my iPhone

On May 5, 2024, at 9:26 PM, Kari Morrissey <ktm@morrisseylewis.com> wrote:

Jason

Obviously if she testifies for Baldwin she will be waiving her Fifth Amendment privilege. I think that's a given. If she's not willing to waive her Fifth Amendment privilege then the Baldwin lawyers shouldn't be scheduling her for a pretrial interview. If she shows up for an interview and asserts the Fifth we will move to exclude her and I have no doubt the court will exclude her. Please respond by close of business tomorrow regarding your availability on 5/29 and whether or not your client actually intends to waive her Fifth Amendment privilege and provide a pretrial statement and trial testimony.

kari

STATE'S EXHIBIT 7



From: Jason Bowles jason@bowles-lawfirm.com
Subject: Re: State of N.M. v. Alec Baldwin
Date: May 8, 2024 at 12:45 PM
To: Kari Morrissey ktm@morrisseylewis.com
Cc: Melinda Zamora melinda@bowles-lawfirm.com, Erlinda Johnson erlinda@erlindajohnsonlaw.com, Sara Clark saraclark@quinnemanuel.com, Heather LeBlanc heather@leblancclawnm.com

I'm very familiar with the case law and the breadth of the privilege. Especially with Hannah having a case pending and an appeal. I've dealt with this issue on several occasions. I realize it is question by question and I also realize the Court will then need to analyze it. I will review and figure out a date and time to propose.
Sent from my iPhone

On May 8, 2024, at 1:42 PM, Kari Morrissey <ktm@morrisseylewis.com> wrote:

Jason

We want to work with you in selecting a date to interview Ms. Gutierrez. Your client cannot invoke a blanket Fifth Amendment privilege to all questions asked. For this reason she needs to be interviewed so the Court will have time to parse out what she is "unavailable" for due to her Fifth Amendment privilege and what questions she must answer. Many questions asked of her will not incriminate her whatsoever, but others clearly will. Please provide us with a date and time for her interview - we are available 5/10 and tomorrow morning. If you don't make her available we will be forced to pick a date and issue a subpoena.

Kari

On 05/08/2024 1:25 PM MDT Jason Bowles <jason@bowles-lawfirm.com> wrote:

Kari - It would help if there was a consistent line of communication across the board. I have never "set her" for any specific date, but rather have responded to a series of emails with alternate proposed dates and times for her interview. I have told everyone that she will invoke her fifth amendment privilege to any substantive testimony that I believe would meet those liberal standards, especially with one unrelated case pending and an appeal. You emailed me on Sunday and asked if I could be available May 20, and I said she would invoke the fifth and then you stated you would stipulate with the other side as to her unavailability. The next morning I got a call from Heather asking if the 6th worked. I was confused and told her I wasn't sure what the status was but the 6th would work if it indeed was going still. Then this morning I got set for the PGM hearing at 130. I can find a date and time to reset this but you told me in Sunday emails you didn't want your time wasted if she was just going to invoke the fifth, which she will. Nonetheless, I can look for other dates and times, and coordinate with all counsel.
Sent from my iPhone

On May 8, 2024, at 1:16 PM, Kari Morrissey <ktm@morrisseylewis.com> wrote:

Jason

The more pressing interview is that of Ms. Gutierrez who was originally scheduled for 5/10 and then you moved her to 5/9 and now you have cancelled that interview all together and have provided no dates/times for a re-schedule. Why can't we conduct Ms. Gutierrez interview tomorrow morning and why is it no longer taking place on 5/10?

Kari

On 05/08/2024 12:45 PM MDT Jason Bowles <jason@bowles-lawfirm.com> wrote:

The subpoena to Melinda was sent in care of me, and to my office and we moved to quash it. That has not been ruled on. We will need to reset them both. I have no idea how long that 130 docket is and when we would be called so I can't give a precise answer. Also, Kari you indicated by email you wanted to see the emails regarding Mr. Baldwin's call and that's all you intended to do regarding proceeding on the subpoena. We sent those two emails over. So I'm not sure where you are at on that, but regardless a motion to quash is pending and for protective order.
Sent from my iPhone

On May 8, 2024, at 10:30 AM, Kari Morrissey <ktm@morrisseylewis.com> wrote:

Those hearings don't take all day. Why can't we schedule the interviews before or after that hearing? We don't have time to continue to postpone these interviews. Ms. Zamora is under subpoena and is not represented by Jason Bowles. Ms. Gutierrez is another matter.

Kari

On 05/08/2024 10:15 AM MDT Melinda Zamora <melinda@bowles-lawfirm.com> wrote:

Good Morning,

We are going to have to reschedule Ms. Gutierrez's and my pretrial interviews scheduled for tomorrow. Mr. Bowles was scheduled a hearing in Second Judicial Court on a preventive detention motion.

Thank you.

Melinda Zamora

Office Manager/Assistant to Jason Bowles

Bowles Law Firm

4811 Hardware Drive, N.E., Building D, Suite 5

Albuquerque, N.M. 87109

Telephone: (505) 217-2680

Facsimile: (505) 217-2681

I am in the office Monday – Thursday 9:00 a.m. – 3:00 p.m. and Friday 9:00 a.m. – 12:00 p.m.

STATE'S EXHIBIT 8

From: Heather LeBlanc heather@leblancclawnm.com

Subject: Re: Hannah Gutierrez statement

Date: May 5, 2024 at 7:59 AM

To: Sara Clark saraclark@quinnemanuel.com

Cc: Alex Spiro alexspiro@quinnemanuel.com, Erlinda Johnson erlinda@erlindajohnsonlaw.com, Kari Morrissey ktm@morrisseylewis.com, Luke Nikas lukenikas@quinnemanuel.com, Michael Nosanchuk michaelnosanchuk@quinnemanuel.com



Looks good. Do you want to include Jason's request to change the date, or separate email?

"Also, Jason indicates that 5/10 will not work for Hannah's interview. Melinda is scheduled for 5/9 at 1:00PM. He proposes we set Hannah at the same time and conduct her interview either at 1:00PM or right after Melinda's interview concludes, depending on the court's ruling on his motion to quash Melinda's subpoena."

Heather M. LeBlanc
LeBlanc Law LLC
505-331-7222

On Sun, May 5, 2024 at 8:25 AM Sara Clark <saraclark@quinnemanuel.com> wrote:

Kari,

The Defense has issued a subpoena for a statement, not a deposition. To the extent the State wants to take a deposition pursuant to Rule 5-503(B) the State must satisfy its burden to show one is necessary through a motion properly filed with the Court (on which we will take no position). We will of course comply with the Court's order on that motion.

If all that you want is for someone to transcribe the interview, we have no objection, but request we be provided a copy of the transcript.

Regards,

Sara

Sara Clark

Associate,

Quinn Emanuel Urquhart & Sullivan, LLP

700 Louisiana Street, Suite 3900

Houston, TX 77002

713-221-7010 Direct

210-357-8499 Cell

713.221.7000 Main Office Number

713-221-7100 FAX

saraclark@quinnemanuel.com

www.quinnemanuel.com

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From: Kari Morrissey <ktm@morrisseylewis.com>

Sent: Friday, May 3, 2024 11:29 AM

To: Sara Clark <saraclark@quinnemanuel.com>; Luke Nikas <lukenikas@quinnemanuel.com>; Alex Spiro <alexspiro@quinnemanuel.com>; Michael Nosanchuk <michaelnosanchuk@quinnemanuel.com>

Cc: Erlinda Johnson <erlinda@erlindajohnsonlaw.com>; Heather LeBlanc <heather@leblancclawnm.com>

Subject: RE: Hannah Gutierrez statement

[EXTERNAL EMAIL from ktm@morrisseylewis.com]

Sara

Given that the defense does not oppose our request for a deposition of Ms. Gutierrez we will have a court reporter present for Ms. Gutierrez' pretrial interview. Please confirm that the facility where Ms. Gutierrez is being held will have her available for the zoom deposition with video capability. Thank you.

Kari

On 05/02/2024 1:53 PM MDT Sara Clark <saraclark@quinnemanuel.com> wrote:

We have no position.

Regards,
Sara

Sara Clark
Associate,
Quinn Emanuel Urquhart & Sullivan, LLP

700 Louisiana Street, Suite 3900
Houston, TX 77002
713-221-7010 Direct

210-657-8499 Cell
713-221-7000 Main Office Number
713-221-7100 FAX
saraclark@quinnemanuel.com
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From: Kari Morrissey <ktm@morrisseylewis.com>
Sent: Tuesday, April 30, 2024 10:13 AM
To: Sara Clark <saraclark@quinnemanuel.com>; Luke Nikas <lukenikas@quinnemanuel.com>; Alex Spiro <alexspiro@quinnemanuel.com>; Michael Nosanchuk <michaelnosanchuk@quinnemanuel.com>
Cc: Erlinda Johnson <erlinda@erlindajohnsonlaw.com>; Heather LeBlanc <heather@letlandlawnm.com>
Subject: Hannah Gutierrez statement

[EXTERNAL EMAIL from ktm@morrisseylewis.com]

Counsel

Please give us your position on the State's request to take Hannah Gutierrez' deposition under Rule 5-503(B) rather than simply conducting a pretrial interview.

Kari



From: Melinda Zamora melinda@bowles-lawfirm.com

Subject: State of N.M. v. Alec Baldwin

Date: May 8, 2024 at 9:15 AM

To: ktm@morrisseylewis.com, Erlinda Johnson erlinda@erlindajohnsonlaw.com, Alex Fiser afiser88@gmail.com, Sara Clark saraclark@quinnemanuel.com, Heather LeBlanc heather@leblanclawnm.com

Cc: Jason Bowles jason@bowles-lawfirm.com

Good Morning,

We are going to have to reschedule Ms. Gutierrez's and my pretrial interviews scheduled for tomorrow. Mr. Bowles was scheduled a hearing in Second Judicial Court on a preventive detention motion.

Thank you.

Melinda Zamora

Office Manager/Assistant to Jason Bowles

Bowles Law Firm

4811 Hardware Drive, N.E., Building D, Suite 5

Albuquerque, N.M. 87109

Telephone: (505) 217-2680

Facsimile: (505) 217-2681

I am in the office Monday – Thursday 9:00 a.m. – 3:00 p.m. and Friday 9:00 a.m. – 12:00 p.m.

STATE'S EXHIBIT 10

From: Jason Bowles jason@bowles-lawfirm.com
Subject: Re: State of N.M. v. Alec Baldwin
Date: May 8, 2024 at 2:04 PM
To: Kari Morrissey ktm@morrisseylewis.com
Cc: Melinda Zamora melinda@bowles-lawfirm.com, Erlinda Johnson erlinda@erlindajohnsonlaw.com, Sara Clark saraclark@quinnemanuel.com, Heather LeBlanc heather@leblancclawnm.com



Thanks
Sent from my iPhone

On May 8, 2024, at 2:59 PM, Kari Morrissey <ktm@morrisseylewis.com> wrote:

I have contacted the facility and Hannah will appear via zoom at 4 pm on Tuesday. I will send out a link this afternoon or tomorrow.
On 05/08/2024 2:54 PM MDT Kari Morrissey <ktm@morrisseylewis.com> wrote:

Jason

Heather LeBlanc previously indicated that you were setting up the interview through the facility. Is that incorrect?

Kari

On 05/08/2024 2:42 PM MDT Jason Bowles <jason@bowles-lawfirm.com> wrote:

We can email the facility but I'm not going to be responsible for whether the facility can accommodate it or not. This is you guys interview. I will let you know the email

Sent from my iPhone

On May 8, 2024, at 2:37 PM, Kari Morrissey <ktm@morrisseylewis.com> wrote:

Jason

We can interview her at 4 pm on Tuesday. Please confirm with the facility that she will be made available. I have a medical appointment that afternoon that I will be cancelling so I can appear for Hannah's interview and I don't want to cancel that appointment only to have you come back to me and say that the facility won't accommodate it.

Kari

On 05/08/2024 2:22 PM MDT Jason Bowles <jason@bowles-lawfirm.com> wrote:

Tuesday may 14, from 2-5; all day Thursday may 16; Friday morning may 17

Sent from my iPhone

On May 8, 2024, at 1:52 PM, Kari Morrissey <ktm@morrisseylewis.com> wrote:

Please respond by the end of the day with a date and time certain

On 05/08/2024 1:44 PM MDT Jason Bowles <jason@bowles-lawfirm.com> wrote:

I'm very familiar with the case law and the breadth of the privilege. Especially with Hannah having a case pending and an appeal. I've dealt with this issue on several occasions. I realize it is question by question and I also realize the Court will then need to analyze it. I will review and figure out a date and time to propose

Sent from my iPhone

On May 8, 2024, at 1:42 PM, Kari Morrissey <ktm@morrisseylewis.com> wrote:

Jason

We want to work with you in selecting a date to interview Ms. Gutierrez. Your client cannot invoke a blanket Fifth Amendment privilege to all questions asked. For this reason she needs to be interviewed so the Court will have time to parse out what she is "unavailable" for due to her Fifth Amendment privilege and what questions she must answer. Many questions asked of her will not incriminate her whatsoever, but others clearly will. Please provide us with a date and time for her interview - we are available 5/10 and tomorrow morning. If you don't make her available we will be forced to pick a date and issue a subpoena.

Kari

On 05/08/2024 1:25 PM MDT Jason Bowles <jason@bowles-lawfirm.com> wrote:

Kari - it would help if there was a consistent line of communication across the board. I have never "set her" for any specific date, but rather have responded to a series of emails with alternate proposed ideas and dates for her interview. I have told everyone that she will invoke her fifth amendment privilege to any substantive testimony that I believe would meet those liberal standards, especially with one unrelated case pending and an appeal. You emailed me on Sunday and asked if I could be available may 29, and I said she would invoke the fifth and then you stated you would stipulate with the other side as to her unavailability. The next morning I got a call from Heather asking if the 6th worked. I was confused and told her I wasn't sure what the status was but the 9th would work if it indeed was going still. Then this morning I got set for the PDM hearing at 150. I can find a date and time to reset this but you told me in Sunday emails you didn't want your time wasted if she was just going to invoke the fifth, which she will. Nonetheless, I can look for other dates and times, and coordinate with all counsel.

Sent from my iPhone

On May 8, 2024, at 1:16 PM, Karl Morrissey <km@morrisseylewis.com> wrote:

Jason:

The more pressing interview is that of Ms. Gutierrez who was originally scheduled for 5/10 and then you moved her to 5/9 and now you have cancelled that interview all together and have provided no dates/times for a reschedule. Why can't we conduct Ms. Gutierrez interview tomorrow morning and why is it no longer taking place on 5/10?

Karl

On 05/08/2024 12:40 PM MDT Jason Bowles <jason@bowles-lawfirm.com> wrote:

The subpoena to Melinda was sent in care of me, and to my office and we moved to quash it. That has not been ruled on. We will need to reset them both. I have no idea how long that 130 docket is and when we would be called so I can't give a precise answer. Also, Karl you indicated by email you wanted to see the emails regarding Mr. Baldwin's call and that's all you intended to do regarding proceeding on this subpoena. We sent those two emails over. So I'm not sure where you are at on this, but regardless a motion to quash is pending and for protective order.
Sent from my iPhone

On May 8, 2024, at 10:30 AM, Karl Morrissey <km@morrisseylewis.com> wrote:

Those hearings don't take all day. Why can't we schedule the interviews before or after that hearing? We don't have time to continue to postpone these interviews. Ms. Zamora is under subpoena and is not represented by Jason Bowles. Ms. Gutierrez is another matter.

Karl

On 05/08/2024 10:16 AM MDT Melinda Zamora <melinda@bowles-lawfirm.com> wrote:

Good Morning,

We are going to have to reschedule Ms. Gutierrez's and my pretrial interviews scheduled for tomorrow. Mr. Bowles was scheduled a hearing in Second Judicial Court on a preventive detention motion.

Thank you.

Melinda Zamora

Office Manager/Assistant to Jason Bowles

Bowles Law Firm

4811 Hardware Drive, N.E., Building D, Suite 5

Albuquerque, N.M. 87109

Telephone: (505) 217-2680

Facsimile: (505) 217-2681

I am in the office Monday – Thursday 9:00 a.m. – 3:00 p.m. and Friday
9:00 a.m. – 12:00 p.m.



From: Jason Bowles jason@bowles-lawfirm.com
Subject: Re: Use Immunity
Date: May 14, 2024 at 4:26 PM
To: Kari Morrissey ktm@morrisseylewis.com
Cc: Erlinda Johnson erlinda@erlindajohnsonlaw.com

Ok thanks Kari. Let me think about this overnight. This would seem to take care of any issues but I just want to think about it. And get back to you tomorrow.
Sent from my iPhone

On May 14, 2024, at 4:55 PM, Kari Morrissey <ktm@morrisseylewis.com> wrote:

Jason

At this time it is my intention to ask the Court to grant Hannah use immunity so that none of her statements made during the Baldwin trial can be used against her should her case be remanded for a new trial. If the Court grants my request the Court would then be asked to order Hannah to answer the questions. What is your position with regard to this request?

Kari

This transcript was exported on Jun 13, 2024 - view latest version [here](#).

Kari Morrissey:

Okay. Jason, can you hear me?

Jason Bowles:

Yes.

Kari Morrissey:

What do you propose in terms of the way that we handle this? Should I just ask questions and you have Ms. Gutierrez ready to assert her Fifth Amendment privilege?

Jason Bowles:

Yes, and I know it's clunky. I've dealt with this before, but I think that's how we have to do the record. She is going to invoke the Fifth on every substantive question.

Kari Morrissey:

That's fine. I understand. This is just kind of the first step that we have to take in this regard. Can we kind of shorten her responses to something like, "I plead the Fifth," and we can let it go at that?

Jason Bowles:

Yes. That's what I was thinking. And Hannah you don't have to say the whole thing, just, "I plead the Fifth."

Kari Morrissey:

And we'll be good with that and it won't take very long. Ms. Clark, are you intending to ask any questions or is this just for me today?

Sara Clark:

I'm not intending to ask anything. I'll, I guess reserve [inaudible 00:01:23] to follow up if needed, but not intending.

Kari Morrissey:

Okay. Just as an introduction for the audio recording, today is May 14th, 2024. It is approximately 4:30 P.M. Mountain Time. This is the statement of Hannah Gutierrez. I'm Kari Morrissey on behalf of the State of New Mexico. Also on behalf of the State of New Mexico is Alexander James and Connor Rice. On behalf of Ms. Gutierrez is Jason Bowles on behalf of the defendant, Alec Baldwin is Sara Clark, Jennifer Stern and Heather Leblanc. Is your name Hannah Gutierrez?

Hannah Gutierrez:

Yes.

Kari Morrissey:

In October of 2021, were you employed as the armorer on the set of the movie Rust?

Hannah Gutierrez:

Yeah, I plead the Fifth.

Jason Bowles:

You can answer that.

Hannah Gutierrez:

Yeah. I was employed as the armorer and the assistant props.

Kari Morrissey:

Okay. And let me just pop through some of my questions here. In your capacity as the armorer on the set of Rust, did you provide any dummy ammunition to the set that was not provided to you by PDQ Props?

Jason Bowles:

I'll instruct you to plead the Fifth and go ahead and just plead the Fifth?

Hannah Gutierrez:

Plead the fifth.

Kari Morrissey:

Great. Were you previously employed as the armorer on the set of the movie The Old Way?

Hannah Gutierrez:

Yes. Just the armorer for that one.

Kari Morrissey:

And when you were employed as the armorer on the set of The Old Way, during that time, were you in possession of live 45 caliber ammunition?

Jason Bowles:

Plead the Fifth.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Okay. When you were employed as the armorer on the set of Rust, were you working with Alec Baldwin in any capacity?

Jason Bowles:

You can answer.

Hannah Gutierrez:

Yes.

Kari Morrissey:

And can you explain to me what it was like working with Mr. Baldwin? Was he easy to work with or difficult to work with?

Hannah Gutierrez:

No. Don't really recall.

Kari Morrissey:

And just to be clear, I understand that you're not under oath today. Will you agree today to tell us the truth?

Hannah Gutierrez:

Yes.

Kari Morrissey:

Is it your truthful statement that you don't recall what it was like to work with Mr. Baldwin?

Hannah Gutierrez:

I'd rather not comment on it. I'd like to plead the Fifth.

Kari Morrissey:

Jason, is she pleading the Fifth on advice of counsel or is she just asserting it on her own? She probably can just assert it on her own.

Jason Bowles:

I think she can.

Kari Morrissey:

Okay. When you were employed as the armorer on the set of Rust, did you conduct a firearms training with Mr. Baldwin?

Jason Bowles:

Plead the Fifth.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Okay. During the training, did you show him how to load and unload revolvers?

Jason Bowles:

Plead the Fifth.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did you show him how to check the ammunition that was in the revolver?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

During the training, did you show Mr. Baldwin how to fan the revolver?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did you show Mr. Baldwin how to cock and decock the revolver?

Hannah Gutierrez:

Plead the Fifth.

Jason Bowles:

Same.

Hannah Gutierrez:

Okay. During the training, was Mr. Baldwin attentive to your instruction?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

During the training at any point in time was Mr. Baldwin using his cell phone?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

During the training, did Mr. Baldwin make any videos?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

During the training, did you make any videos of Mr. Baldwin?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did Mr. Baldwin FaceTime any family members during the training?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Was Mr. Baldwin's holster available for the training?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did you have a conversation with Mr. Baldwin about performing a subsequent training with the holster?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

During the training that you had with Mr. Baldwin, did you go over basic firearm safety practices?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did you train Mr. Baldwin not to point the gun at anyone?

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did you train Mr. Baldwin to keep his finger off the trigger until he's ready to shoot?

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did you have any conversations with Mr. Baldwin about him conducting his own safety checks of the gun?

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did you have any conversations about Mr. Baldwin participating in your safety checks?

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did Mr. Baldwin seem to understand firearm safety protocols generally?

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

When you were working as the armorer on the set of Rust, did you ever load the gun in front of any actor and demonstrate that dummies were actually inert?

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

At any point in time did you feel that Mr. Baldwin rushed you?

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did you ever feel like Mr. Baldwin was in charge of the movie set?

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

At any point in time did you offer Mr. Baldwin a fake gun instead of his real prop gun?

Jason Bowles:

Same.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did you offer Mr. Baldwin or Mr. Halls a fake gun on October 21st of 2021?

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Did you ever tell anyone that you offered a fake gun to Mr. Baldwin on October 21st, 2021.

Hannah Gutierrez:

Plead the Fifth.

Kari Morrissey:

Okay, I think those are all the questions I have.

Sara Clark:

Nothing from me.

Kari Morrissey:

All right. Thank you for your time.

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Jason Bowles:

Okay, thank you.

Hannah Gutierrez:

Thank you.

Jason Bowles:

And Alex, is it possible to have a brief breakout with Hannah?

Alexander James:

Sure. I'll set you up in that and then I'll just be here. You all can just log off whenever you're done.

Jason Bowles:

Okay. Thanks a lot.

Alexander James:

No problem.

1 FIRST JUDICIAL DISTRICT COURT
2 COUNTY OF SANTA FE
3 STATE OF NEW MEXICO
4
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10 IN THE MATTER OF: RUST
11 JAILHOUSE INTERVIEW OF
12 HANNAH GUTIERREZ
13 (with Attorney Jason Bowles present)
14 NOVEMBER 9, 2021
15
16
17
18
19

20 TAKEN BY: Detective Alexandria Hancock
21
22 TRANSCRIBED BY: Raquel Piña-Baca,
23 Certified Stenotranscriptionist
24
25

1 [Note: Detectives enter at 5:16.]

2 DETECTIVE HANCOCK: So it's formality. She
3 signed this the first night. Okay? I'm going to have
4 you do it again tonight just that way we're all in
5 understanding. I know your attorney's here. Those are
6 your statement of rights. Okay?

7 MS. GUTIERREZ: Okay. Oh, thank you. Do I
8 check all of these?

9 DETECTIVE HANCOCK: Yeah. Initial them for
10 me.

11 MS. GUTIERREZ: Okay.

12 DETECTIVE HANCOCK: I like your necklace.

13 MS. GUTIERREZ: Thank you. It's, actually,
14 a locket.

15 Okay. Oh, what's the date?

16 DETECTIVE HANCOCK: It's the 9th. Jeez. I
17 don't even know what to do with this year anymore.

18 MS. GUTIERREZ: Yeah, I know.

19 DETECTIVE HANCOCK: And then do you want to
20 sign as one of the witnesses?

21 MR. BOWLES: Sure.

22 DETECTIVE HANCOCK: And then I'll sign as
23 the other. Fancy pens and all. Get me some of those,
24 too, that way if anybody asks.

25 MR. BOWLES: Yeah.

1 DETECTIVE HANCOCK: Here you go. All
2 right. So let's just dive right into this. That way,
3 we can get you guys on your way, and we'll go from
4 there.

5 Do you have any questions for me before we
6 start either of you?

7 MS. GUTIERREZ: No.

8 DETECTIVE HANCOCK: How's your day?

9 MS. GUTIERREZ: A little busy.

10 DETECTIVE HANCOCK: Yeah.

11 MR. BOWLES: Yeah.

12 DETECTIVE HANCOCK: How have you been
13 since?

14 MS. GUTIERREZ: Busy and depressed.

15 DETECTIVE HANCOCK: Yeah?

16 MS. GUTIERREZ: Yeah.

17 DETECTIVE HANCOCK: I can imagine --

18 MS. GUTIERREZ: Uh-huh.

19 DETECTIVE HANCOCK: -- that you had a --
20 thing with the living situation.

21 MS. GUTIERREZ: Yeah, a little bit.

22 DETECTIVE HANCOCK: That more than
23 anything?

24 MS. GUTIERREZ: Oh, not really. Just, you
25 know, a lot of -- a lot of press, a lot of hatred, a

1 lot of kill yourself, you know.

2 DETECTIVE HANCOCK: People are horrible.

3 MR. BOWLES: Yeah.

4 MS. GUTIERREZ: Yeah. Uh-huh.

5 DETECTIVE HANCOCK: Like at the end of the
6 day --

7 MS. GUTIERREZ: Yeah. I'm just trying my
8 best. That's all I can do.

9 DETECTIVE HANCOCK: That's all you can do,
10 really. I like the change in color of hair. Is that
11 your natural?

12 MS. GUTIERREZ: That was -- yeah. That
13 was -- I got the most hate on so I was like it's just
14 hair. You know, I'll change it, guys, yeah, so --

15 DETECTIVE HANCOCK: You wanna know
16 something really, totally off-topic. But when I was in
17 high school, I was a hostess at Hooters and they told
18 me that I had to die my hair brown or blond --

19 MS. GUTIERREZ: Yeah.

20 DETECTIVE HANCOCK: -- because red would
21 be --

22 MR. BOWLES: Wow.

23 DETECTIVE HANCOCK: -- unnatural color of
24 hair.

25 MS. GUTIERREZ: Oh, really.

1 MR. BOWLES: Wow. That's crazy.

2 DETECTIVE HANCOCK: Yeah. Yeah.

3 MR. BOWLES: That's ridiculous.

4 DETECTIVE HANCOCK: I was like --

5 MR. BOWLES: Jeez.

6 DETECTIVE HANCOCK: -- no, thank you.

7 MS. GUTIERREZ: Especially about hair
8 color, it's just temporary.

9 MR. BOWLES: Yeah.

10 MS. GUTIERREZ: Oh, well.

11 MR. BOWLES: Yeah, no, thank you.

12 DETECTIVE HANCOCK: Yeah. I was like, red
13 is my natural color like --

14 MS. GUTIERREZ: Yeah. That's weird.

15 DETECTIVE HANCOCK: No, thanks but it was,
16 you know, back then it was a little different
17 environment.

18 MR. BOWLES: Yeah.

19 MS. GUTIERREZ: Only natural boobs, too, at
20 Hooters, right?

21 DETECTIVE HANCOCK: Yeah. There you go. I
22 mean, to each their own.

23 MS. GUTIERREZ: Yeah. No. I was just --

24 DETECTIVE HANCOCK: And it still has --
25 Albuquerque's not really the market.

1 MS. GUTIERREZ: For real.

2 DETECTIVE HANCOCK: Good. Okay. You know,
3 experience.

4 MS. GUTIERREZ: Uh-huh.

5 DETECTIVE HANCOCK: I can't think of
6 anything else that I have. Are you still living in
7 Arizona?

8 MS. GUTIERREZ: Yeah. I currently am, kind
9 of like mostly leaving the state right now just because
10 the press the getting nasty and everything. And it
11 kind of dulled down after I left my house and
12 everything, but, yeah, other than, just kind of came
13 here and tried to stay out of the small town right now.

14 DETECTIVE HANCOCK: Okay.

15 MS. GUTIERREZ: Yeah. Because it's hard to
16 hide there from the press, at least, yeah.

17 DETECTIVE HANCOCK: Yeah. Well, I think
18 everybody's having a hard time with that. It seems
19 like the only person that has been able to avoid them,
20 mostly, is Mr. Halls.

21 MS. GUTIERREZ: Yeah.

22 DETECTIVE HANCOCK: But --

23 MR. BOWLES: Yeah.

24 MS. GUTIERREZ: Yeah, for real. Crazy.

25 DETECTIVE HANCOCK: Which is interesting

1 because I'm pretty sure he's local.

2 MR. BOWLES: Yeah. And he's local, I
3 believe. Yeah.

4 DETECTIVE HANCOCK: So, yeah. I mean, Alec
5 is getting bombarded every day, too.

6 MR. BOWLES: A lot.

7 DETECTIVE HANCOCK: Yeah. So, I mean,
8 hopefully, we can just, you know, get through with this
9 and then --

10 MS. GUTIERREZ: Yeah.

11 DETECTIVE HANCOCK: Like it -- it amazes me
12 with the event that went on this past weekend that it's
13 like -- that's not --

14 MR. BOWLES: In Texas and -- yeah, that was
15 horrible.

16 DETECTIVE HANCOCK: Yeah, Astroworld --

17 MR. BOWLES: That was --

18 MS. GUTIERREZ: Oh, the -- yeah.

19 DETECTIVE HANCOCK: Like how is that
20 something not --

21 MS. GUTIERREZ: Blown up like this.

22 DETECTIVE HANCOCK: Yeah.

23 MS. GUTIERREZ: No. I guess not.

24 MR. BOWLES: Okay.

25 DETECTIVE HANCOCK: All right, Hannah. So

1 let's start out. I'm going to kind of go over your
2 experience again. Okay. So can you -- tell me your
3 years of experience as an armorer.

4 MS. GUTIERREZ: Okay. So pretty much,
5 mostly really started taking on this armorer job in
6 March with my dad. We did the movie Murder at Emigrant
7 Gulch together on the same team. I was his assistant.

8 And then I did my own -- did my own job as
9 head armorer on the Old Way after that. And then after
10 that, I did this, you know. And before that, I had
11 gone a couple of things with my dad, mostly doing
12 production assistant work but also still kind of
13 watching him and still kind of learning from him on the
14 side.

15 DETECTIVE HANCOCK: Okay.

16 MS. GUTIERREZ: Yeah. I did my Magnificent
17 Seven like back in 2015, and we were out there for like
18 two months, and I was learning a lot from him then,
19 too.

20 DETECTIVE HANCOCK: Okay. So pretty much
21 just assisting him?

22 MS. GUTIERREZ: Yeah.

23 DETECTIVE HANCOCK: 2015 until --

24 MS. GUTIERREZ: Yeah. Pretty much. And
25 also -- well, not like consistently either because I

1 was in college for a lot of that time.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: Yeah. So for a lot of --
4 before this, I was in college so not really able to do
5 the whole film set thing.

6 DETECTIVE HANCOCK: Okay. What did you go
7 to college for?

8 MS. GUTIERREZ: I went to college for
9 communications and film.

10 DETECTIVE HANCOCK: Okay.

11 MS. GUTIERREZ: Yeah. And I also took a
12 lot of art classes, too.

13 DETECTIVE HANCOCK: So how many
14 productions, now, do you have under your belt?

15 MS. GUTIERREZ: Team, whatchamacallit,
16 about seven.

17 DETECTIVE HANCOCK: Seven?

18 MS. GUTIERREZ: Seven, yeah. And then also
19 I did a bunch in college, you know.

20 DETECTIVE HANCOCK: And then how many with
21 you as head armorer?

22 MS. GUTIERREZ: Head armorer? Just two.

23 DETECTIVE HANCOCK: Okay.

24 MS. GUTIERREZ: Yeah.

25 DETECTIVE HANCOCK: And that was the --

1 MS. GUTIERREZ: This Rust and the Old Way.
2 Yeah.

3 DETECTIVE HANCOCK: Okay. How long did you
4 spend on the Old Way?

5 MS. GUTIERREZ: We did that for a month and
6 a week.

7 DETECTIVE HANCOCK: Oh, so it's not that
8 much time?

9 MS. GUTIERREZ: Not that much time. No.

10 DETECTIVE HANCOCK: And then --

11 MS. GUTIERREZ: But it was only me doing
12 the guns on it. So it was me, 22 guns, doing all of
13 the loading and everything myself.

14 DETECTIVE HANCOCK: Okay. Anything
15 negative? Or anything happen on that set?

16 MS. GUTIERREZ: Nick Cage got a little p
17 issy because he forgot to put in his earplugs.

18 DETECTIVE HANCOCK: Okay.

19 MS. GUTIERREZ: Yeah. And then other
20 people were talking about the -- the random firings
21 that, apparently, weren't called out or anything, but I
22 called those out, actually. And it really comes down
23 to miscommunication between I told the AD who is
24 supposed to spin the dials to the other channels and
25 let them know that there's going to be live fire, and

1 he didn't spin the dials.

2 DETECTIVE HANCOCK: So like radio
3 communication?

4 MS. GUTIERREZ: Yeah. So our -- our
5 walkie-talkies and everything, yeah. Once I tell them
6 that we're like going hot and everything, then he's
7 supposed to spin the dials and let every -- every
8 different one know.

9 DETECTIVE HANCOCK: Okay.

10 MS. GUTIERREZ: So he forgot to do that
11 twice on that.

12 DETECTIVE HANCOCK: Were there any, you
13 know, like misfires, accidental discharges, anything of
14 the sort?

15 MS. GUTIERREZ: No. No accidental
16 discharges and no misfires, actually.

17 DETECTIVE HANCOCK: Okay. What about any
18 official training that you've done or went to?

19 MS. GUTIERREZ: Official training? Not
20 really much official training.

21 DETECTIVE HANCOCK: So just --

22 MS. GUTIERREZ: I was planning on getting
23 my -- my concealed carry permit pretty soon, but I
24 haven't gotten there yet.

25 DETECTIVE HANCOCK: Okay. For what you do

1 as an armorer, does this job require to use like
2 specific tools when you're doing inspections on
3 weapons?

4 MS. GUTIERREZ: So I don't really do the
5 inspections on weapons too much. I'm not a gunsmith by
6 any means. You know, I get them from Seth. Seth like,
7 you know, maintenance them and everything. I was
8 cleaning a couple of them and a couple of them did have
9 some issues that I couldn't figure out, so I sent them
10 back to Seth and he sent them back to me and they were
11 okay.

12 DETECTIVE HANCOCK: Okay. So any type of
13 like malfunction or anything that you came across would
14 go --

15 MS. GUTIERREZ: Yeah, yeah.

16 DETECTIVE HANCOCK: And you're talking
17 about Seth Kenney, right?

18 MS. GUTIERREZ: Yeah.

19 DETECTIVE HANCOCK: Okay.

20 MS. GUTIERREZ: And I sent back one of the
21 guns because the hammer was pulled back and it wouldn't
22 really stack down, and I don't know he said something
23 about I cleaned it wrong or something. I'm not sure,
24 but I cleaned 17 other pistols that day. So I don't
25 know how I did that one wrong.

1 DETECTIVE HANCOCK: Okay. Do you remember
2 which one that was?

3 MS. GUTIERREZ: You know, that was,
4 actually, one of Miller's guns and not related to the
5 incident, really, but Miller was one of the deputies
6 and just one of his -- the hammer got stuck back, and
7 I've never encountered that before that so --

8 DETECTIVE HANCOCK: Okay.

9 MS. GUTIERREZ: -- went ahead and sent it
10 back.

11 DETECTIVE HANCOCK: Okay. So as far as
12 like the movie productions go, do they require you to
13 have any certifications to work? And they can be like
14 anything.

15 MS. GUTIERREZ: You know, I'm not really
16 sure entirely just because most of the jobs like that
17 have just been like through word of mouth and
18 everything or like, you know, Seth worked on getting
19 them for me or my dad gets them for me. Or my dad got
20 me on as his assistant the first time, you know. So
21 I'm not really sure entirely what they are looking for.

22 I know that they get a firearm's license
23 and everything and a license for the area to shoot on
24 and everything. But they usually get that. I don't
25 even get that usually so --

1 DETECTIVE HANCOCK: Okay.

2 MS. GUTIERREZ: -- I'm not really sure in
3 terms of what else. I know that Seth always tells me
4 that I'm on his license to work with these weapons and
5 that's all I really know.

6 DETECTIVE HANCOCK: And that's kind of the
7 same with Sarah, right?

8 MS. GUTIERREZ: Yeah. I'm not really sure
9 what that's ever meant. Seth always just says Hannah
10 and Sarah are on my license.

11 DETECTIVE HANCOCK: Okay. But as far as
12 like you go, there's no --

13 MS. GUTIERREZ: No one really asks about
14 much of that.

15 DETECTIVE HANCOCK: Like you don't have to
16 take safety classes in regards to anything with movie
17 sets?

18 MS. GUTIERREZ: So that's the thing, I was,
19 actually, just getting into the union. And with the
20 union and everything, because on this set they hired me
21 non-union. But, normally, with the unions, you take a
22 safety course, you take a sexual harassment course, and
23 you take a few different things.

24 And I had like literally just gotten the
25 paperwork and everything to get in that, and you need

1 30 union days on a union show before you can do that
2 and so I had 22 before this job. And so a lot of the
3 days from this job were going to count towards that.

4 DETECTIVE HANCOCK: Okay.

5 MS. GUTIERREZ: But, yeah, so I wasn't even
6 able to get that. But for -- other than that, like
7 the -- the whole industry doesn't really require
8 anything. It's mostly just California or union, and I
9 wasn't union.

10 DETECTIVE HANCOCK: Okay. And so Rust
11 doesn't like, you know -- like I, obviously, have to
12 have a cert to be a cop.

13 MS. GUTIERREZ: Yeah. No, totally.

14 DETECTIVE HANCOCK: And it's like, you
15 know, every year, I gotta take like driving courses and
16 shooting courses and everything like that.

17 MS. GUTIERREZ: Yeah, no, totally. Yeah,
18 no, Rust didn't really ask me anything about that.
19 They kind of just is conferred it all through that of
20 Seth.

21 DETECTIVE HANCOCK: Okay. So I heard that
22 you were hired to do a couple jobs on this set?

23 MS. GUTIERREZ: Yes.

24 DETECTIVE HANCOCK: Can you talk about --
25 or tell me about both of them?

1 MS. GUTIERREZ: Okay. So like, originally,
2 when I got on the set, you know, I've like always done
3 armorer kind of really separate from props. Like I'm
4 always with props, but usually, we do it ourselves me
5 and my dad and props isn't really interfered.

6 This is the only job that I've taken where
7 I was heavily incorporated into props and it's because,
8 originally, they had hired me for armorer and key prop
9 assistant. And that's not just like prop assistant
10 that's the key prop assistant. So that means more
11 responsibility, that means I'm Sarah's second --

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: -- in a lot of cases. So
14 if there's an issue with props, you would go to Sarah
15 and then if there's an issue -- the -- where Sarah
16 can't, you know, isn't there, then it goes to me and
17 then we have our assistant, Nicole.

18 So I had -- my job is the armorer, and
19 originally, I thought that I was mostly gonna be doing
20 my armorer job and kind of left alone to do that. But
21 after the first week, I got talked to by some people in
22 production, and they were told that I wasn't really
23 pulling my weight in props. So, basically, I was told
24 that I needed to shift my focus less on armorer and
25 more onto props.

1 DETECTIVE HANCOCK: Who did they expect to
2 take on the armorer role if it wasn't your --

3 MS. GUTIERREZ: I don't know. They told
4 me -- they said, yeah, we hear that you're taking your
5 armorer job very seriously, but we need you to support
6 props right now because props is also struggling. And
7 I was like, okay. I'll try my best to do that. And
8 they said, normally, before that, I would kind of just
9 hang out in the prop truck and like, you know, work on
10 the guns and just kind of be in there doing my own
11 stuff if the -- if there weren't any guns on set.

12 But after that, they had told me like, no,
13 we want you on set. We want you as a present on set
14 for props.

15 DETECTIVE HANCOCK: Okay.

16 MS. GUTIERREZ: Yeah. So it was split up
17 quite a bit.

18 DETECTIVE HANCOCK: Can you give me some
19 examples of what you would do like when you were
20 assisting props?

21 MS. GUTIERREZ: Okay. Yeah. So, normally,
22 you know, I kind of -- like for the saloon scene, I
23 would just kind of be standing there, you know,
24 watching over the guns and everything, checking them
25 for the actors as I had brought them into the actors.

1 That's just my job as the armorer.

2 With the saloon and everything, I'm pouring
3 drinks for props. I'm running outside and rolling
4 cigarettes. I'm like doing several different things
5 and grabbing several different props and setting props
6 up constantly.

7 And so, yeah, when some things aren't
8 exactly super prop heavy and sometimes they're just
9 kind of gun heavy, and so in that case, I can like
10 focus more on the guns but sometimes I was split
11 between running the guns and also dealing with the
12 props.

13 DETECTIVE HANCOCK: Okay.

14 MS. GUTIERREZ: But Nicole, the assistant,
15 tried to help alleviate that a little bit but not
16 every, you know, she's -- she was pretty green so had
17 to step in a lot.

18 DETECTIVE HANCOCK: Okay.

19 MS. GUTIERREZ: Yeah. Mostly, I thought
20 that I was there doing props at the beginning just to
21 help find everything. Because we got hired on a week
22 before. Normally, you hire the prop master a month in
23 advance. Sarah got brought on a week before; I got
24 brought on a little after her.

25 And so we were just kind of running around

1 that first week trying to find -- find props. And then
2 I thought after that, you know, after she got the
3 assistant, I'd be able to focus more on the guns but
4 then production talked to me and said that I needed to
5 focus more on props so --

6 DETECTIVE HANCOCK: Okay. And who from
7 production?

8 MS. GUTIERREZ: Gabrielle Pickle and also
9 the head of the art department, Brian, mostly, yeah,
10 Sarah just said that I couldn't really support props in
11 the way I needed, so they were talking about possibly
12 taking -- I was talking to them and I was like, well,
13 do you not want me to do props at all in this case and
14 just focus on the guns? And they were like no. Like
15 we don't want Nicole stepping up and taking your
16 position.

17 We want you to step into this position, and
18 we think it's a great opportunity for you, but, really,
19 I just got to do two jobs for less pay.

20 DETECTIVE HANCOCK: Yeah.

21 MS. GUTIERREZ: Yeah.

22 DETECTIVE HANCOCK: How you did you feel
23 about that added responsibility?

24 MS. GUTIERREZ: You know, it was a lot.
25 But I'm super eager and when someone kind of says like,

1 you know, you can do this. Like then I'm just like,
2 okay, now, I have to show them like I can do this.

3 DETECTIVE HANCOCK: Yeah.

4 MS. GUTIERREZ: You know, so, ultimately,
5 it was frustrating, but at the same time, I was like.
6 All right. Gotta go and kick ass in props now, I
7 guess, too.

8 DETECTIVE HANCOCK: Yeah. Did you ever
9 have like any time that, specifically, pointed out to
10 where you felt overwhelmed?

11 MS. GUTIERREZ: Well, you know, props -- we
12 were told a lot, you know, that we were kind of lagging
13 and like the wranglers would kind of shit on us for not
14 propping up horses soon enough or like not getting
15 actors propped up soon enough.

16 So props was definitely struggling. And
17 then after that talk I had with Brian, I went to Sarah
18 and I was like I'm not like pulling my weight, you
19 know. And I tried to talk to her about it. And she
20 was like, yeah, I didn't mean to like be a jerk about
21 it. I just wanted to let them know that I needed more
22 help in the department.

23 And so we talked about it. And I was like,
24 well, that's cool. Just maybe next time go ahead and
25 talk to me first before going to Brian and Gabrielle.

1 DETECTIVE HANCOCK: Do you know why they
2 didn't utilize Nicole more?

3 MS. GUTIERREZ: They -- well, you know, we
4 definitely did utilize Nicole. But, ultimately, I have
5 a very strong personality, and also a lot of the times,
6 like my personality would even be stronger than Sarah's
7 in a lot of respect.

8 And a lot of people were already kind of
9 gaining respect for me like in terms of like, you know,
10 the wranglers and everything, and I'm just good at
11 meshing with other departments.

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: You know, so they wanted me
14 on set more just to kind of, you know, be a presence of
15 props and really, you know, kind of just be a demanding
16 force.

17 DETECTIVE HANCOCK: Okay.

18 MS. GUTIERREZ: Yeah.

19 DETECTIVE HANCOCK: Did you ever express to
20 them at any point that you felt overwhelmed? Or --

21 MS. GUTIERREZ: After that, you know, I
22 thought we were doing pretty good of managing both.
23 There were some days, you know, where I would talk to
24 Sarah, and I was like -- like she would be like could
25 you come out here and see what's going on with me? And

1 I was like, no, dude, I need to like focus on guns, and
2 I need to pull guns for later on.

3 And she would be like, well, you're the
4 second; I think you should be here with me on set to
5 watch this. And I was like, there's not a lot of props
6 out there; I'm going to be here doing the guns.

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: So there was a couple of
9 times that I also kind of really held my ground on not,
10 you know, spreading myself too incredibly thin.

11 DETECTIVE HANCOCK: Or getting overran by
12 others?

13 MS. GUTIERREZ: Yeah. Yeah, exactly.

14 DETECTIVE HANCOCK: Okay.

15 MS. GUTIERREZ: Because you kind of just
16 have to. You know, but, ultimately, with higher
17 positions, sometimes you get ran over.

18 DETECTIVE HANCOCK: Okay. Who hired you
19 for Rust?

20 MS. GUTIERREZ: I believe -- I'm not really
21 sure. Seth just texted me. He's like you got the job,
22 prop assistant, so and so. I sent him my resume and
23 they -- Sarah sent it in, and I think Row approved it,
24 and, yeah, so Sarah -- Sarah hired me, Row approved it.

25 DETECTIVE HANCOCK: Okay. So it's not like

1 a typical hiring for a job where you have to go in
2 and --

3 MS. GUTIERREZ: Yeah. No. There's no --
4 there's no real interviews like any time in film. Film
5 is a very weird industry.

6 DETECTIVE HANCOCK: Word of mouth.

7 MS. GUTIERREZ: Word of mouth, by all
8 means. I think it's so weird how like secretive it is
9 almost. You know, like it's really hard to get on
10 anything unless you know somebody. And if you stop
11 working for a while, it's like almost hard to jump back
12 in it.

13 DETECTIVE HANCOCK: Yeah.

14 MS. GUTIERREZ: Yeah. It's really weird
15 you can't just like look up like film jobs in your area
16 and then go and apply. It's not --

17 DETECTIVE HANCOCK: Indeed.

18 MS. GUTIERREZ: That's not a thing. Yeah.
19 I really wish it was kind of like that. That would
20 probably -- yeah, that be a lot better. But, right
21 now, there's just such a media surge, especially that,
22 you know, they're just kind of getting on anyone that
23 they can bring, really. Because the media surge with
24 all of these different like the networks and everything
25 coming out with their own little internet things, it's

1 making everything like boom right now like crazy.

2 DETECTIVE HANCOCK: Yeah. I know you had
3 talked about how you were in the process of becoming a
4 union member.

5 MS. GUTIERREZ: Yeah.

6 DETECTIVE HANCOCK: With which union?

7 MS. GUTIERREZ: I was working on becoming a
8 union member with the Local 44.

9 DETECTIVE HANCOCK: Okay.

10 MS. GUTIERREZ: That's the oldest and
11 longest establishing and it's also the one that my
12 dad's a part of so --

13 DETECTIVE HANCOCK: Is that like
14 international? Or --

15 MS. GUTIERREZ: I'm not really entirely
16 sure. I know it's mostly California. You know, each
17 union is kind of specific to the area. Yeah. I think
18 that one is the most put together one. And it's
19 definitely the most active one, which is why I was
20 trying to be a part of it, and I had already, actually,
21 started the like kind of OSHA safety one a little bit
22 after this, actually, so I had already been starting
23 that.

24 DETECTIVE HANCOCK: Okay.

25 MS. GUTIERREZ: Because I just got in like

1 a little bit before that into the program.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: Uh-huh.

4 DETECTIVE HANCOCK: So as far as your
5 employment on Rust, were you hired on a contract? Or
6 how --

7 MS. GUTIERREZ: I was hired --

8 DETECTIVE HANCOCK: -- how was it
9 determined?

10 MS. GUTIERREZ: I was hired on a -- on a
11 contract, yeah, you know. The contract wasn't really
12 specific to the job, per se; the contract was just like
13 regular employee contract. Jason has a copy of it.

14 DETECTIVE HANCOCK: Okay. Is there any way
15 I can get a copy?

16 MR. BOWLES: Sure. Yeah. I'll send that.

17 MS. GUTIERREZ: Yeah.

18 DETECTIVE HANCOCK: Besides you and Sarah
19 and Nicole, were there any other armorers or prop
20 masters or anybody brought onto the set at any time?

21 MS. GUTIERREZ: I don't believe so. Not
22 anyone brought on the set. I don't really know if Seth
23 ever came to set, but he was the mentor on the
24 paperwork and everything, and he was like where we got
25 most of our stuff from.

1 DETECTIVE HANCOCK: Okay.

2 MS. GUTIERREZ: Yeah.

3 DETECTIVE HANCOCK: But no one else ever
4 worked with you guys? They didn't do like a late hire?

5 MS. GUTIERREZ: Oh, so they did -- they did
6 bring in one girl for swing shift, but I don't even
7 know if she ever made it to set or if she just met up
8 with Sarah outside of set.

9 DETECTIVE HANCOCK: Okay.

10 MS. GUTIERREZ: But, yeah, we had finally,
11 week two was coming around, and we told them like,
12 we're -- it's getting crazy busy. We can't have Sarah
13 leaving set to go finds these things so they brought in
14 a day player that could run around and go find things
15 for us.

16 DETECTIVE HANCOCK: Okay.

17 MS. GUTIERREZ: Because before that, Sarah
18 had to leave set a lot of the time. Oh, that also
19 contributed to spreading us thin for a little while
20 there. That's why they brought in the third person
21 because, ultimately, Sarah would have to leave set
22 pretty much every day for several hours and then it
23 would just be me out there.

24 DETECTIVE HANCOCK: And what would Sarah do
25 at that time?

1 MS. GUTIERREZ: Sarah would go try to find
2 props. Because with them bringing her in a week, you
3 know, it's hard to find like a weird Indian ax, you
4 know. Like, there's a bunch of weird obscure things
5 for a period piece that are super hard to find.

6 So she would go try to find them, meet up
7 with other prop masters in the area and see if they had
8 them.

9 DETECTIVE HANCOCK: Do you know who that
10 fourth was?

11 MS. GUTIERREZ: You know, I think her name
12 was Jade.

13 DETECTIVE HANCOCK: Jade?

14 MS. GUTIERREZ: Yeah.

15 DETECTIVE HANCOCK: Okay.

16 MS. GUTIERREZ: Yeah. I was hoping for her
17 to come more on set. But, yeah, they just hired her as
18 a day player every now and then.

19 DETECTIVE HANCOCK: Okay. Okay. So as far
20 as -- and I know some of this that we've talked about
21 before, some of it might be a little bit redundant.

22 MS. GUTIERREZ: It's okay.

23 DETECTIVE HANCOCK: But just trying to
24 cover all bases. So, again, who provides the ammo?

25 MS. GUTIERREZ: So as far as I'm concerned,

1 me and Sarah, we went together and we picked up the
2 ammunition and all the weapons and my leathers from
3 Seth Kenney in Albuquerque at his shop.

4 Yeah, we got two boxes of ammo I'm pretty
5 sure that day. And then as we went on in the show,
6 there were a couple of times that we needed more so
7 Sarah and I would text him, you know, that we needed
8 more. And, occasionally, Sarah brought in more ammo
9 from Seth.

10 DETECTIVE HANCOCK: Okay. Those two boxes
11 that were originally supplied, were they blanks or
12 dummies?

13 MS. GUTIERREZ: Originally supplied?

14 DETECTIVE HANCOCK: The ones that you
15 picked up two boxes of ammo?

16 MS. GUTIERREZ: Oh, yeah, so I think there
17 were.

18 DETECTIVE HANCOCK: Would they give you
19 like boxes like the white boxes?

20 MS. GUTIERREZ: No. They were -- they were
21 like bigger boxes for sure.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: Yeah, no. A lot of them
24 were -- there wasn't a lot of dummies in those really
25 much at all. There were some dummies, you know, like

1 obscure dummies that we couldn't really get like the
2 50/70 rounds, you know. I don't know if you're
3 familiar with those. Those are big rounds. They go in
4 the trapdoor.

5 So we had some of those dummies with it.
6 But in terms of .45 long Colt dummies, I don't think
7 there was a lot of dummies in there and so I asked Seth
8 about it. And I said, hey, like where's all the long
9 Colt dummies? Because the .45, you know is -- .45 ammo
10 is like different than .45 long Colt, so we didn't
11 exactly -- I couldn't find that.

12 So I -- he told me to check the dummies
13 that I had from the last show because he got me those
14 ones and everything. And so I went back through a bag
15 that I had. This bag has like a bunch of loose dummies
16 in it, and I went through and I checked all of them and
17 I put them into two boxes. And so we had two boxes of
18 .45 long Colt dummies that were mine from the last
19 show.

20 DETECTIVE HANCOCK: With Nick Cage?

21 MS. GUTIERREZ: Originally. Yeah.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: And I had just brought
24 those off of the Old Way and they were in my car for
25 like two weeks. I jumped right off of the Old Way into

1 this. I was barely home for like a week with them.
2 Yeah.

3 DETECTIVE HANCOCK: But he told you to
4 check your supply?

5 MS. GUTIERREZ: Yeah.

6 DETECTIVE HANCOCK: And what you had to
7 take?

8 MS. GUTIERREZ: Yeah.

9 DETECTIVE HANCOCK: So he authorized you to
10 bring --

11 MS. GUTIERREZ: He authorized me to bring,
12 yeah, dummies.

13 DETECTIVE HANCOCK: Okay.

14 MS. GUTIERREZ: And then also there was one
15 time where he didn't give us any eighth loads, and I
16 had one box of eighth loads, and so I was like, I'm
17 gonna -- I'm gonna use my box of eighth loads, put it
18 on the invoice, and I would have received money for
19 that.

20 MR. BOWLES: For blanks?

21 MS. GUTIERREZ: For blanks, yeah. Eighth
22 load blanks.

23 DETECTIVE HANCOCK: Okay. Did you ever get
24 re-compensated for those?

25 MS. GUTIERREZ: No. I don't really plan on

1 it, given the circumstances. Because usually that goes
2 through Seth and then Seth kicks me down whatever.

3 DETECTIVE HANCOCK: Okay.

4 MS. GUTIERREZ: Yeah.

5 DETECTIVE HANCOCK: So how many rounds, and
6 I -- two boxes is, you know, kind of -- we're just
7 trying to understand. So how many rounds would you say
8 were supplied at the beginning?

9 MS. GUTIERREZ: You know, do you mind if I
10 check my phone really quick. I think Seth like sent me
11 a picture of like it written on cardboard or something.

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: Or, actually, if you look
14 at the boxes, I think the boxes --

15 DETECTIVE HANCOCK: On the flap?

16 MS. GUTIERREZ: Yeah. On the flap should
17 say it.

18 DETECTIVE HANCOCK: Okay.

19 MS. GUTIERREZ: Did you see that at all?

20 DETECTIVE HANCOCK: Yeah.

21 MS. GUTIERREZ: Yeah.

22 DETECTIVE HANCOCK: I don't -- I mean, I
23 don't --

24 MS. GUTIERREZ: That's the -- yeah. Okay.
25 That's what Seth showed me. So that same thing that's

1 what should have all been in there.

2 DETECTIVE HANCOCK: Okay. And so you and
3 Sarah picked it up at the beginning --

4 MS. GUTIERREZ: Yeah.

5 DETECTIVE HANCOCK: -- of production?

6 MS. GUTIERREZ: Yeah.

7 DETECTIVE HANCOCK: From Albuquerque,
8 brought it to set and then --

9 MS. GUTIERREZ: Yeah. But we couldn't
10 exactly bring it to set right away because they hadn't
11 had the prop truck ready for us. So we had to leave
12 it, you know, she had the guns in her car in
13 Albuquerque. I had the ammo in my trunk at the hotel,
14 and then we just took them to set that next day.

15 DETECTIVE HANCOCK: Okay. So it was left
16 --

17 MS. GUTIERREZ: Overnight, yeah. Just
18 overnight.

19 DETECTIVE HANCOCK: It wasn't like multiple
20 days that -- that's a --

21 MS. GUTIERREZ: Multiple days of what?

22 DETECTIVE HANCOCK: That's -- I was just
23 going to say for Sarah to keep all those in her vehicle
24 in Albuquerque. That's a bold move.

25 MR. BOWLES: No kidding.

1 MS. GUTIERREZ: Well, and it was only -- it
2 was only one night, and she had a garage.

3 DETECTIVE HANCOCK: Okay.

4 MS. GUTIERREZ: So that's why we
5 ultimately -- she was like, do you want them to go with
6 you or me? And I was like you, you have a garage.

7 MR. BOWLES: Yeah.

8 MS. GUTIERREZ: You know.

9 MR. BOWLES: Yeah.

10 DETECTIVE HANCOCK: In Albuquerque, though.

11 MS. GUTIERREZ: Oh, I know.

12 MR. BOWLES: Yeah.

13 MS. GUTIERREZ: I told her. I was all like
14 get those and get out. And I was like --

15 MR. BOWLES: Yeah.

16 MS. GUTIERREZ: -- hell yeah.

17 DETECTIVE HANCOCK: So when you guys
18 brought additional rounds on the set or additional
19 boxes or needed more, how did those get delivered?

20 MS. GUTIERREZ: Sarah brought them in most
21 of the time. I never saw Seth after the first time
22 that I saw him before the show.

23 DETECTIVE HANCOCK: Okay. So did Sarah --
24 do you know if she went and picked them up from
25 Albuquerque? Or how did she get them?

1 MS. GUTIERREZ: She -- she lived in
2 Albuquerque, so most of the time; she would just run
3 and grab them.

4 DETECTIVE HANCOCK: Okay.

5 MS. GUTIERREZ: Yeah. I'm not sure if she
6 got any more from anyone else. I had heard that some
7 of the dummies were borrowed from someone. I don't
8 know. She said don't lose any of these because we have
9 to give them back, and I was like okay. They fall out
10 of the gun belt and everything, but I'll try not to
11 lose them.

12 DETECTIVE HANCOCK: Okay. And then how
13 much did you supply of your own?

14 MS. GUTIERREZ: Of my own dummies?

15 DETECTIVE HANCOCK: Yeah.

16 MS. GUTIERREZ: Just the two. And we
17 mostly went through those right away.

18 DETECTIVE HANCOCK: Two?

19 MS. GUTIERREZ: Just because -- two boxes.
20 Two of the little boxes not like big boxes just the --
21 the little boxes. And, yeah, I had two of those and
22 most of mine had the no primer caps the ones I had
23 showed you. Remember?

24 DETECTIVE HANCOCK: Is it the ones that are
25 like indented in?

1 MS. GUTIERREZ: Yes.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: So A lot of those were
4 mine. And then also I had a multitude of the ones with
5 holes and the ones that you shake so, yeah. And I
6 checked those all, and I put them into two things --

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: -- myself, yeah.

9 DETECTIVE HANCOCK: Do you remember what
10 those boxes liked like?

11 MS. GUTIERREZ: Yeah. Yeah, I do. They --
12 usually, they had JS on them.

13 DETECTIVE HANCOCK: Okay.

14 MS. GUTIERREZ: This is one that my dad
15 sent me and mine are usually beat up pretty bad.

16 DETECTIVE HANCOCK: Okay.

17 MS. GUTIERREZ: Like they're very dirty and
18 gross, usually.

19 DETECTIVE HANCOCK: Okay. Do you know what
20 the JS stands for on that?

21 MS. GUTIERREZ: Joe Swanson.

22 DETECTIVE HANCOCK: Have you met Joe?

23 MS. GUTIERREZ: I have not. But him and my
24 dad are pretty good friends.

25 DETECTIVE HANCOCK: Okay.

1 MS. GUTIERREZ: Yeah.

2 DETECTIVE HANCOCK: All right. So as far
3 as ammo goes, who has access?

4 MS. GUTIERREZ: They stay -- they stay in
5 the truck. Like I'm, you know, the only thing that's
6 in the safe is the guns so, yeah, I'm pretty much -- I
7 don't know if they lock the prop truck at night or what
8 happened with that but, yeah, so pretty much just me,
9 Nicole, Sarah, and the first week we did share that
10 prop truck with locations.

11 DETECTIVE HANCOCK: Okay.

12 MS. GUTIERREZ: But other than that, the
13 prop truck, you know, would kind of be open most days,
14 just because we're running in and out of there and
15 sometimes, you know, ammo is underneath on our cart
16 just chilling there, usually.

17 DETECTIVE HANCOCK: Like on the floor of
18 the truck?

19 MS. GUTIERREZ: On the box -- no.

20 DETECTIVE HANCOCK: Or on --

21 MS. GUTIERREZ: On the cart.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: Yeah.

24 DETECTIVE HANCOCK: On the second shelf?

25 MS. GUTIERREZ: Yes. Yeah.

1 DETECTIVE HANCOCK: Okay.

2 MS. GUTIERREZ: I usually try to keep it
3 down there.

4 DETECTIVE HANCOCK: So all the ammo is
5 pretty much out in the open?

6 MS. GUTIERREZ: Yeah.

7 DETECTIVE HANCOCK: I mean --

8 MS. GUTIERREZ: Yeah. Unless it wasn't
9 like taken out directly of the boxes or anything, then,
10 yeah, the ones that are out there are out in the open
11 pretty much regularly.

12 DETECTIVE HANCOCK: Okay. And they never
13 get locked up in a safe?

14 MS. GUTIERREZ: No.

15 DETECTIVE HANCOCK: Okay. Were all the
16 guns provided by Seth?

17 MS. GUTIERREZ: Yes.

18 DETECTIVE HANCOCK: And who has access to
19 the guns?

20 MS. GUTIERREZ: Sarah and I and I believe
21 Nicole kind of knew the -- the code, but I don't think
22 she remembered it most of the time.

23 DETECTIVE HANCOCK: Okay.

24 MS. GUTIERREZ: Yeah.

25 DETECTIVE HANCOCK: Did she ever remove the

1 gun from the guns from the safe?

2 MS. GUTIERREZ: I had her put them away
3 sometimes.

4 DETECTIVE HANCOCK: Okay.

5 MS. GUTIERREZ: Mostly just because I
6 couldn't leave set.

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: Yeah.

9 DETECTIVE HANCOCK: And does anybody watch
10 her do that?

11 MS. GUTIERREZ: No, not really.

12 DETECTIVE HANCOCK: Is she allowed to?

13 MS. GUTIERREZ: Mostly somebody has to lock
14 them up, and they shouldn't be on set so, you know,
15 Sarah or I would give her permission to go over there
16 and just put them in there.

17 DETECTIVE HANCOCK: Okay.

18 MS. GUTIERREZ: Yeah.

19 DETECTIVE HANCOCK: But that's something
20 that you guys are allowed to do is give someone else
21 permission to do that?

22 MS. GUTIERREZ: I would think for a prop
23 assistant, yeah.

24 DETECTIVE HANCOCK: Okay.

25 MS. GUTIERREZ: She only put them away

1 ever.

2 DETECTIVE HANCOCK: So who all has the
3 ability to lock the safe?

4 MS. GUTIERREZ: I mean, anyone that has
5 arms that can close it, you know.

6 DETECTIVE HANCOCK: With that, you don't
7 have to punch in the code again to lock it?

8 MS. GUTIERREZ: No.

9 DETECTIVE HANCOCK: So you turn the knob
10 and it's set?

11 MS. GUTIERREZ: Yeah.

12 DETECTIVE HANCOCK: Okay. What about the
13 truck, who had the ability to lock the truck?

14 MS. GUTIERREZ: You know, none of us locked
15 the truck ever.

16 DETECTIVE HANCOCK: Okay.

17 MS. GUTIERREZ: We figured that's kind of
18 like a transpo's job. And we don't have locks for the
19 trucks normally. I know some prop masters lock up
20 their own trucks, but, yeah, not really sure. We kind
21 of just closed ours up every day.

22 DETECTIVE HANCOCK: Okay. Do you know --

23 MS. GUTIERREZ: I don't know if transpo
24 locked it.

25 DETECTIVE HANCOCK: Okay. Do you know who

1 was in charge of that truck?

2 MS. GUTIERREZ: Not specifically.

3 DETECTIVE HANCOCK: Okay.

4 MS. GUTIERREZ: I don't remember his name.

5 DETECTIVE HANCOCK: It was a male, though?

6 MS. GUTIERREZ: Yeah.

7 DETECTIVE HANCOCK: Can you describe him?

8 MS. GUTIERREZ: He was a sweet, old,
9 Hispanic man with a nice mustache.

10 DETECTIVE HANCOCK: Okay.

11 DETECTIVE: Uh-huh.

12 DETECTIVE HANCOCK: Heavyset? Mid-weight?

13 MS. GUTIERREZ: Mid-weight.

14 DETECTIVE HANCOCK: And he was the one
15 primarily in charge of that truck?

16 MS. GUTIERREZ: Towards like the second
17 week, yeah. Before that, we kind of just had random
18 people moving it and then, eventually, he got assigned
19 to us pretty much.

20 DETECTIVE HANCOCK: Okay.

21 MS. GUTIERREZ: Yeah.

22 DETECTIVE HANCOCK: In the morning, when
23 you got there, was it ever locked up?

24 MS. GUTIERREZ: No.

25 DETECTIVE HANCOCK: Okay. So you just walk

1 in --

2 MS. GUTIERREZ: Walked in and pulled the
3 handle.

4 DETECTIVE HANCOCK: Okay. What about the
5 back of it, I know it's got one of those big --

6 MS. GUTIERREZ: Yeah. That's what we
7 normally did. Yeah. We just closed up to side, and we
8 would unlock the handle. We figured it was usual
9 getting watched by security.

10 DETECTIVE HANCOCK: Do they just have
11 security and it's okay if you don't know. But do they
12 just have security at that front gate there? Or do
13 they have --

14 MS. GUTIERREZ: I know that I've seen some
15 security around other parts of set like just in a car
16 but that was mostly after the incident and everything
17 and it was just a car near the church.

18 DETECTIVE HANCOCK: Okay.

19 MS. GUTIERREZ: So that's really all I know
20 about the security measures.

21 DETECTIVE HANCOCK: All right. So you'd
22 say as far as ammo goes, it is common to have it
23 outside of that safe?

24 MS. GUTIERREZ: Yeah. No. It's -- it's
25 super common to have it outside of the safe.

1 DETECTIVE HANCOCK: Okay. Who loads the
2 ammo into the guns?

3 MS. GUTIERREZ: Me and Sarah.

4 DETECTIVE HANCOCK: Okay. You both load
5 them?

6 MS. GUTIERREZ: Yeah.

7 DETECTIVE HANCOCK: And who loads ammo into
8 like the bandoleers or the belts and --

9 MS. GUTIERREZ: That's me and Sarah again.
10 I think Nicole helped us a couple of times shaking
11 them.

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: Yeah.

14 DETECTIVE HANCOCK: Did she ever like
15 actually load them? Or did she just --

16 MS. GUTIERREZ: Into the --

17 DETECTIVE HANCOCK: -- shake them and say,
18 they're good?

19 MS. GUTIERREZ: She would shake them and
20 put them into the belt with me.

21 DETECTIVE HANCOCK: Okay.

22 MS. GUTIERREZ: Yeah.

23 DETECTIVE HANCOCK: Do you know how
24 often -- or should I say when did you guys put the ammo
25 in the bandoleers?

1 MS. GUTIERREZ: A lot of them already had
2 it in there. So from the last Nick Cage set and
3 everything so they'll check those ones out and
4 everything but we, of course, had a couple more that we
5 had to like switch around and everything.

6 So mostly, the whole first week, we were
7 switching them around and then after that we did have a
8 couple more characters come in with different, you
9 know, waist sizes, so we would have to like put them in
10 other belts, too.

11 DETECTIVE HANCOCK: So some of these belts
12 already had rounds in them?

13 MS. GUTIERREZ: Yeah.

14 DETECTIVE HANCOCK: Okay. Do you remember
15 which ones?

16 MS. GUTIERREZ: No. They're mostly --
17 yeah. They mostly got switched around a lot and a lot
18 of them fall out pretty regularly out of the --

19 DETECTIVE HANCOCK: With the rounds in
20 them?

21 MS. GUTIERREZ: Yeah. The dummy rounds
22 would fall out sometimes just because when they're
23 riding the horses, they jiggle out.

24 DETECTIVE HANCOCK: Okay.

25 MS. GUTIERREZ: They regularly have to put

1 more in them.

2 DETECTIVE HANCOCK: So since some of this
3 ammo came from another production, was the ammo,
4 themselves, ever checked?

5 MS. GUTIERREZ: Yeah.

6 DETECTIVE HANCOCK: So you guys physically
7 removed them from the belt?

8 MS. GUTIERREZ: Yeah.

9 DETECTIVE HANCOCK: And checked them?

10 MS. GUTIERREZ: Yes.

11 DETECTIVE HANCOCK: Okay. And who all did
12 the checking?

13 MS. GUTIERREZ: That was me. That was
14 involved in the two boxes that I did.

15 DETECTIVE HANCOCK: At the beginning?

16 MS. GUTIERREZ: Yes.

17 DETECTIVE HANCOCK: All right. So when
18 ammo's not being used then, does it ever go back in a
19 box? Does it stay?

20 MS. GUTIERREZ: When ammo's not being used,
21 if it's about to be used, it's there on the bottom of
22 the cart. Like if we're gonna get into it later that
23 day, we don't really have time to run back to the truck
24 so we usually keep it right there if we're shooting
25 that day.

1 If we're not shooting that day, it doesn't
2 really come on set. I'll usually bring like maybe a
3 box of quarter loads just in case they randomly decide
4 that they want to shoot something because they'll
5 change their minds last minute and then you have to be
6 prepared for that.

7 DETECTIVE HANCOCK: Who is "they"?

8 MS. GUTIERREZ: Directors, actors, whoever
9 just like feels like, maybe I should be shooting right
10 now kind of.

11 DETECTIVE HANCOCK: Okay. So when you go
12 to unload the belts or the guns or anything of the
13 sort, does it go back in a box?

14 MS. GUTIERREZ: The belts?

15 DETECTIVE HANCOCK: The ammo?

16 MS. GUTIERREZ: Like we -- we don't ever
17 take -- once the -- once the -- the dummies are on the
18 belt, they stay on the belt and the belts just get hung
19 in the prop truck.

20 DETECTIVE HANCOCK: Okay.

21 MS. GUTIERREZ: Like, yeah. And then for
22 the guns and everything, yeah, we take all the dummies
23 out. If it's dummied up and then, of course, we take
24 the blanks out, too.

25 DETECTIVE HANCOCK: And -- but where do

1 they go?

2 MS. GUTIERREZ: They go back in a box.

3 DETECTIVE HANCOCK: Okay.

4 MS. GUTIERREZ: Or sometimes the dummies
5 they'll go on the cart, on the top of the cart.

6 DETECTIVE HANCOCK: Okay. So would you say
7 the ammo's ever mixed?

8 MS. GUTIERREZ: The dummies and the blanks?

9 DETECTIVE HANCOCK: Or just, you know,
10 various kinds of dummies.

11 MS. GUTIERREZ: Well, various kinds of
12 dummies, yeah. Like I told you all, dummies are kind
13 of weird and individual in their own way pretty much.
14 So, yeah, they were mixed pretty regularly.

15 DETECTIVE HANCOCK: Okay. So it's not
16 like, you know, I say, hey, I take these rounds out of
17 here and they have to go back in that specific box
18 because these are --

19 MS. GUTIERREZ: No. They just go in a
20 dummy box.

21 DETECTIVE HANCOCK: Okay.

22 MS. GUTIERREZ: In a box of dummies.

23 DETECTIVE HANCOCK: So are actors or crew
24 members on set, are they advised to self-inspect
25 weapons?

1 MS. GUTIERREZ: I'm not really sure. I --
2 well, most of the time when they tell me like I'll go
3 up to them and I'll like here. And I show them it's
4 clear. They'll be like it's okay. I trust you. I say
5 don't trust me. You know, go ahead and always check
6 for yourself.

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: But --

9 DETECTIVE HANCOCK: Maybe not fired to
10 self-check?

11 MS. GUTIERREZ: No, not really.

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: But I do -- I do show them
14 every time before I hand them off to them.

15 DETECTIVE HANCOCK: All right.

16 MS. GUTIERREZ: Show them that the gun's
17 clear.

18 DETECTIVE HANCOCK: Have you seen any of
19 them do their own safety checks?

20 MS. GUTIERREZ: Yes.

21 DETECTIVE HANCOCK: Okay.

22 MS. GUTIERREZ: Yeah. Jensen does his own
23 safety checks, Travis does his own safety checks,
24 Travis Fimmel. Devin was getting into doing his own
25 safety checks because I had taught him how to do it so

1 he was kind of getting better at that.

2 DETECTIVE HANCOCK: What would they do to
3 do these checks?

4 MS. GUTIERREZ: Pull the hammer back to
5 half cock, spin it around, and close it.

6 DETECTIVE HANCOCK: Okay.

7 MS. GUTIERREZ: Yeah.

8 DETECTIVE HANCOCK: So not pulling the
9 rounds out, checking them themselves?

10 MS. GUTIERREZ: No, not really.

11 DETECTIVE HANCOCK: Okay. Has it ever been
12 common practice for actors to do?

13 MS. GUTIERREZ: I'm not really too sure.

14 DETECTIVE HANCOCK: What about on your last
15 production, did they ever do their own?

16 MS. GUTIERREZ: Nick Cage definitely did
17 not. He barely really cared to train with the gun at
18 all. A lot of actors sometimes will barely care to
19 train with the gun at all and think that they'll just
20 do it on the day. And that -- yeah, no. Not a lot of
21 them take it out and check them.

22 DETECTIVE HANCOCK: Okay. When you or
23 somebody gives a gun to an actor, do you tell them
24 like, hey, these are the rounds that are in this gun?
25 Like -- do you tell them it's hot or cold? And then

1 what kind of ammo's in the gun?

2 MS. GUTIERREZ: I'm sorry. Can you repeat
3 that question?

4 DETECTIVE HANCOCK: Yeah. So --

5 MS. GUTIERREZ: I tell them -- I tell
6 them -- all right. So this is a clear gun. If there's
7 no dummies in it, right? If it's dummied up, I show
8 them, and I say this is dummied up and usually I have
9 the dummies that have no primer cap. And then so I'll
10 show them that and then if it's hot, I'll tell them
11 it's hot and I'll tell them four quarter loads or four
12 eighth loads or --

13 DETECTIVE HANCOCK: Whatever is in the gun?

14 MS. GUTIERREZ: Yeah.

15 DETECTIVE HANCOCK: Okay.

16 MS. GUTIERREZ: And I let them know exactly
17 how many is in there, and I put it exactly to where
18 they'll shoot it and it'll go for that time.

19 DETECTIVE HANCOCK: Okay. Have you ever
20 allowed access to anyone for any of these firearms?

21 MS. GUTIERREZ: No. Like for using them on
22 set? Or --

23 DETECTIVE HANCOCK: For any purpose --

24 MS. GUTIERREZ: Well --

25 DETECTIVE HANCOCK: -- outside of what

1 their scope was?

2 MS. GUTIERREZ: No.

3 DETECTIVE HANCOCK: Like after hours?
4 During lunch?

5 MS. GUTIERREZ: No.

6 DETECTIVE HANCOCK: You know, days that you
7 guys weren't --

8 MS. GUTIERREZ: No. We -- me and Nicole
9 and Sarah ate lunch together pretty regularly and
10 pretty much every day except for a couple days where I
11 would sit out at another table or converse with some
12 other people. But, yeah, we all went to lunch
13 together; we all locked them up every day at lunch, and
14 we all locked them up every night.

15 And I definitely didn't go to work on my
16 weekends because why would I do that, you know?

17 DETECTIVE HANCOCK: Right.

18 MS. GUTIERREZ: I wanna be there at least
19 as possible.

20 MR. BOWLES: I get it.

21 DETECTIVE HANCOCK: Don't we all.

22 MS. GUTIERREZ: Yeah. So, yeah, last
23 weekend, I wasn't -- I was -- I'm in Denver the first
24 weekend, actually, so yeah. And then the other one I
25 was just relaxing at my hotel.

1 DETECTIVE HANCOCK: Okay. Do you spend any
2 time with anybody on the weekends?

3 MS. GUTIERREZ: Yeah. I spent some time
4 with the nice boy at the front desk at my hotel. He
5 was nice. I hung out with some crew members. We went
6 bowling one time. And other than that, I didn't really hang
7 out with people outside of set too much, and I kind of
8 went and did my own thing in Denver the week before we
9 hadn't really been there that long.

10 DETECTIVE HANCOCK: Okay. Did you go
11 out -- this just crossed my mind. Did you go out with
12 the crew one night to, I think, they said like a --
13 some brewery?

14 MS. GUTIERREZ: Yeah. Yeah. Yeah. We
15 went to the brewery downtown after bowling.

16 DETECTIVE HANCOCK: After bowling?

17 MS. GUTIERREZ: Yeah.

18 DETECTIVE HANCOCK: Okay. And that was on
19 a day off, though?

20 MS. GUTIERREZ: Yeah.

21 DETECTIVE HANCOCK: Did you have work the
22 next day?

23 MS. GUTIERREZ: No. That was on a Monday.
24 We worked -- we -- we had Monday, Tuesday off.

25 DETECTIVE HANCOCK: Okay. Do you remember

1 which Monday it was?

2 MS. GUTIERREZ: It was the last Monday
3 before the incident.

4 DETECTIVE HANCOCK: Okay.

5 MS. GUTIERREZ: So the 20th was the
6 incident, I believe, on Wednesday.

7 MR. BOWLES: Twenty-first.

8 MS. GUTIERREZ: Twenty-first. So --

9 DETECTIVE HANCOCK: So the 11th?

10 MS. GUTIERREZ: Monday --

11 DETECTIVE HANCOCK: Columbus Day is a
12 holiday.

13 MR. BOWLES: Would that be the 18th?

14 MS. GUTIERREZ: No. Yeah. It would be the
15 -- it would be the 18th.

16 DETECTIVE HANCOCK: Okay. So you were off
17 that Monday and Tuesday?

18 MS. GUTIERREZ: Yeah.

19 DETECTIVE HANCOCK: And then we're back on
20 Wednesday?

21 MS. GUTIERREZ: Yeah.

22 DETECTIVE HANCOCK: Okay. Have you,
23 yourself, and not just on this set but have you ever
24 encountered a defective blank? Or --

25 MS. GUTIERREZ: A defective dummy?

1 DETECTIVE HANCOCK: Yeah.

2 MS. GUTIERREZ: So, you know, I've had a
3 couple of blanks that haven't gone off, you know. But
4 usually that's because the actor doesn't pull the
5 hammer all the way back and so it'll just be at half
6 cock, and so when they shoot it, it won't ignite it.
7 And I usually just say like, oh, it was a misfire to
8 kind of save the actor's face a little bit in that
9 case.

10 DETECTIVE HANCOCK: Uh-huh.

11 MS. GUTIERREZ: And then for -- in terms of
12 bad dummies, I had never experienced a bad dummy.

13 DETECTIVE HANCOCK: Okay. So what's your
14 standard protocol like if one of them's defective?

15 MS. GUTIERREZ: The dummies or the blanks?

16 DETECTIVE HANCOCK: Either one. Okay.

17 MS. GUTIERREZ: So if the blanks are
18 defective, you know, usually I'll just take them, I'll
19 set them in my pocket. I'll save them for later and
20 then if I'm curious enough, I'll just go ahead and like
21 shoot them and be like, okay. Yeah. They didn't pull
22 the hammer all the way back.

23 Or if the -- if the dummies were defective,
24 I guess, I would put them in my pocket and just save
25 them to later and check them out.

1 DETECTIVE HANCOCK: Okay. Have you ever in
2 your history working encountered live rounds on set?

3 MS. GUTIERREZ: Never.

4 DETECTIVE HANCOCK: Okay. And how do you
5 know that?

6 MS. GUTIERREZ: Because every dummy I've
7 ever shaken has been a dummy and the other ones have
8 holes in the side and I've never experienced the round
9 that looked like a dummy and behaved like a blank or
10 anything so, yeah. I am shaking all of them most of
11 the time.

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: So --

14 DETECTIVE HANCOCK: And then I know you've
15 said this a million times but just do me a favor, go
16 over each round and then how the rounds work.

17 MS. GUTIERREZ: Each round of blanks?

18 DETECTIVE HANCOCK: And dummies.

19 MS. GUTIERREZ: Okay.

20 DETECTIVE HANCOCK: So I know that there's
21 like obviously a couple different kinds of dummies.

22 MS. GUTIERREZ: All right. Yeah. Okay.

23 DETECTIVE HANCOCK: You don't have to go
24 into like --

25 MS. GUTIERREZ: No, that's okay.

1 DETECTIVE HANCOCK: -- the specific caliber
2 or anything of the sort but just --

3 MS. GUTIERREZ: Okay. It's -- all right.
4 So a lot of dummies, the ones with primer caps, those
5 ones mostly go in the belts and everything. A lot of
6 the primer caps are punctured most of the time, you
7 know, because they get hit while they're in the gun.
8 So those will go in the gun sometimes.

9 If I don't have the other ones. There are
10 some with holes in the side that also still have the
11 primer caps and everything. And then there's the ones
12 with no primer caps and there's no -- and there's a
13 hole in the side sometimes, too, with those and
14 sometimes there's not.

15 And mostly, I like to put the ones with no
16 primer caps into the guns, you know, just to make
17 everyone feel safe. And then for the other ones, those
18 go in the belts, you know, and the ones that have the
19 primer cap and the holes inside are good for both,
20 really.

21 DETECTIVE HANCOCK: Okay. And then --

22 MS. GUTIERREZ: And then for all the
23 loads -- yeah.

24 DETECTIVE HANCOCK: All right. So for all
25 the blanks, all the quarters?

1 MS. GUTIERREZ: So there's eighth loads.
2 Those are the super, quietest ones, and I just worked
3 with Ryan Armstrong that little 11-year-old on the Old
4 Way, and I had her use those.

5 So, essentially, if it's someone that's
6 really young and new with the guns, I'll make sure that
7 they're the smallest load possible, which is an eighth.

8 Some horses require eighth loads. Most of
9 the time, I'll put horse feed -- I'll put the box, and
10 I'll put horsey rounds on them in my own handwriting so
11 that way I know.

12 DETECTIVE HANCOCK: And are those the
13 eighths?

14 MS. GUTIERREZ: Yeah. Those are the
15 eighths and then sometimes, you know, I will -- if it's
16 super close proximity and inside eighths, too, but
17 quarters also work for inside proximities that are
18 close.

19 And then on top of that, for the quarters
20 around kids, around horses, too, that's like the last
21 size pretty much allowed and then we did the half loads
22 if it's going into like a rifle or for outside like we
23 did a lot of half loads on the show because a lot of it
24 was outside.

25 And then for the full loads, it's very rare

1 still that I use a full load and that's like an actor's
2 just really weird and wants it. Alec only wanted to
3 train with full loads because he wanted it to look
4 realistic.

5 DETECTIVE HANCOCK: Uh-huh.

6 MS. GUTIERREZ: And most of the time, I'll
7 use full loads if it's a really big gun like a trapdoor
8 or something. A trapdoor rifle. You -- that would
9 have a lot of smoke coming out of it, so you want to
10 make sure it looks realistic.

11 DETECTIVE HANCOCK: Okay. Were all of
12 these used for Rust?

13 MS. GUTIERREZ: Those were used for Rust, I
14 know my eighths were used for Rust, quarters were used
15 for Rust, and halves were used for Rust. Yeah.

16 DETECTIVE HANCOCK: Okay.

17 MS. GUTIERREZ: So it was really a variety
18 and just depending on the situation.

19 DETECTIVE HANCOCK: Okay. And then is
20 anyone allowed to bring their personal firearms on the
21 set?

22 MS. GUTIERREZ: No.

23 DETECTIVE HANCOCK: Did you see anybody
24 bring personal firearms?

25 MS. GUTIERREZ: No.

1 DETECTIVE HANCOCK: And did you ever see
2 anyone bring ammo?

3 MS. GUTIERREZ: No.

4 DETECTIVE HANCOCK: Okay. Did anybody ask
5 you about going target shooting?

6 MS. GUTIERREZ: Yeah. The -- the -- the
7 wranglers made a joke about it one time to me. And I
8 said, something to the effects of, well, you can try;
9 you don't have the ammo.

10 DETECTIVE HANCOCK: Okay. What did they
11 say, do you remember?

12 MS. GUTIERREZ: Not really. I don't really
13 remember what they said, but they insinuated about
14 shooting actual rounds?

15 DETECTIVE HANCOCK: Yeah. Okay.

16 MS. GUTIERREZ: Yeah. I think that they
17 were joking, though.

18 DETECTIVE HANCOCK: Okay.

19 MS. GUTIERREZ: A lot of boys on set will
20 be like, oh, my god, can we go shoot the guns? It's
21 just, yeah --

22 DETECTIVE HANCOCK: But no one pressured
23 you into --

24 MS. GUTIERREZ: No. No one ever seriously
25 pressured me into it.

1 DETECTIVE HANCOCK: Oh, what about Sarah?

2 MS. GUTIERREZ: What about Sarah?

3 DETECTIVE HANCOCK: Did -- did she ever
4 mention anything about --

5 MS. GUTIERREZ: Shooting? No.

6 DETECTIVE HANCOCK: Okay.

7 MS. GUTIERREZ: Sarah -- yeah. No. She
8 never mentioned anything about shooting, and we left
9 every day at the same time and pretty much got there
10 just around a little after each other.

11 DETECTIVE HANCOCK: Okay. So as far as
12 safety protocols on set, do you recall any sort of
13 safety protocols during the time of the production?

14 MS. GUTIERREZ: We had a couple of safety
15 meetings. A lot of days we did not, which normally,
16 it's typical any time that there's firearms or live
17 animals on set or open flame, you do a safety meeting.
18 So a lot of those days, we did not have a safety
19 meeting. Other than that --

20 DETECTIVE HANCOCK: Who hosted them?

21 MS. GUTIERREZ: Huh?

22 DETECTIVE HANCOCK: Who hosted those safety
23 meetings?

24 MS. GUTIERREZ: Dave.

25 DETECTIVE HANCOCK: Okay.

1 MS. GUTIERREZ: Yeah.

2 DETECTIVE HANCOCK: Do you remember what
3 they were about?

4 MS. GUTIERREZ: Guns. The guns and
5 everything. We also said, you know, because actors
6 will leave guns around sometimes. They'll forget them.
7 So we always tell people, you know, like don't ever
8 touch a gun if you see it. You know, because Jensen
9 totally left his on the snack bar one time. Yeah.

10 DETECTIVE HANCOCK: Oh.

11 MS. GUTIERREZ: Uh-huh. And we -- we found
12 out pretty promptly but --

13 DETECTIVE HANCOCK: Isn't your snack bar
14 down at base camp?

15 MS. GUTIERREZ: No.

16 DETECTIVE HANCOCK: Where was it?

17 MS. GUTIERREZ: It's on set. We can't like
18 go all the way back to base --

19 DETECTIVE HANCOCK: Okay.

20 MS. GUTIERREZ: -- for a snack.

21 DETECTIVE HANCOCK: Well, so I was like --

22 MS. GUTIERREZ: No. I thought -- I think
23 you're thinking of the cafeteria.

24 DETECTIVE HANCOCK: Yeah.

25 MS. GUTIERREZ: Yeah. No. We have crafty

1 on set, really close to set most of the time.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: Yeah.

4 DETECTIVE HANCOCK: I was like, oh, that
5 would be interesting. I'm talking about the snack bar
6 like the little like trailer that has all the --

7 MS. GUTIERREZ: No. It's crafty. It's a
8 table on set like --like nutritious bars on it.

9 DETECTIVE HANCOCK: My favorite part of
10 getting to work movies sets and --

11 MS. GUTIERREZ: Oh, yeah.

12 DETECTIVE HANCOCK: -- where they have like
13 a little --

14 MS. GUTIERREZ: I love when they have the
15 trailer, yeah. Those are the legit ones. This one was
16 like stupid cheap. Yeah. They would barely let her
17 make soups for us. They barely let her make soups for
18 us, and she had to fight hard for the soup.

19 MR. BOWLES: Jeez.

20 MS. GUTIERREZ: I called Becca the soup
21 angel. She fought hard for those soups.

22 DETECTIVE HANCOCK: Did you ever see safety
23 bulletins?

24 MS. GUTIERREZ: Where would they be posted,
25 I wonder? You know, sometimes they would put some

1 things in the call sheet, you know, like some safety
2 bulletins and everything.

3 DETECTIVE HANCOCK: Do you remember what
4 they said?

5 MS. GUTIERREZ: I think they would pertain
6 to COVID. They would pertain to, you know, like
7 firearms on set, they would pertain to live animals.
8 Yeah. It's usually kind of like in red on the call
9 sheets.

10 DETECTIVE HANCOCK: Okay.

11 MS. GUTIERREZ: Other than that, they would
12 sometimes send an email like put it in red and like
13 anything you needed to know about the day.

14 DETECTIVE HANCOCK: Do you still have those
15 emails?

16 MS. GUTIERREZ: I have -- I think I might
17 have some of those emails still.

18 DETECTIVE HANCOCK: Okay.

19 MS. GUTIERREZ: Yeah.

20 DETECTIVE HANCOCK: Do you want to
21 grab those?

22 MR. BOWLES: Yes. I'll get those to you.

23 DETECTIVE HANCOCK: Because --

24 MR. BOWLES: Sure.

25 MS. GUTIERREZ: Uh-huh.

1 DETECTIVE HANCOCK: -- that's, you know,
2 obviously --

3 MS. GUTIERREZ: Yeah.

4 MR. BOWLES: Yeah.

5 DETECTIVE HANCOCK: -- a big -- who
6 distributes -- you guys would get call sheets the night
7 before, right?

8 MS. GUTIERREZ: Yeah. Tim -- Tim Barrera
9 usually sent them out.

10 DETECTIVE HANCOCK: Okay.

11 MS. GUTIERREZ: Yeah.

12 DETECTIVE HANCOCK: What is his position?

13 MS. GUTIERREZ: He is also an assistant
14 director, but he's more of the type where he is never
15 on set and his only job is sitting in the office and
16 creating these schedules and doing all the paperwork.

17 DETECTIVE HANCOCK: So he's normally out?

18 MS. GUTIERREZ: Yeah. He's normally never
19 on set that poor boy.

20 DETECTIVE HANCOCK: All right. Who would
21 you say is in charge of the safety meetings that were
22 being held?

23 MS. GUTIERREZ: Dave and then the first
24 time we did it, he let me speak. Yeah. And I told
25 people, you know, like these are regular weapons we

1 have onset. Don't stand in front of them, don't point
2 them at anybody.

3 And then after that, the only other one we
4 had was the day of and Dave kind of just covered most
5 of that.

6 DETECTIVE HANCOCK: Okay. Do you remember
7 what he talked about the day?

8 MS. GUTIERREZ: No. He probably -- he just
9 told everybody like, you know, we do have like blanks
10 on set. We are going to have a lot of gunfire today.
11 Real guns on set, no one touch them, you know.

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: Things like that and also
14 things about the horses he told.

15 DETECTIVE HANCOCK: When did you host a
16 safety meeting?

17 MS. GUTIERREZ: I never hosted one all by
18 myself.

19 DETECTIVE HANCOCK: Okay. Well, you said
20 that he let you do one, though?

21 MS. GUTIERREZ: He let me -- he let me hop
22 in on his.

23 DETECTIVE HANCOCK: Okay.

24 MS. GUTIERREZ: Yeah. He said, Hannah, do
25 you have anything else to add? And I said, yeah. And

1 I said let's be safe. You know, like no one be
2 standing in the way of these things and just like don't
3 be -- if it's pointing in that direction, don't stand
4 in front of it.

5 DETECTIVE HANCOCK: Okay. Do you remember
6 what day that was, though?

7 MS. GUTIERREZ: That was the first day we
8 had gunfire on set, which I believe was the second day
9 that we started on set. Tell me --

10 DETECTIVE HANCOCK: Okay.

11 MS. GUTIERREZ: So, yeah --

12 DETECTIVE HANCOCK: So what do you teach
13 actors or crew members when it comes to gun safety?

14 MS. GUTIERREZ: So it really also depends
15 on the actors, too. You know, like big ones like Nick
16 Cage, if they tell me if -- or if they tell the
17 director like, you know, that they don't really care to
18 do it, I can try to teach them for the most part but
19 like a lot of the times they might not even listen to
20 me or really pay attention or be on their phone.

21 Alec was on his phone a lot of that entire
22 thing but for the most part, they put me in training
23 this time. It was pretty irregular how I trained
24 actors this time. This time, they put nine people all
25 together in one day.

1 DETECTIVE HANCOCK: Okay.

2 MS. GUTIERREZ: That I was supposed to
3 train. And during this time, they put a ton of
4 producers right there. Normally, I train the actors
5 one on one. It makes them feel comfortable. It allows
6 them to not be distracted and everything. And this
7 time, they had me training three people at once and a
8 ton of producers behind me, the director is there, too.
9 The producers are talking to the actors. The actors
10 were distracted even, too.

11 And I tried my best to work with all three
12 of them. I worked with Jensen. You could probably see
13 a video of him saying like, she showed me like this is
14 how you check it. You know, this is how we make sure
15 it's safe. So I try to do that standard same thing
16 every time, show them how to check their own gun and
17 show them how to make sure it's safe.

18 And then I always talk -- I have them draw
19 it a few times, you know, with nothing in there, make
20 sure that they have the draw down. Usually a little
21 before that, I'll have them like just fire off a couple
22 of quarter loads, you know, so they can get the idea of
23 not drawing it from their thing but just holding it and
24 firing it so they can get -- so they can understand
25 what they're going to be doing.

1 DETECTIVE HANCOCK: Okay.

2 MS. GUTIERREZ: And then after that, we
3 work on the actions that they're going to specifically
4 do. So, you know, if I know that they have a scene in
5 everything, we kind of talk it out together and like
6 how they would: One, pull it out, what they could do,
7 you know, how not to let it fall on the ground, how not
8 to like let rocks get inside of it. Yeah.

9 DETECTIVE HANCOCK: Makes sense.

10 MS. GUTIERREZ: Uh-huh.

11 DETECTIVE HANCOCK: What about safety
12 rules, do you advise them any of those?

13 MS. GUTIERREZ: Safety rules, such as? I
14 tell them all the time not to point them at each other.
15 That's my biggest one. And I always say to everyone in
16 front of them, I'm like, if you don't have to be here,
17 don't be here. You know, other than that safety-wise,
18 I tell them to keep their finger out of the trigger
19 guard unless they're ready to shoot because that's how
20 a lot of accidental discharges will happen and that's
21 just what my dad's told me, at least.

22 So I always try to advise them to keep
23 their finger out of the trigger guard, and yeah.

24 DETECTIVE HANCOCK: Okay. Besides you,
25 were there any other trained armorers on the set?

1 MS. GUTIERREZ: Sarah was kind of trained
2 by Seth. Yeah. I believe Sarah did a show before, and
3 I think that there were two guns involved in the show
4 and Seth had trained her personally for that.

5 DETECTIVE HANCOCK: Okay.

6 MS. GUTIERREZ: And then I also kind of
7 showed her what to do at the beginning of it to make
8 sure that she wouldn't have an accidental discharge,
9 but she still did so --

10 DETECTIVE HANCOCK: Yeah. So before any
11 gun scene, even just like rehearsal or filming or
12 anything of the sort, did they do a brief?

13 MS. GUTIERREZ: You know, sometimes --
14 sometimes they would have time to like really go into
15 it and everything and like kind of, you know, work out
16 the action. Sometimes they would do like an overall
17 one. You know, where they kind of just say, like,
18 bang, bang, bang, bang. So we did have some rehearsals
19 sometimes. You know, there wasn't always rehearsals.

20 DETECTIVE HANCOCK: Okay.

21 MS. GUTIERREZ: So from them, yeah, we
22 totally had like rehearsals, usually the big ones, and
23 we just kind of had people go bang, bang, bang, bang.

24 DETECTIVE HANCOCK: All right. As far as
25 so what it's been referred to me is the show-and-tell

1 day where you brought out --

2 MS. GUTIERREZ: Yeah.

3 DETECTIVE HANCOCK: -- pretty much
4 everything, right?

5 MS. GUTIERREZ: Yeah. We brought out every
6 gun that we had that Seth gave to us and the director
7 really just wanted a lot of options for people,
8 especially because there are so many big names on this.

9 So he wanted to be sure that all the actors
10 knew that it was possible for them to switch around
11 their guns and not just because we had thought that
12 they would look good with that gun doesn't mean that
13 they were stuck with it.

14 DETECTIVE HANCOCK: Okay. Can you go into
15 a little bit more detail about how this day played out
16 like where did you guys set up this table?

17 MS. GUTIERREZ: Okay.

18 DETECTIVE HANCOCK: And --

19 MS. GUTIERREZ: Yeah. So the day we put
20 out, we go to the edge of the town and everything away
21 from all the people working on the other side, they set
22 up a table, they set up a easy up for us and the prop
23 truck was coming later that day so that was finally the
24 first day that we got to get the prop truck going.

25 I brought a gun safe in my tiny Hyundai,

1 fit it in there, and so I had that with me, right next
2 to us. And I kept all the ammunition in my trunk and
3 everything and I kept -- and Sarah had all of the guns
4 in her trunk. And so we took all those guns out of the
5 trunk, and we put them on the table. We had two
6 tables. So we had two tables filled with long rifles,
7 short guns, a lot of guns.

8 DETECTIVE HANCOCK: Okay.

9 MS. GUTIERREZ: And then also once the
10 show-and-tell was over, Joel was pretty cool. He was
11 happy with everything. After that was over, he stuck
12 around and then like I think the first couple of actors
13 showed up for training and everything because I
14 remember they said like okay, you're going to have like
15 three at this time and like three here and three there
16 and I was like all right. Like that's kind of
17 manageable.

18 And it is kind of manageable, you know, and
19 it's definitely I've worked with two at a time before.
20 Three is manageable, but like also then all of a sudden
21 with the actors, all these producers came like a ton of
22 producers and so the producers are just kind of behind
23 us the whole time, the guns are out there.

24 We put a lot of them away that we didn't
25 need for the training that day so Sarah put a lot of

1 those away, and we just kept those in my car because I
2 had the safe, and ultimately, I was going to put them
3 in the safe at the end of the day.

4 And then so the actors came, we started
5 training and everything and then all of a sudden, a
6 producer just like jumps into the training because I
7 guess he was also firing but they didn't schedule him
8 for me. So at one point, I was training four people at
9 one time, which is a little chaotic. Yeah. So from
10 there --

11 DETECTIVE HANCOCK: So one of them --
12 sorry. But when you had them all out on the table, how
13 many people would you say were there like max at a time
14 that were --

15 MS. GUTIERREZ: Probably 10.

16 DETECTIVE HANCOCK: -- messing --

17 MS. GUTIERREZ: Ten and like not everyone
18 was really allowed to mess with them.

19 DETECTIVE HANCOCK: Uh-huh.

20 MS. GUTIERREZ: You know, like a couple
21 producers like would ask if they could touch them.
22 Ultimately, I always get pissed at people if they touch
23 them without my permission.

24 DETECTIVE HANCOCK: Okay.

25 MS. GUTIERREZ: Joel I let do that. You

1 know, Joel is the director. He can touch them. But,
2 yeah, other than that, most people were there and most
3 people would be like -- wouldn't even ask to touch
4 them. Yeah. We had like 10 producers were there.

5 DETECTIVE HANCOCK: Okay.

6 MS. GUTIERREZ: And the -- Gabby and Row
7 were there at the beginning, and, eventually, like they
8 left with kind of everything.

9 DETECTIVE HANCOCK: Okay. How many actors
10 --

11 MS. GUTIERREZ: And then like towards the
12 ends of --

13 DETECTIVE HANCOCK: -- do you train?

14 MS. GUTIERREZ: So at the beginning of the
15 day, I was supposed to train six and then I had an
16 hour-long break, you know. And I think I was there
17 from like 9:00 to like 2:00 or 8 to -- yeah, 9:00 to
18 2:00 just training actors pretty much the entire time
19 and doing the show and tell.

20 And then so I trained six of them then and
21 then plus that producer that they throw in there
22 randomly.

23 DETECTIVE HANCOCK: Uh-huh.

24 MS. GUTIERREZ: And then after that an hour
25 went by, and I trained Devin and I trained Miller.

1 And, yeah, and the last guy didn't show up.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: Yeah.

4 DETECTIVE HANCOCK: Who was the producer
5 that you trained?

6 MS. GUTIERREZ: Mason.

7 DETECTIVE HANCOCK: Okay. Do you remember
8 his last name?

9 MS. GUTIERREZ: No, not really. He was on
10 set a lot. He was like a nice -- nice younger one,
11 kind of.

12 DETECTIVE HANCOCK: Okay. How long would
13 you say you spent with each group training?

14 MS. GUTIERREZ: With each actor, probably
15 like 30, 20 minutes --

16 DETECTIVE HANCOCK: Okay.

17 MS. GUTIERREZ: -- or so. Yeah. Usually,
18 I like to work with the actors one-on-one and get like
19 a full 30 minutes to an hour in, you know. But that's
20 just not how it went on this one.

21 DETECTIVE HANCOCK: Who made that call?

22 MS. GUTIERREZ: Gabri -- Gabrielle.

23 DETECTIVE HANCOCK: Okay. Did she give you
24 a time limit?

25 MS. GUTIERREZ: She just put three people

1 together. Like she scheduled it like that, and she
2 said they had other things to do and had other, you
3 know, they had to go and do training with the wranglers
4 and a lot of this training was like the day before.

5 DETECTIVE HANCOCK: Day before.

6 MS. GUTIERREZ: Yeah, they're like ride a
7 horse now. And now you get to shoot a gun and like --
8 yeah.

9 DETECTIVE HANCOCK: You get to shoot a gun
10 off the horse.

11 MS. GUTIERREZ: Yeah. Honestly, safety
12 because a lot of the times they have actors start
13 working with the horses like months in advance because
14 you can grasp -- grasp the guns a little quicker than
15 like a weird living animal and all that stuff.

16 DETECTIVE HANCOCK: Yeah.

17 MS. GUTIERREZ: So, yeah, they didn't have
18 people training on horses well in advance for this
19 either, which I thought was pretty wild.

20 DETECTIVE HANCOCK: Another total off
21 subject but I was -- you know, we brought Jensen in
22 here and spoke to him, and I found out that the
23 gentleman who provided the horses for the set I used
24 to, actually, be a wrangler for him.

25 MS. GUTIERREZ: Oh, really?

1 MR. BOWLES: Oh, that's funny. Wow.

2 MS. GUTIERREZ: Isn't he so cute?

3 DETECTIVE HANCOCK: His horses are
4 terrifying.

5 MS. GUTIERREZ: Yeah. No. The horses are
6 scary. I -- I -- honestly, I was trying to get out of
7 westerns because every western I'm on, a horse almost
8 killed me.

9 DETECTIVE HANCOCK: Yeah.

10 MR. BOWLES: Wow.

11 MS. GUTIERREZ: Shit you not. Like horses
12 back up crazy. And when no one even says like not to
13 walk behind the horses, honestly. I was like, Sarah,
14 Sarah, I was like what the fuck are you doing? Like,
15 you know, I was just like the complete of lack of just
16 like, yeah.

17 DETECTIVE HANCOCK: Yeah. I used to
18 wrangle for him --

19 MS. GUTIERREZ: Yeah. And I love Al, he's
20 -- he's sweetheart, but, yeah, the horses are bad.
21 But, honestly, like it's been a long time since I've
22 been able to work with any really good horses because I
23 have been doing Independence, you know. No one can
24 afford like the good horses that Magnificent Seven had
25 back when I was there in '15?

1 DETECTIVE HANCOCK: Well, he used to do all
2 kinds of like trail rides and stuff like that, too.
3 But, I mean, he -- I know he did like -- because he
4 goes when they do trail rides, they go off the mountain
5 that a cross on it? The one at the end of --

6 MR. BOWLES: Oh, yeah.

7 DETECTIVE HANCOCK: Bonanza.

8 MR. BOWLES: Yeah.

9 DETECTIVE HANCOCK: So he used to take the
10 horses up that road.

11 MS. GUTIERREZ: Yeah.

12 DETECTIVE HANCOCK: And I just remember one
13 day, he put me on a -- on a thoroughbred that came off
14 the track in there and like she was hot.

15 MR. BOWLES: Uh-huh.

16 DETECTIVE HANCOCK: She was a hot horse.

17 MS. GUTIERREZ: Yeah.

18 MR. BOWLES: Yeah.

19 DETECTIVE HANCOCK: So he like slightly
20 drugged her up before --

21 MR. BOWLES: Oh, wow.

22 DETECTIVE HANCOCK: -- this trail ride.

23 MS. GUTIERREZ: Like I remember a couple of
24 the horses.

25 MR. BOWLES: She was --

1 DETECTIVE HANCOCK: She was off in her own
2 world; we'll just say that, yeah.

3 MR. BOWLES: Oh, man.

4 MS. GUTIERREZ: A couple of the horses got
5 loose on the -- one like made a full ass run for it.

6 MR. BOWLES: Wow.

7 MS. GUTIERREZ: -- like three times during
8 one scene. They did their best. They couldn't catch
9 it, and eventually, they started catching it but like
10 it made three good runs like right past the bathrooms,
11 and I was like, oh, my God.

12 DETECTIVE HANCOCK: No. Thank you.

13 MS. GUTIERREZ: Gonna hurt somebody.

14 DETECTIVE HANCOCK: I love horses but --

15 MS. GUTIERREZ: I don't like horses because
16 of the westerns. Westerns have made me not like
17 horses. Horses and guns just suck.

18 DETECTIVE HANCOCK: And are you a certified
19 firearms instructor?

20 MS. GUTIERREZ: I don't -- no.

21 DETECTIVE HANCOCK: Okay. Have you ever
22 taken like any courses or anything to become an
23 instructor?

24 MS. GUTIERREZ: No.

25 DETECTIVE HANCOCK: Okay.

1 MS. GUTIERREZ: Yeah. I'm not really sure
2 if that's required for the --

3 DETECTIVE HANCOCK: Yeah. And it might not
4 be. But more just, you know, of your background and --

5 MS. GUTIERREZ: Yeah.

6 DETECTIVE HANCOCK: -- your --

7 MS. GUTIERREZ: Yeah.

8 DETECTIVE HANCOCK: This kind of stuff.

9 MS. GUTIERREZ: Yeah. No, mostly just
10 trained with my dad. My dad like probably wouldn't
11 send me to go train with someone else exactly, you
12 know.

13 DETECTIVE HANCOCK: Makes sense.

14 MS. GUTIERREZ: Yeah. He is kind of the
15 industry.

16 DETECTIVE HANCOCK: So as far as the
17 accidental discharges on set, when did they occur?

18 MS. GUTIERREZ: Okay. So I think one was
19 October 17th.

20 DETECTIVE HANCOCK: Okay.

21 MS. GUTIERREZ: Those -- that actually --
22 they both occurred within 10 minutes of each other.

23 DETECTIVE HANCOCK: So they were on the
24 same day?

25 MS. GUTIERREZ: They were on the same day

1 and it was chaotic for that little bit. But, anyway,
2 so I go to the bathroom the first time I've been able
3 to step off of set. I think it's like 4:00 -- 4:00,
4 2:00, maybe 3:00 o'clock. I finally get to step off
5 set. I'm on the toilet and all of a sudden I hear some
6 screaming in my earpiece. And I'm like, what the fuck
7 is that? And then I hear Dave say, it's okay,
8 everyone. It's just a misfire.

9 And I -- I like go, what the fuck? So I
10 run out of the bathroom with my pants halfway down.
11 I'm running to set trying to figure out what happened,
12 and I walk up to set, and Sarah's like loading the guns
13 and I'm like, hey. Like how's it going? And she's all
14 like, oh, good. I was like what happened? She's like,
15 nothing really. Can you load the one in there? And I
16 say, okay. I'll go in there, and I'll load that one.
17 Because I had been loading that Henry with that -- with
18 that stuntman for quite some time now.

19 DETECTIVE HANCOCK: Okay.

20 MS. GUTIERREZ: Probably like most of the
21 day. So I go in there and I load it with him. I load
22 that one with him and I tell him. All right. So I
23 say -- I said, all right. You got about 13 quarter or
24 half loads in there. I can't really remember what it
25 was for that particular scene. That might have been --

1 the actors were outside so those were probably
2 quarters.

3 So I tell him you have about 13 quarter
4 loads in there, and he said, is there one in the
5 chamber? And I said yes. And he said okay. And I
6 said okay. So don't touch the trigger. And he was
7 like okay.

8 And I walk out and then I go up to Sarah
9 and I said hey, what happened? And she was like -- I
10 was like I heard there was like a misfire, which is
11 like the wrong terminology for it even. That's an
12 accidental discharge.

13 So I was like I heard there was like a
14 misfire or something. And she was like, oh, yeah, I
15 was loading it -- and she's like, and it just went off.
16 And I said -- because I had to train her how to do --
17 how to put them in and make sure that the hammer goes
18 down gently enough.

19 Because I asked her if she knew how to do
20 that from Seth, and she's like, yeah, but let me just
21 do it again a couple of times in front of you. And I
22 saw her do it and I was like, no, no. I was like put
23 your thumb all the way over the trigger -- I mean, not
24 the trigger, the hammer.

25 DETECTIVE HANCOCK: Uh-huh.

1 MS. GUTIERREZ: Otherwise, you know, if you
2 don't put it all the way over, your hands will be
3 sweaty sometimes and it'll slip. And so she was
4 loading it, and I'm not exactly sure what happened.
5 Like I said, I was in the bathroom but guns don't just
6 go off like that. And if you're loading it, it's most
7 likely that you -- you made a mistake just loading it
8 and that the hammer came down too quick.

9 DETECTIVE HANCOCK: Okay.

10 MS. GUTIERREZ: And, you know, when you're
11 in a rush, that can happen. It hasn't happened to me,
12 but I can understand it happening. And then as soon as
13 that had happened, and I walked outside and I was
14 asking her about that, next thing I know, boom inside
15 of the fucking thing. And I already told them this gun
16 was hot. I know for a fact I did, and we were doing
17 that scene all day. So this man knows this gun is hot.

18 And then I go in there and I said, what the
19 fuck are you doing in here? And he tells me -- he's
20 like I don't know. It just went off. And I was like,
21 well, it's a leather action rifle and that's not really
22 how that works, bud, you know.

23 So pissed him off a little bit. But I
24 said, all right. Be careful in here. Thankfully, we
25 were doing that scene pretty much all day, so I think a

1 lot of camera had their earplugs in but --

2 DETECTIVE HANCOCK: It was inside when it
3 went off then?

4 MS. GUTIERREZ: It was inside of this,
5 yeah, little shack that they were in and most of the
6 camera crew was in there at the time.

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: Yeah. So that one was
9 inside and then there was also a popper misfire with
10 special effects.

11 DETECTIVE HANCOCK: Okay.

12 MS. GUTIERREZ: Yeah. And that was -- that
13 was the day -- that was the day that we first started
14 shooting and everything. We didn't -- we had pretty
15 good luck with that. Every time, you know, we got done
16 with the scene, I count all the shots. So I know if
17 there's still a hot gun on set.

18 So I was looking for that and most of the
19 time, I would just run to the actor and be like, "Don't
20 touch it. It's hot still."

21 DETECTIVE HANCOCK: Okay.

22 MS. GUTIERREZ: Yeah.

23 DETECTIVE HANCOCK: As far as when Sarah's
24 gun went off, is that possible if you like drop the
25 hammer too quickly that it can discharge?

1 MS. GUTIERREZ: Yeah. Totally. And it
2 was --

3 DETECTIVE HANCOCK: Without pulling the
4 trigger?

5 MS. GUTIERREZ: Yeah. No. That happens.
6 That happens.

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: I said you -- well, see,
9 that's the thing. No, so you have to pull the trigger
10 in order to bring that hammer all the way down. You
11 know, so you have your finger on the hammer, and in
12 order to get the hammer to release back to a position
13 where the person could grab it and do the scene, you
14 have to put your -- you have to touch the trigger and
15 then slowly lower the hammer down.

16 If you touch the trigger, it'll descend the
17 hammer down. So if your finger isn't there to stop it
18 while you're loading it, it's gonna come down and shoot
19 it.

20 DETECTIVE HANCOCK: So these -- I mean,
21 now, I understand why that can happen -- I mean --

22 MS. GUTIERREZ: That's --

23 DETECTIVE HANCOCK: -- everybody has said
24 that it happens often, this kind of stuff so --

25 MS. GUTIERREZ: That -- that totally can

1 happen often. And it's just because, ultimately, you
2 do have to lower down that hammer again in order to
3 start the scene. You can't like give it to the actor
4 like cocked back and everything, you know.

5 DETECTIVE HANCOCK: Yeah.

6 MS. GUTIERREZ: So, yeah, and it's -- it's
7 the same with a lot of like even my .22. I have to do
8 that as well. You know, like I'll bring it back.
9 There's like a little piece that stays back, and unless
10 I hold that and slowly release it while holding my
11 trigger, that would go off, too.

12 DETECTIVE HANCOCK: Interesting.

13 MS. GUTIERREZ: But even my Walther --

14 DETECTIVE HANCOCK: I don't know a whole
15 lot of revolvers.

16 MS. GUTIERREZ: Even that -- well, and
17 that's just my Walther P22. That's not a revolver.
18 Like that's just a regular like magazine.

19 DETECTIVE HANCOCK: In order to load these,
20 does the hammer have to be back?

21 MS. GUTIERREZ: It has to be half-cocked.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: Yeah.

24 DETECTIVE HANCOCK: Interesting.

25 MS. GUTIERREZ: So, yeah, and then you have

1 to bring it back all the way or like kind of -- you
2 can -- you can bring it back from a half cock kind of
3 but it helps to bring it back all the way and just
4 bring it down slowly.

5 DETECTIVE HANCOCK: Okay. After both of
6 those accidental discharges, what happened?

7 MS. GUTIERREZ: So this day is kind of when
8 Sarah and I butt heads. Because, ultimately, like
9 after hers, I was livid. And then after that one, I
10 was like furious. And so I tell her, I was like, no,
11 dude, I was like, what just happened? And like I'm
12 getting heckled by the fucking stuntman at this point.

13 I said, no, dude, that like wasn't okay.
14 We need to talk to production about this because a lot
15 of people are probably pissed about that.

16 DETECTIVE HANCOCK: Uh-huh.

17 MS. GUTIERREZ: Because it happened within
18 10 minutes of each other, two of them, and I was like,
19 oh, my god. I literally screamed out, what the fuck is
20 happening?

21 But so I told Sarah, I was like, hey, we
22 need -- we should probably talk to production about
23 that. And like Sarah is embarrassed at this point.
24 She's shaking. Her face is like pretty mad.

25 DETECTIVE HANCOCK: Uh-huh.

1 MS. GUTIERREZ: And she's not really
2 responding to me too much. She -- I said -- I said,
3 well, like, you know, you did that while loading it.
4 And I was like so I'm not sure if people are going to
5 want you loading the guns anymore. And she was like,
6 well, yours just went off in there after you loaded it.
7 And I said, yeah, well, I can't be responsible for
8 every dickhead, fucking stunt guy that gets a hold of
9 the gun and doesn't understand the concept that it's
10 hot.

11 DETECTIVE HANCOCK: Right.

12 MS. GUTIERREZ: You know, and she was like,
13 all right. Well, so, we'll go -- so -- I was like, we
14 need to talk to production. I'll let you talk to them.
15 I'm not trying to get us in trouble here. I'm just
16 saying like we need to mind this because a lot of
17 people are probably pissed.

18 And the next thing I know I get a text from
19 Seth. So she was there, she was like mad and angry
20 texting. And I thought she was probably talking to the
21 producers and the next thing I know I get a text from
22 Seth. And Seth tells me, Sarah told me about her
23 accidental mis -- like her accidental discharge. It
24 was an accident. Accidents happen; you need to get
25 over it.

1 And I said, get over it? I was like what
2 are you talking about? I said, I'm not making a big
3 deal about this. I was like, I'm not going to
4 production to rat on her. I don't know what the fuck
5 you're going on about.

6 DETECTIVE HANCOCK: So there was nobody
7 from production in the area that --

8 MS. GUTIERREZ: I think there was people
9 from production in the area. I think there were like
10 two -- the regular chubby producer, he was there. And
11 I think Mason might have even been there.

12 DETECTIVE HANCOCK: And nobody --

13 MS. GUTIERREZ: They were there a lot. No
14 one said anything. Sarah apologized on the spot, I
15 guess. I didn't really apologize for that because I'm
16 just trying to figure it out at this point and I don't
17 know what that guy did.

18 DETECTIVE HANCOCK: Who was the stuntman?

19 MS. GUTIERREZ: I don't even know his name.
20 I think his name was Blake. Yeah. He -- they also
21 didn't have me train him at all with the gun. And he's
22 Alec's stunt double, mind you. So, you know --

23 DETECTIVE HANCOCK: Alec's?

24 MS. GUTIERREZ: Alec's stunt double. So he
25 probably should have at least been trained but also

1 Allan, the stunt coordinator, was like, oh, my god,
2 they know what the fuck they're doing so don't worry
3 about them.

4 DETECTIVE HANCOCK: Yeah.

5 MS. GUTIERREZ: So, yeah. Didn't get to
6 work with that guy. And me and -- back to like the
7 Seth thing. I went up to Sarah about it. And I was
8 like, hey, I texted her, and I was like, I'm sorry if
9 you thought I was trying to start problems about this.

10 I was just trying to say that we should
11 tell production because I don't want -- like I wouldn't
12 be surprised if we both got fired for that. I wouldn't
13 like, you know, we need to make sure that everyone
14 still feels comfortable after that.

15 And she said -- she said, no, I understand.
16 I contacted Gabby and Row about it and I told -- I went
17 ahead told Seth and I apologized to everyone on the
18 spot, and I think they're gonna just move past this
19 thing and move by it. And I was like, okay. Cool. As
20 long as you contacted the producers.

21 DETECTIVE HANCOCK: Okay.

22 MS. GUTIERREZ: Other than that --

23 DETECTIVE HANCOCK: But you didn't ever see
24 her actually contact them?

25 MS. GUTIERREZ: No. No, I didn't. And

1 also at that point, I had already pissed her off, and
2 she went to Seth about it. So I wasn't gonna fuck with
3 that anymore, and I just let her handle it.

4 DETECTIVE HANCOCK: Okay.

5 MS. GUTIERREZ: Because, ultimately, she --

6 DETECTIVE HANCOCK: So you didn't go to the
7 producers yourself?

8 MS. GUTIERREZ: No. Because she was my
9 boss and already was a -- yeah.

10 DETECTIVE HANCOCK: Okay. To your
11 knowledge, do you know of any reports being made about
12 this?

13 MS. GUTIERREZ: I have no idea.

14 DETECTIVE HANCOCK: Okay.

15 MS. GUTIERREZ: Yeah. I have been
16 wondering recently if she did talk to them. And no one
17 from production talked to us about it, which I thought
18 was pretty weird. You know, like no one even said
19 like, all right, guys, like pick your -- get your shit
20 together, like no one said anything to us at least to
21 me directly.

22 DETECTIVE HANCOCK: Was -- so when Sarah's
23 went off, what happened -- did you take the gun after
24 that? Or what happened with it after?

25 MS. GUTIERREZ: After that, you know, we

1 just had to keep loading it for the stunt guys. And,
2 ultimately, after hers went off, I didn't exactly have
3 the option. We had three people that needed to be
4 loaded right then.

5 DETECTIVE HANCOCK: Okay.

6 MS. GUTIERREZ: So I didn't exactly have
7 the option to take Sarah off of guns that day. And
8 also, she is my boss, so I'm not allowed --

9 DETECTIVE HANCOCK: Did she continue to
10 load?

11 MS. GUTIERREZ: -- to take her off of guns.
12 Yeah. She does continue to load.

13 DETECTIVE HANCOCK: Okay. Even after
14 that --

15 MS. GUTIERREZ: Yeah.

16 DETECTIVE HANCOCK: After discharging? Who
17 unloaded them that day?

18 MS. GUTIERREZ: Unloaded them from the
19 blanks?

20 DETECTIVE HANCOCK: Yeah.

21 MS. GUTIERREZ: Both of us.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: Yeah. And we unload them
24 as we get them in from the actor. As soon as they're
25 done doing the scene.

1 DETECTIVE HANCOCK: You and Sarah then?

2 MS. GUTIERREZ: Yeah. Pretty much any big
3 gun battle in this entire thing. We were both loading
4 and unloading the guns.

5 DETECTIVE HANCOCK: Okay. What about
6 the -- the special effects that whoever -- whenever
7 that went off?

8 MS. GUTIERREZ: It was like a popper. I'm
9 not sure if they had a squib go off. I never saw that.
10 It's like a popper. It's like a thing that hangs from
11 the ceiling and it's filled with like little debris and
12 things like that.

13 But they were all supposed to go off for a
14 scene and one didn't go off. And then like maybe two
15 minutes after the scene, it just like randomly went off
16 and people were like, oh, shit. But we were outside so
17 it wasn't too bad, you know.

18 DETECTIVE HANCOCK: Were you present in --
19 so you weren't present when it went off?

20 MS. GUTIERREZ: The popper?

21 DETECTIVE HANCOCK: Yeah.

22 MS. GUTIERREZ: I was present.

23 DETECTIVE HANCOCK: Okay.

24 MS. GUTIERREZ: I was outside and I was a
25 little like maybe 20 feet away from it.

1 DETECTIVE HANCOCK: Okay.

2 MS. GUTIERREZ: I wasn't directly on the
3 porch. So a lot of people on the porch were,
4 obviously, freaked out, but I was pretty far away.

5 DETECTIVE HANCOCK: Okay. Do you know if
6 any reports were made for that one?

7 MS. GUTIERREZ: For that popper? Oh, I
8 have no idea. I know -- especially if it's not my
9 department; I wouldn't really know about it. I didn't
10 make any reports.

11 DETECTIVE HANCOCK: And I just want to
12 confirm were guns ever taken out after hours? On
13 lunch? On days off?

14 MS. GUTIERREZ: These are -- these guns
15 absolutely were locked up every single moment that me
16 and Sarah were not there, to my knowledge.

17 DETECTIVE HANCOCK: Okay. Going --

18 MS. GUTIERREZ: And including lunch every
19 day.

20 DETECTIVE HANCOCK: Okay.

21 MS. GUTIERREZ: Uh-huh.

22 DETECTIVE HANCOCK: And then going back to
23 that accidental discharge with Sarah, I know you said
24 that you weren't there; you were in the bathroom?

25 MS. GUTIERREZ: Yeah. I was there for the

1 second one.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: With the stuntman.

4 DETECTIVE HANCOCK: Is it -- and is it okay
5 for you to walk off when they have --

6 MS. GUTIERREZ: It's --

7 DETECTIVE HANCOCK: -- blanks being used?

8 MS. GUTIERREZ: Sometimes, you know, like I
9 said, I was -- we were doing a lot of gun battle that
10 whole entire day, and, ultimately, there was only two
11 people shooting at the time. And I told Sarah, I was
12 like, I need to use the bathroom right now or I'm
13 literally going to piss my pants. And I told Dave that
14 I was going to the bathroom, too.

15 So I told him I'd step off. So I step off
16 and they know that.

17 DETECTIVE HANCOCK: Okay.

18 MS. GUTIERREZ: Because, ultimately, you
19 know, you can't hold it sometimes.

20 DETECTIVE HANCOCK: Right.

21 MS. GUTIERREZ: Yeah. And it really sucked
22 that day, too, because the bathrooms were like far as
23 shit.

24 DETECTIVE HANCOCK: To your knowledge, do
25 you know of any employees doing drugs or drinking on or

1 off set?

2 MS. GUTIERREZ: Off set I know, yeah.
3 People probably participated, and we all went to the
4 bar like, you know.

5 DETECTIVE HANCOCK: Drinking or drugs?

6 MS. GUTIERREZ: Yeah.

7 DETECTIVE HANCOCK: Yeah for which one?
8 Both?

9 MS. GUTIERREZ: Yeah, drinking and some
10 drugs. People smoked weed for sure.

11 DETECTIVE HANCOCK: Okay. Did you ever
12 smoke?

13 MS. GUTIERREZ: Yeah. I smoked weed on the
14 weekends.

15 DETECTIVE HANCOCK: And on the weekends?

16 MS. GUTIERREZ: Yeah.

17 DETECTIVE HANCOCK: Okay. Did you see
18 anybody else?

19 MS. GUTIERREZ: Yeah. I saw, you know,
20 my -- the head of my department; they had some weed
21 tea. Yeah.

22 DETECTIVE HANCOCK: Who's the head?

23 MS. GUTIERREZ: Daniel Ortiz, I think. I
24 know I smoked some weed with the crafty girl on the
25 weekend one time.

1 DETECTIVE HANCOCK: Okay. Any smoking or
2 drinking going on after working days?

3 MS. GUTIERREZ: After working days? I
4 mean, I'm sure of it. And I definitely -- I definitely
5 smoked a little bit before bed.

6 DETECTIVE HANCOCK: Okay.

7 MS. GUTIERREZ: And I would drink a little
8 before bed.

9 DETECTIVE HANCOCK: What about prior to
10 going to work?

11 MS. GUTIERREZ: Never.

12 DETECTIVE HANCOCK: Did you ever see
13 anybody under the influence on set?

14 MS. GUTIERREZ: No.

15 DETECTIVE HANCOCK: Anybody drinking on
16 set?

17 MS. GUTIERREZ: No.

18 DETECTIVE HANCOCK: Okay. All right.
19 We're going to go day of the incident. Okay?

20 MS. GUTIERREZ: Okay.

21 DETECTIVE HANCOCK: So the box of ammo that
22 you pulled from that day.

23 MS. GUTIERREZ: Yeah. Box of dummies.

24 DETECTIVE HANCOCK: Right. Where did you
25 pull that box from?

1 MS. GUTIERREZ: So that box it was kind of
2 peculiar, actually. Now that I've thought about it a
3 little more. Because we had been looking for the .45
4 long Colt dummies, and we hadn't had a lot of them
5 because like I said, we used up all -- a lot of mine at
6 the beginning, if not all of them.

7 And so we had to order some 44-40s, which
8 are kind of the similar size. And then we did get some
9 .45 long Colts a little before that, probably before
10 that weekend, and we put all of -- pretty much all of
11 that entire box in Travis Fimmel's gun belt.

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: Yeah. And then so this box
14 I hadn't been aware of any more long Colt boxes and
15 everything. And this box was kind of just sitting
16 right next to my safe on like this kind of extra bag
17 that I bring to carry guns in.

18 DETECTIVE HANCOCK: Okay.

19 MS. GUTIERREZ: Yeah. And so I thought it
20 was kind of weird. Looking back at it now, it was kind
21 of just like sitting on top of my stuff. And
22 considering the prop truck got moved over the weekend.
23 I don't know like how easily that would have stayed out
24 there.

25 MR. BOWLES: And this box was there in the

1 morning, can you elaborate on that when you get there?
2 Because I think it's a significant issue --

3 DETECTIVE HANCOCK: Right.

4 MS. GUTIERREZ: Yeah.

5 DETECTIVE HANCOCK: So this wasn't one of
6 the original boxes that were provided, though?

7 MS. GUTIERREZ: No. And it was weird, and
8 I think it just said dummies on it.

9 DETECTIVE HANCOCK: Okay.

10 MS. GUTIERREZ: Like nothing else I saw
11 just the word dummies on it from what I could remember.
12 Which is not the regular font I'm used to seeing on it
13 either.

14 MR. BOWLES: And it's propped up in your
15 bag and --

16 MS. GUTIERREZ: Yeah. It propped up in my
17 bag, you know, just like sitting on top of stuff. Like
18 not fallen over in the bag. You know, because it was
19 on top of something so like it seems weird that it
20 wouldn't have fallen over while moving.

21 DETECTIVE HANCOCK: Do you remember which
22 bag it was?

23 MS. GUTIERREZ: It was -- it was like a --
24 it was either above a Smith Wesson bag. I don't know
25 if you guys saw that. It's like, it says Smith and

1 Wesson and I marked it out with Sharpie so that way
2 people wouldn't rob my car.

3 Oh, and then there's another black bag that
4 I had, too. They were both like kind of -- there were
5 two black bags kind of usually stacked on top of each
6 other.

7 DETECTIVE HANCOCK: Okay. So that -- the
8 box that you pulled out of that day, though, was on
9 that bag?

10 MS. GUTIERREZ: Yeah.

11 DETECTIVE HANCOCK: Okay. And --

12 MS. GUTIERREZ: It was just kind of setting
13 out there, and I remember I was like looking for, you
14 know, blanks to pull, dummies to pull, and I saw that
15 box. And I was like, I like explained and I was
16 like -- I was like, where the fuck did this like box of
17 dummies come from? I was like, have we had this the
18 entire time? I was like, we've been needing these.

19 DETECTIVE HANCOCK: Uh-huh.

20 MS. GUTIERREZ: Yeah. Nicole just laughed,
21 and I don't really remember if Sarah was there or not.
22 But I said like, oh, well, whatever at least we have
23 them now. Put them on the cart, and they went out with
24 us.

25 DETECTIVE HANCOCK: Okay.

1 MS. GUTIERREZ: And I -- as I picked them
2 up, they were jingling. So that indicated that they
3 were dummies.

4 DETECTIVE HANCOCK: Okay. Had you seen the
5 box prior to that point?

6 MS. GUTIERREZ: I hadn't really noticed
7 that box prior to that point. But I think I had
8 noticed a box that looked similar to that we had gotten
9 those newer ones from. And I think I remembered like a
10 box similar to that and it might have -- it might have
11 been the same box even.

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: This was maybe -- because
14 we didn't put those dummies back in there, though, but
15 that's the only other box that looked like that box.

16 DETECTIVE HANCOCK: Okay.

17 MS. GUTIERREZ: Was one of those newer
18 boxes that we got. And I think it just said like "just
19 dummies" on it.

20 DETECTIVE HANCOCK: No lettering, anything
21 of the sort?

22 MS. GUTIERREZ: No. No letter -- lettering
23 or anything like that. I think I just saw the word
24 "dummies."

25 DETECTIVE HANCOCK: Okay. It doesn't say a

1 caliber on it?

2 MS. GUTIERREZ: I don't believe it did. It
3 might have said long Colt on the other side. I don't
4 really remember.

5 DETECTIVE HANCOCK: Okay.

6 MS. GUTIERREZ: LC maybe. I don't know.

7 DETECTIVE HANCOCK: All right. So at the
8 beginning of the day before lunch, how many guns were
9 pulled out?

10 MS. GUTIERREZ: Okay. Can I have like a
11 piece of paper or something?

12 MR. BOWLES: Uh-huh.

13 MS. GUTIERREZ: Just because like there's a
14 lot of people in this, you know.

15 DETECTIVE HANCOCK: Yeah. I have --

16 MR. BOWLES: No, no, no.

17 DETECTIVE HANCOCK: -- probably a few --

18 MS. GUTIERREZ: There we go.

19 DETECTIVE HANCOCK: I feel like you're
20 running out of paper.

21 MS. GUTIERREZ: All right. So, you know,
22 there's -- there's Alec Baldwin's character. This is
23 the Rust. Jensen's character Wood. Drum and we have a
24 Miller over here.

25 And so these are the ones that were being

1 used the day and also I think the other one was coming
2 in later that day, but I don't think we pulled his gun.
3 So check this out. Miller has two pistols and a long
4 rifle. Rifle. There we go.

5 Rust had a pistol, a long barrel one,
6 different than everyone else's, really. Long barrel.
7 And he also has a Henry rifle. Rifle.

8 So at this point, that's, you know, that's
9 like three guns, four, five. And then Wood has a gun
10 and he also has a long gun so that's another pistol and
11 another rifle. Oh, wait, he has a shotgun. My bad.
12 And then Drum also has a shotgun and a pistol.

13 DETECTIVE HANCOCK: Okay. And those were
14 all prior to lunch?

15 MS. GUTIERREZ: These are all prior to
16 lunch, yes. So I think that's a total of one, two,
17 three, five pistols and -- four long guns, two
18 shotguns.

19 DETECTIVE HANCOCK: Okay.

20 MS. GUTIERREZ: And if you would like
21 that's yours.

22 DETECTIVE HANCOCK: We might -- you might
23 need that so --

24 MS. GUTIERREZ: Okay.

25 DETECTIVE HANCOCK: Well, we can do --

1 illustrate a little more so keep it.

2 MS. GUTIERREZ: Cool.

3 DETECTIVE HANCOCK: Were they loaded?

4 MS. GUTIERREZ: Prior to lunch?

5 DETECTIVE HANCOCK: Yeah.

6 MS. GUTIERREZ: So what you have to
7 understand about before lunch is that we were at
8 another location for most -- for half of the day before
9 lunch and then we had gotten done with that location
10 and we moved up to the church.

11 DETECTIVE HANCOCK: Okay.

12 MS. GUTIERREZ: Right. So during the day,
13 at the beginning of the day, none of those were dummied
14 up at all because the shot was so wide.

15 DETECTIVE HANCOCK: Okay.

16 MS. GUTIERREZ: You just like wouldn't see
17 it.

18 DETECTIVE HANCOCK: So there was nothing in
19 these?

20 MS. GUTIERREZ: There was nothing in these
21 until we got to the church.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: Yeah.

24 DETECTIVE HANCOCK: But still prior to
25 breaking for lunch?

1 MS. GUTIERREZ: Yes. Still prior to
2 breaking to lunch.

3 DETECTIVE HANCOCK: So --

4 MS. GUTIERREZ: So we had to break up the
5 day like that, you could split like before lunch into
6 two things. One where we were somewhere else entirely
7 and nothing was dummied up, and after that, we were in
8 the church and things started to get dummied up and --
9 but weren't dummied up right away.

10 DETECTIVE HANCOCK: Okay. So then which
11 ones of these were loaded prior to lunch?

12 MS. GUTIERREZ: Prior to lunch?

13 DETECTIVE HANCOCK: Yes.

14 MS. GUTIERREZ: Okay. With dummies prior
15 to lunch, Wood and Drum's pistols were dummied up.
16 Sarah helped me dummied those up.

17 DETECTIVE HANCOCK: Okay.

18 MS. GUTIERREZ: And a little later on, this
19 camera started getting in on Rust and so Rust got his
20 dummied up maybe an hour and a half before lunch.

21 DETECTIVE HANCOCK: Okay.

22 MS. GUTIERREZ: Yeah.

23 DETECTIVE HANCOCK: Anything with Miller?

24 MS. GUTIERREZ: Miller was not in there.

25 DETECTIVE HANCOCK: Okay.

1 MS. GUTIERREZ: Yeah. So Miller's
2 character was coming later in the day, yeah. So he
3 wasn't in the church at all. So, honestly, I'm pretty
4 sure that we put away his two pistols and his long
5 rifle for a good proportion before lunch because we
6 always tried to put them away as we're not using them
7 and lock them up.

8 DETECTIVE HANCOCK: Okay. So only ones
9 dummied up, though, are the pistols?

10 MS. GUTIERREZ: Yes, three pistols. And
11 they should have both been used at the time of the
12 incident like they were both, all three of those were
13 out there.

14 DETECTIVE HANCOCK: Okay. So who loaded
15 what gun?

16 MS. GUTIERREZ: Sarah and I loaded Wood's
17 and Drum's. I don't really remember who. They are
18 identical guns so you wouldn't really know.

19 DETECTIVE HANCOCK: Okay.

20 MS. GUTIERREZ: And then Rust I'm -- I have
21 dummied that one up.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: Yeah.

24 DETECTIVE HANCOCK: And all with dummy
25 rounds?

1 MS. GUTIERREZ: All with dummy rounds,
2 yeah, and we were shaking them and checking them as we
3 did it, yeah.

4 DETECTIVE HANCOCK: Okay.

5 MS. GUTIERREZ: And then some of them
6 didn't have to be shaken but, yeah.

7 DETECTIVE HANCOCK: And why didn't they
8 have to be?

9 MS. GUTIERREZ: They didn't have primer
10 caps on them. And sometimes I accidentally still like
11 shake the ones with holes in them just thinking that
12 they're going to shake and then I like realize. Yeah,
13 that's the only time where I've ever like thought there
14 was a bad one is like when I shake it and I don't hear
15 anything and then I realize I'm like, oh, it's the ones
16 I don't shake.

17 DETECTIVE HANCOCK: Can you recall when you
18 loaded, whenever ones you loaded, what specific rounds
19 you put in them?

20 MS. GUTIERREZ: Yes. Okay. So for the
21 Rust pistol, the wooden ground, I don't exactly
22 remember those. You know, I think most of those, not
23 exactly sure what was up with those.

24 But for the Rust one, I remember I had four
25 of them without primer caps.

1 DETECTIVE HANCOCK: Okay.

2 MS. GUTIERREZ: Because I always try to use
3 those ones ultimately. I have four of them without
4 primer caps and then I grabbed some dummies from that
5 box and I like brought them in there and I was walking
6 in with the -- I'm walking in with his belt right here,
7 and I'm walking in holing the four -- the four no
8 primer cap ones and some extra ones, too.

9 And I'm -- there were two that like could
10 have been shaken. So I'm shaking them both as I walk
11 in. And I walk in and I put the four no prime -- the
12 four no primers in there and then I like look at my
13 hand and I notice there's one with a hole in the side
14 so I use that one next.

15 And then I try to put one of the ones that
16 is shook in there but it won't go in. And so at that
17 point, I showed Dave, I leave that one out because I
18 notice like that needs to be cleaned. So I leave it
19 out, I move -- I move the cylinder to a location where
20 you wouldn't notice that that one wasn't in there.

21 DETECTIVE HANCOCK: Wasn't loaded?

22 MS. GUTIERREZ: Yeah. So I move it to
23 where you wouldn't be able to see that, and then I go
24 ahead, I show Dave. He watched me do it, too, that
25 time. This is before lunch, and I walk out after

1 handing it and showing it to Alec, too.

2 DETECTIVE HANCOCK: Okay. So before
3 breaking for lunch, there was only five rounds in that
4 gun?

5 MS. GUTIERREZ: Yeah.

6 DETECTIVE HANCOCK: Okay.

7 MS. GUTIERREZ: Yeah. And then I proceeded
8 from that one that wouldn't go in. I just set it on
9 the cart after that.

10 DETECTIVE HANCOCK: Okay. The four that
11 you got without the primer --

12 MS. GUTIERREZ: Yeah.

13 DETECTIVE HANCOCK: -- where were those
14 pulled from?

15 MS. GUTIERREZ: Those were pulled from my
16 pocket.

17 DETECTIVE HANCOCK: From your pocket?

18 MS. GUTIERREZ: Yeah.

19 DETECTIVE HANCOCK: Okay. So the other two
20 were pulled from that box?

21 MS. GUTIERREZ: Yeah.

22 DETECTIVE HANCOCK: Do you remember about
23 what time you loaded these guns?

24 MS. GUTIERREZ: Not exactly. I would maybe
25 guess like 10:30 for Rust, maybe 10:00. And then for

1 the other two, they were loaded like maybe 30 minutes
2 before that.

3 DETECTIVE HANCOCK: Okay.

4 MS. GUTIERREZ: Yeah.

5 DETECTIVE HANCOCK: So fairly early?

6 MS. GUTIERREZ: Yeah. Pretty early in the
7 day. We start super early.

8 DETECTIVE HANCOCK: When you broke for
9 lunch, none of the rounds were taken out of any of
10 these guns?

11 MS. GUTIERREZ: No. None of those were
12 taken out. We just put them in socks and we brought
13 them to the truck. And from there, we put them into
14 the safe.

15 DETECTIVE HANCOCK: Okay.

16 MS. GUTIERREZ: Yeah.

17 DETECTIVE HANCOCK: And then the safe both
18 of them?

19 MS. GUTIERREZ: With the dummies, yeah.

20 DETECTIVE HANCOCK: Yeah.

21 MS. GUTIERREZ: So dummied up.

22 DETECTIVE HANCOCK: That's what I mean
23 by --

24 MS. GUTIERREZ: Yeah.

25 DETECTIVE HANCOCK: Yeah.

1 MS. GUTIERREZ: Just so we're clear, yeah,
2 just with the dummies.

3 DETECTIVE HANCOCK: Okay. And the other
4 two guns were full?

5 MS. GUTIERREZ: Yeah. The other two guns
6 still were dummied up, yeah.

7 DETECTIVE HANCOCK: Okay. So who
8 physically put these back in the safe?

9 MS. GUTIERREZ: You know, I think -- I'm
10 pretty sure Sarah was doing it at the time, and I was
11 kind of just down on the ground like handing them up to
12 the prop truck because I had a really bad headache.

13 DETECTIVE HANCOCK: Okay.

14 MS. GUTIERREZ: Yeah. So I didn't climb --
15 try to climb up there or anything because my head was
16 like pounding.

17 DETECTIVE HANCOCK: And did you guys take
18 them to the truck with the cart? Or did you just carry
19 them?

20 MS. GUTIERREZ: We just carried them. And
21 we left the cart there at lunch.

22 DETECTIVE HANCOCK: And was all the ammo on
23 that cart?

24 MS. GUTIERREZ: Yeah.

25 DETECTIVE HANCOCK: And was there some in

1 the truck still?

2 MS. GUTIERREZ: Yeah. There's -- there's
3 always gonna still be like blanks in the truck because
4 we wouldn't ever need to bring all of them out.

5 DETECTIVE HANCOCK: Okay.

6 MS. GUTIERREZ: You know.

7 DETECTIVE HANCOCK: How many boxes do you
8 think were left on that cart?

9 MS. GUTIERREZ: On the cart? I would guess
10 like maybe -- I had some shotguns. I had some -- I
11 would guess maybe 10 -- 10 boxes.

12 DETECTIVE HANCOCK: All on the bottom?
13 Or --

14 MS. GUTIERREZ: On the bottom. On the
15 bottom and then there was, you know, the dummies on the
16 top that we were taking from.

17 DETECTIVE HANCOCK: Okay. So just one box
18 on the top?

19 MS. GUTIERREZ: I think just one box on the
20 top. I might have been preparing some things
21 beforehand and dumped some quarter loads into my fanny
22 pack or whatever and left a box up there that was
23 empty.

24 DETECTIVE HANCOCK: Okay. All right. So
25 after lunch, who took the guns out of the safe?

1 MS. GUTIERREZ: After lunch, not really
2 sure. Don't really remember that too much.

3 DETECTIVE HANCOCK: Okay.

4 MS. GUTIERREZ: Yeah.

5 DETECTIVE HANCOCK: I mean, it would have
6 been --

7 MS. GUTIERREZ: One of the --

8 DETECTIVE HANCOCK: You or Sarah, right?

9 MS. GUTIERREZ: Yeah. Me or Sarah.

10 DETECTIVE HANCOCK: Okay.

11 MS. GUTIERREZ: Yeah. Like I said, I kind
12 of had a headache, and I was not getting over it so --

13 DETECTIVE HANCOCK: And they were all still
14 in the socks?

15 MS. GUTIERREZ: They were all still in the
16 socks, yes.

17 DETECTIVE HANCOCK: How do you know which
18 ones to pull if they're all --

19 MS. GUTIERREZ: We leave the handles out.

20 DETECTIVE HANCOCK: Of the gun?

21 MS. GUTIERREZ: Yeah.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: And then also I set them --
24 so normally, like there's a bulk of them up on the very
25 top. I'll kind of set them on like the sides where the

1 rifles like heads go if I need to access them quickly
2 and then there's -- if you saw the gun safe, there's
3 also like holsters on the side. So we would usually
4 put Jensen and Swen and wooden drums guns over there
5 because they're the two sheriffs and they go together.

6 DETECTIVE HANCOCK: Okay.

7 MS. GUTIERREZ: And then we would just put
8 Rust guns like kind of below all the other guns, too.

9 DETECTIVE HANCOCK: Okay.

10 MS. GUTIERREZ: Yeah.

11 DETECTIVE HANCOCK: When you pulled them
12 back out, did you guys check the rounds in them?

13 MS. GUTIERREZ: We didn't -- we brought
14 them to set.

15 DETECTIVE HANCOCK: Okay.

16 MS. GUTIERREZ: As -- as they were in the
17 sock still.

18 DETECTIVE HANCOCK: Okay. Were they ever
19 reopened?

20 MS. GUTIERREZ: The guns?

21 DETECTIVE HANCOCK: Uh-huh.

22 MS. GUTIERREZ: I'm not too sure. I
23 reopened the -- I reopened the Rust gun. I'm not sure
24 about the wooden drum.

25 DETECTIVE HANCOCK: Okay.

1 MS. GUTIERREZ: Sarah was mostly working on
2 propping those guys up. The Rust gun I opened up after
3 lunch because I remembered that it was dirty, and I
4 remembered that I was like, all right. We're about to
5 start shooting out of it.

6 So I go and I put the little cleaning guide
7 that I have. I open it up, put the cleaning guides
8 through, take one out of the box, shake it, and at this
9 point, after I had put the cleaning guide through,
10 Dave's in my ear and he's like, hey, we need the gun in
11 here.

12 And I'm like, okay. So I start to bring
13 the gun in there and shake it, put it in. As I'm
14 walking in and then I bring it to Dave; I show Dave
15 like all of the cylinder. And then I tell him it's
16 dummied up. And I say, all right. Oh, yeah, and he's
17 like, it's okay -- it's just -- he's like getting
18 talked to at this point, by the way, too, by Halyna and
19 Joel. And he's sitting there, and he's like, can you
20 just hand me the gun because I'm gonna sit in with it?

21 And I said, okay. And I showed him it and
22 then I walked out after showing it to him and handing
23 it to him. So he was just supposed to be sitting in
24 with it.

25 DETECTIVE HANCOCK: Okay. So you clean it

1 but then grab another round from that box?

2 MS. GUTIERREZ: Yeah.

3 DETECTIVE HANCOCK: You didn't pull one --
4 because you said that you had put it on the cart?

5 MS. GUTIERREZ: Yeah. I didn't pull that
6 same one.

7 DETECTIVE HANCOCK: Okay. Any issues when
8 you put that round in that time?

9 MS. GUTIERREZ: No.

10 DETECTIVE HANCOCK: Okay.

11 MS. GUTIERREZ: And I think it's because it
12 was clean.

13 DETECTIVE HANCOCK: So when you say it's
14 your responsibility to check the guns after they come
15 back out?

16 MS. GUTIERREZ: They come back out?

17 DETECTIVE HANCOCK: Like when they were
18 brought back out from lunch?

19 MS. GUTIERREZ: Yeah. We -- it's my
20 responsibility to check them into the actor as they go
21 out to the actor.

22 DETECTIVE HANCOCK: But not to check the
23 rounds again?

24 MS. GUTIERREZ: I wouldn't really check it
25 unless it was going to set.

1 DETECTIVE HANCOCK: But it did go to set.

2 MS. GUTIERREZ: Yeah. It went to set, and
3 I checked it with Dave.

4 DETECTIVE HANCOCK: Okay. Did you do any
5 other -- you know, I know that you have different
6 processes for checking these guns. Did you do any
7 other check on that gun?

8 MS. GUTIERREZ: I did -- I did some barrel
9 obstruction check, too, also because, you know, while
10 that -- while that round wasn't in there, you're able
11 to pull the hammer back slightly, look down the barrel,
12 and see if there's anything in the barrel for that. So
13 I did a barrel check on that gun.

14 DETECTIVE HANCOCK: And did you see
15 anything at that point?

16 MS. GUTIERREZ: No.

17 DETECTIVE HANCOCK: Okay. That round that
18 you pulled out of the box that last time that you
19 loaded --

20 MS. GUTIERREZ: Yeah.

21 DETECTIVE HANCOCK: -- what did that look
22 like?

23 MS. GUTIERREZ: It looked like the dummies
24 that don't have the hole in the side or anything.

25 DETECTIVE HANCOCK: Okay. Did you notice

1 anything different about any of the rounds that went
2 in?

3 MS. GUTIERREZ: No.

4 DETECTIVE HANCOCK: Because you said that
5 you spun it with Dave, right?

6 MS. GUTIERREZ: Yeah, I spun it with Dave.

7 DETECTIVE HANCOCK: Okay. And you didn't
8 notice anything different?

9 MS. GUTIERREZ: No, I didn't notice
10 anything different.

11 DETECTIVE HANCOCK: And four out of
12 those --

13 MS. GUTIERREZ: I was also getting talked
14 at with Dave and everything. And I'm just mostly
15 trying to show it to Dave.

16 DETECTIVE HANCOCK: Right.

17 MS. GUTIERREZ: Yeah.

18 DETECTIVE HANCOCK: I mean --

19 MS. GUTIERREZ: While also looking at it,
20 yeah.

21 DETECTIVE HANCOCK: Makes sense. But the
22 four of them still had the depressed primers?

23 MS. GUTIERREZ: Yes.

24 DETECTIVE HANCOCK: Okay. And then the two
25 didn't?

1 MS. GUTIERREZ: Yeah.

2 DETECTIVE HANCOCK: Okay. How do you think
3 someone would potentially put live ammo in?

4 MS. GUTIERREZ: I mean, the same way you
5 would put the dummies or the blanks in there, opening
6 it up, and putting it in there.

7 DETECTIVE HANCOCK: Okay. And you're
8 talking about the dummy boxes?

9 MS. GUTIERREZ: What -- yeah.

10 MR. BOWLES: The box from that morning
11 or --

12 MS. GUTIERREZ: What do you -- so I'm
13 saying like you would -- if you wanted to load this
14 with a live, potentially, you would just pull it back
15 at half-cock and put it in there.

16 MR. BOWLES: I don't know if you understood
17 her question.

18 MS. GUTIERREZ: I -- I don't think I am.

19 DETECTIVE HANCOCK: Yeah. So -- but you
20 said that you loaded each and every one of those
21 rounds?

22 MS. GUTIERREZ: Yeah.

23 DETECTIVE HANCOCK: How would you say that
24 a live round got in this box that you pulled from?

25 MS. GUTIERREZ: I'm not entirely sure if

1 someone put a live round into that box or not. I check
2 those to the best of my abilities. I was walking in,
3 shaking it in my ear.

4 DETECTIVE HANCOCK: Uh-huh.

5 MS. GUTIERREZ: And I thought I heard it
6 shake for sure.

7 DETECTIVE HANCOCK: When do you think
8 somebody would have had the opportunity to put a live
9 round?

10 MS. GUTIERREZ: You know, it's hard to
11 speculate on that exactly. But, you know, that gun it
12 was on Alec's most of the day and then also it was on
13 top of our cart sometimes, too. And there were times
14 when I was gone to the bathroom, you know. And like I
15 said, I gotta pee, you know.

16 DETECTIVE HANCOCK: Uh-huh.

17 MS. GUTIERREZ: And I tell the girls to
18 watch the cart and everything but sometimes the girls
19 get distracted by the actors.

20 MR. BOWLES: You need to elaborate on the
21 box. Because you're missing that part of the question.

22 MS. GUTIERREZ: Okay.

23 MR. BOWLES: On how that could have gotten
24 in that box. Could --

25 MS. GUTIERREZ: So, I mean, honestly, that

1 box was sitting out all day. And when I picked up that
2 box, I heard it jingle like the whole box jingle. So
3 that, to me, was saying like, you know, this is a box
4 of dummies, you know, still check every one for the
5 jingle.

6 But -- so definitely some of those were
7 100 percent dummies, you know, and I don't know if
8 someone probably -- could possibly could have done
9 something at lunch.

10 The box could have already had some live
11 one in it in the morning, and you probably wouldn't
12 have noticed unless you picked it up. Yeah. I'm not
13 exactly sure when that could have got it there. And,
14 honestly, it could have been in there from the
15 beginning of it.

16 DETECTIVE HANCOCK: Okay. Where was the
17 prop cart?

18 MS. GUTIERREZ: The prop cart -- so that's
19 another thing. The prop cart like moved significantly
20 after the incident.

21 DETECTIVE HANCOCK: Well, I mean -- I'm
22 not -- everything got moved after the incident.

23 MS. GUTIERREZ: Yeah.

24 DETECTIVE HANCOCK: So -- that's not
25 really --

1 MS. GUTIERREZ: All right. Cool.

2 DETECTIVE HANCOCK: -- you know, of a
3 little concern. But during lunch?

4 MS. GUTIERREZ: So during lunch, it was
5 still in the same spot where I told you guys, you know,
6 in front of the church, the doorway here. Your guys's
7 squad car over here that I was sitting in. My little
8 cart over here next to a black tent.

9 DETECTIVE HANCOCK: Like the scene --

10 MS. GUTIERREZ: Well --

11 DETECTIVE HANCOCK: Because that was
12 actually --

13 MS. GUTIERREZ: This one. That one. Yeah.
14 So about over here and there also was a black truck
15 there earlier that day.

16 DETECTIVE HANCOCK: Okay. So --

17 MS. GUTIERREZ: I'm right by that black
18 tent. Uh-huh.

19 DETECTIVE HANCOCK: Okay.

20 MS. GUTIERREZ: A little behind it because
21 I don't want people, you know, touching it.

22 DETECTIVE HANCOCK: Okay. So cart's there
23 prior to you guys leaving for lunch and it's in the
24 same spot afterwards?

25 MS. GUTIERREZ: Yeah.

1 DETECTIVE HANCOCK: Okay. Where was the
2 prop truck? Or is it that truck that's there?

3 MS. GUTIERREZ: The prop truck -- oh. The
4 prop truck is, doo, doo, doo. The prop truck's like
5 all the way over here.

6 DETECTIVE HANCOCK: So, again, at like the
7 end of the town?

8 MS. GUTIERREZ: Yeah. Down at the end of
9 the town like way over there. Right when we -- as soon
10 as you get in nose gates, next to the gallows; it's
11 across from the gallows.

12 DETECTIVE HANCOCK: There's a couple more.
13 Okay cool. That one might not help but --

14 MS. GUTIERREZ: Yeah.

15 DETECTIVE HANCOCK: The porch without all
16 the Google maps.

17 MS. GUTIERREZ: I was like what the hell?
18 Anyway --

19 DETECTIVE HANCOCK: So way down at the
20 bottom, though.

21 MS. GUTIERREZ: Yeah. It would be --
22 that's why -- yeah. That's why we kind of keep a lot
23 of the stuff on us because they don't like to move the
24 prop truck, especially closer to the stuff. So it was
25 pretty far away. You remember where you took me to the

1 bathroom?

2 DETECTIVE HANCOCK: Yeah.

3 MS. GUTIERREZ: Past that.

4 DETECTIVE HANCOCK: So at the like very end
5 of town?

6 MS. GUTIERREZ: Yeah. It was right like
7 when you would maybe get -- pull up and like the vans
8 are there to take people.

9 DETECTIVE HANCOCK: Yeah.

10 MS. GUTIERREZ: That's where the prop truck
11 usually stayed.

12 DETECTIVE HANCOCK: So you guy have to pull
13 guns from way down there and then bring them all the
14 way up?

15 MS. GUTIERREZ: Yeah.

16 DETECTIVE HANCOCK: I don't know it's like
17 a pretty good distance.

18 MS. GUTIERREZ: It's a pretty good distance
19 and then that's why we also didn't want to bring the
20 cart all the way to back to the prop truck.

21 DETECTIVE HANCOCK: So it got left by that
22 tent?

23 MS. GUTIERREZ: Yeah.

24 DETECTIVE HANCOCK: Nothing was too
25 different about it after?

1 MS. GUTIERREZ: No. And we had done this a
2 couple times on -- especially on like big shooting days
3 and everything just because we are out there like in
4 the boonies with like sticks, snakes, all that crazy
5 stuff. And big rocks, so, yeah. A few times, we just
6 left it there during lunch.

7 DETECTIVE HANCOCK: Who all uses that cart?

8 MS. GUTIERREZ: Just me Sarah, Nicole, and
9 props.

10 DETECTIVE HANCOCK: That's it, though?

11 MS. GUTIERREZ: Yeah. That's -- that's it
12 for the cart. Usually people will try to set their
13 stuff on there, and I quickly shoo them away.

14 DETECTIVE HANCOCK: Okay.

15 MS. GUTIERREZ: Some -- some people still
16 like to put their stuff on it to rile me, but, yeah.

17 DETECTIVE HANCOCK: Is it more in a joking
18 manner? Or --

19 MS. GUTIERREZ: I don't know. They just
20 like -- they know I don't like them to do it, and they
21 still do it anyways and, you know.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: Yeah.

24 DETECTIVE HANCOCK: So it's -- I mean, it's
25 common to leave it out --

1 MS. GUTIERREZ: Yeah.

2 DETECTIVE HANCOCK: -- when you guys break
3 for lunch?

4 MS. GUTIERREZ: Uh-huh.

5 DETECTIVE HANCOCK: I mean, what about at
6 night?

7 MS. GUTIERREZ: At night, we bring the cart
8 in at night.

9 DETECTIVE HANCOCK: Where does it go?

10 MS. GUTIERREZ: It goes in the truck.

11 DETECTIVE HANCOCK: Okay.

12 MS. GUTIERREZ: Yeah.

13 DETECTIVE HANCOCK: So this day, there's
14 obviously ammo on it?

15 MS. GUTIERREZ: Uh-huh.

16 DETECTIVE HANCOCK: When it was left out?

17 MS. GUTIERREZ: Yes.

18 DETECTIVE HANCOCK: Okay. All right.

19 After lunch, how many guns came back to set?

20 MS. GUTIERREZ: Okay. I'm pretty sure
21 because we were getting into the nitty grits of it, you
22 know, and we're about to start shooting indoors.

23 And, ultimately, we weren't going to be
24 seeing the horses outside. So I didn't bring the two
25 shotgun -- I brought one of the shotguns of wooden

1 drums.

2 And so here's the thing about that day. I
3 was bickering with the stunt coordinator all day
4 because he wanted to shoot two pistols before every
5 shot just to make smoke and everything in front of the
6 camera. And I was like, no. That's just like
7 extremely uncommon. And he's like, well, we did it on
8 Dead for a Dollar.

9 I was like, no, we're not doing that.
10 And -- but I brought a shotgun in case like, you know,
11 we could just do one big one if the director really
12 wanted it. But we weren't planning on really doing it.
13 It was more of Joel like pushed for it. So we only
14 brought the Rust pistol, the drum pistol, and the wood
15 pistol and then also a shotgun.

16 DETECTIVE HANCOCK: Okay. And you guys
17 pulled all four of those out at the same time?

18 MS. GUTIERREZ: Yeah.

19 DETECTIVE HANCOCK: Did anybody have to go
20 back for anything?

21 MS. GUTIERREZ: I know that I -- I think --
22 I brought them there and then I immediately went to the
23 bathroom after before we started getting into stuff.

24 DETECTIVE HANCOCK: Okay.

25 MS. GUTIERREZ: So I brought them to the

1 set and then I immediately had to go pee.

2 DETECTIVE HANCOCK: Did you already give
3 Dave the gun? So --

4 MS. GUTIERREZ: No. At this point, no one
5 had asked for the guns yet, and they were just supposed
6 to be on the cart --

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: -- in the box.

9 DETECTIVE HANCOCK: Did anybody stay with
10 the cart?

11 MS. GUTIERREZ: I told Sarah and Nicole to.

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: Yeah.

14 DETECTIVE HANCOCK: And were they still
15 there when --

16 MS. GUTIERREZ: Sarah was flirting with
17 Jensen, and I don't really remember if Nicole was
18 nearby. But Sarah was pretty close to the cart still.
19 Yeah.

20 DETECTIVE HANCOCK: All right. So three
21 pistols, one shotgun, nobody went back to the truck for
22 anything?

23 MS. GUTIERREZ: I'm not entirely sure. I
24 don't think I went back to the truck and I don't think
25 Sarah sent Nicole back to the truck. Like I said, I

1 went to the bathroom and I didn't really --

2 DETECTIVE HANCOCK: But no other guns were
3 pulled out?

4 MS. GUTIERREZ: No.

5 DETECTIVE HANCOCK: Besides the four?

6 MS. GUTIERREZ: They shouldn't have been
7 pulled out, no.

8 DETECTIVE HANCOCK: Okay. What time did
9 you come back from lunch?

10 MS. GUTIERREZ: I'm not entirely sure.
11 Usually our lunch goes from 12:30 to like 1:30ish.

12 DETECTIVE HANCOCK: Okay. And what
13 timeframe do you think there was between when you guys
14 came back from lunch to you pulling the guns back out?

15 MS. GUTIERREZ: Coming back from lunch, you
16 know, we get in the vans from base camp. So we
17 probably take five minutes getting from the base camp
18 to the set and then from that point, we hop right off
19 of the -- off of the thing, and we grab the guns and
20 everything and we go straight over.

21 DETECTIVE HANCOCK: Okay.

22 MS. GUTIERREZ: Especially because, like,
23 you know, you don't want to be late.

24 DETECTIVE HANCOCK: All right. So who -- I
25 mean, did you grab the cart? Take it back to the prop

1 truck? Or did you just carry a gun?

2 MS. GUTIERREZ: We just carried -- from
3 when we came back from lunch?

4 DETECTIVE HANCOCK: Uh-huh.

5 MS. GUTIERREZ: We just carried the guns to
6 the cart.

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: Yeah. Because we brought
9 them there from the cart, brought them back from the
10 truck to the cart after lunch.

11 DETECTIVE HANCOCK: Okay. And then who
12 carried what guns?

13 MS. GUTIERREZ: I'm not exactly sure they
14 were still in the socks, you know.

15 DETECTIVE HANCOCK: You'd know if you'd
16 carry a shotgun compared to a pistol, though, right?

17 MS. GUTIERREZ: Yeah. Totally. Maybe
18 Nicole was holding the shotgun, and I had a pistol and
19 Sarah had two.

20 DETECTIVE HANCOCK: Okay.

21 MS. GUTIERREZ: Or maybe Sarah -- someone's
22 holding -- like we all kind of just had to hold like
23 gun belts, props, you know, not to mention like badges
24 and things like that so --

25 DETECTIVE HANCOCK: You were just

1 carrying --

2 MS. GUTIERREZ: We're just all trying to
3 carry all the shit that we have to bring every time.

4 DETECTIVE HANCOCK: Okay. So how long
5 would you say -- so you guys went straight from the
6 prop truck, took them to the cart?

7 MS. GUTIERREZ: Yeah.

8 DETECTIVE HANCOCK: Right?

9 MS. GUTIERREZ: Yeah.

10 DETECTIVE HANCOCK: Okay. And then,
11 obviously, you have to take all these socks and
12 everything off these guns. Who took them off?

13 MS. GUTIERREZ: So like I said, I went to
14 the bathroom. At this point, I'm not really sure if
15 Sarah had started doing anything else from that point.
16 All I remember is that I remembered the Rust gun was
17 dirty, and so I grabbed the Rust gun, took it out of
18 the sock and proceeded to do the whole cleaning thing I
19 told you about.

20 DETECTIVE HANCOCK: Okay. All right.

21 MS. GUTIERREZ: Which I thought it was
22 pretty weird that like they immediately needed the gun
23 in there like that quickly after lunch. Usually things
24 take a little while for camera to get set up and
25 everything, you know.

1 DETECTIVE HANCOCK: Okay. You cleaned the
2 gun, put that last round in it, and then how long would
3 you say that took?

4 MS. GUTIERREZ: Like five minutes.

5 DETECTIVE HANCOCK: Okay.

6 MS. GUTIERREZ: Yeah.

7 DETECTIVE HANCOCK: Where does the gun go
8 after that?

9 MS. GUTIERREZ: Excuse me. So the gun
10 after that walks in with me and it goes to Dave, try to
11 show it to Dave, Dave's getting talked at.

12 DETECTIVE HANCOCK: Inside or outside the
13 church?

14 MS. GUTIERREZ: Inside. He's sitting in
15 the pew, and I think he's supposed to be Rust or
16 someone. And from what I understood, it was just
17 supposed to be a shot where like he's sitting there
18 with the gun ready. And then also Dave was just
19 sitting in with it and then I was going to come back in
20 whenever Alec got there. But Alec got there and no one
21 called me in.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: So --

24 DETECTIVE HANCOCK: So --

25 MS. GUTIERREZ: -- I wasn't able to do that

1 last check before Alec got it because I had no idea
2 that the gun had been handed off and also the video
3 village due to the camera crew quitting that day wasn't
4 working so I had no way to see in there.

5 DETECTIVE HANCOCK: Okay. So you opened
6 the gun for Dave --

7 MS. GUTIERREZ: Uh-huh.

8 DETECTIVE HANCOCK: -- to do the check?

9 MS. GUTIERREZ: Uh-huh.

10 DETECTIVE HANCOCK: Inside or outside of
11 the church?

12 MS. GUTIERREZ: Inside.

13 DETECTIVE HANCOCK: Okay.

14 MS. GUTIERREZ: It was -- it was open
15 already because, you know, I put it in there and I
16 walked in putting it in and I just left it open.

17 DETECTIVE HANCOCK: And what did that check
18 consist of?

19 MS. GUTIERREZ: The check consisted of me
20 spinning the cylinder for Dave and telling him that it
21 was dummied up.

22 DETECTIVE HANCOCK: All right. Did that
23 gun go to anyone else? You know, did it go -- because,
24 obviously, it was in the sock. Did anybody else have a
25 handle on that gun?

1 MS. GUTIERREZ: After lunch?

2 DETECTIVE HANCOCK: Uh-huh.

3 MS. GUTIERREZ: Not that I could tell.

4 Yeah.

5 DETECTIVE HANCOCK: Okay. Was -- did
6 Nicole ever handle the gun? Rust's gun?

7 MS. GUTIERREZ: She handled the day before
8 just like brought it down to me from the cart.

9 DETECTIVE HANCOCK: Okay. But not the day
10 of the incident?

11 MS. GUTIERREZ: No.

12 DETECTIVE HANCOCK: All right. So you give
13 it Dave and then where do you go at that point?

14 MS. GUTIERREZ: I give it to Dave and I
15 step outside because we're about to start shooting and
16 I was getting like all my stuff ready. And also he
17 was --

18 DETECTIVE HANCOCK: What do you mean by
19 getting your stuff ready?

20 MS. GUTIERREZ: Getting my fanny pack
21 filled up and, you know, getting my pockets like lined
22 with different types of blanks and everything because I
23 have a pocket system where all the halves go in one
24 side, all the quarters go over here. This is my dummy
25 pocket and, yeah, these are my empty pockets and

1 sometimes I use my back pockets if I need to.

2 So like Sarah, usually, I would just set
3 the purse -- my fanny pack up for her, even though I
4 like to have both on me because Sarah doesn't
5 understand the importance of pockets. But so I was --
6 I would set that up for her and I would start getting
7 my pockets and everything ready.

8 DETECTIVE HANCOCK: So it's pretty common
9 for you to put stuff in like your pants pocket, right?
10 That's what you're talking about?

11 MS. GUTIERREZ: Yeah.

12 DETECTIVE HANCOCK: Okay.

13 MS. GUTIERREZ: It's common to put mostly
14 blanks in there, yeah. And then also some trash, you
15 know. Like you can't exactly just throw trash around
16 and eat stuff so it was a lot of pockets so that's why
17 I like those pants. You can -- yeah.

18 DETECTIVE HANCOCK: So you hand the gun to
19 Dave, and then did you see what he did with it at that
20 point?

21 MS. GUTIERREZ: At that point, he was just
22 sitting in with it and not moving it at all.

23 DETECTIVE HANCOCK: Just holding it?

24 MS. GUTIERREZ: Just holding it.

25 DETECTIVE HANCOCK: Okay.

1 MS. GUTIERREZ: And his finger wasn't in
2 the trigger guard or anything.

3 DETECTIVE HANCOCK: Obviously, this gun
4 goes in Alec's bandoleer, does a cross draw with it.

5 MS. GUTIERREZ: Yeah. Which I was already
6 worried about that because he hadn't really trained
7 with that much.

8 DETECTIVE HANCOCK: Okay.

9 MS. GUTIERREZ: Yeah. I texted his
10 assistant the night before and wanted to make sure that
11 he was comfortable with that but they said that he was
12 fine and that, yeah, they were going to figure it out
13 and stuff so --

14 DETECTIVE HANCOCK: Do you have that text
15 message still?

16 MS. GUTIERREZ: Yeah.

17 MR. BOWLES: We need to have that.

18 MS. GUTIERREZ: Okay.

19 DETECTIVE HANCOCK: Yeah. Awesome.

20 MR. BOWLES: Yeah.

21 DETECTIVE HANCOCK: So he was just sitting
22 with it. Obviously, it's not in a holster?

23 MS. GUTIERREZ: No.

24 DETECTIVE HANCOCK: Did you see when he
25 handed it to Alec?

1 MS. GUTIERREZ: No, I was outside.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: Yeah. It didn't seem like
4 that much time had gone by. I think I was outside for
5 maybe like 10 more minutes, 10 minutes after I had
6 handed it off to Dave.

7 DETECTIVE HANCOCK: That the incident
8 happened?

9 MS. GUTIERREZ: Yeah.

10 DETECTIVE HANCOCK: Or --

11 MS. GUTIERREZ: Before -- yeah. And then
12 the incident happened like 10, 15 minutes.

13 DETECTIVE HANCOCK: Okay. So you take it
14 into the church and give it to Dave. Did -- was there
15 ever -- did you ever make an announcement about it
16 being a cold gun or anything of the sort? What did you
17 explain to Dave?

18 MS. GUTIERREZ: I told Dave, I said, the
19 gun is dummied up.

20 DETECTIVE HANCOCK: Okay.

21 MS. GUTIERREZ: From lunch.

22 DETECTIVE HANCOCK: Right. Let's go back
23 to this little guy right here. Where were you
24 standing --

25 MS. GUTIERREZ: -- when it happened?

1 DETECTIVE HANCOCK: Yup.

2 MS. GUTIERREZ: I was at my cart.

3 DETECTIVE HANCOCK: You were at the cart
4 when it happened?

5 MS. GUTIERREZ: Yeah. I think our cart --
6 I think we had moved it up ever so slightly --

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: -- from that point a little
9 closer or maybe -- maybe it was back there and that
10 truck had just moved, actually. I'm not really,
11 entirely sure.

12 But, yeah, it was right there, and I was
13 getting my stuff ready.

14 DETECTIVE HANCOCK: Was this scene
15 eventually supposed to contain -- and I'm going to say
16 live fire. I know it's not. But like blank fire?

17 MS. GUTIERREZ: This scene -- what we had
18 been doing all morning was supposed to lead up to this
19 scene that where we were supposed to be doing blank
20 fire and but this particular shot was not.

21 DETECTIVE HANCOCK: Okay. But eventually,
22 it would have gotten to that point pretty much?

23 MS. GUTIERREZ: Yeah.

24 DETECTIVE HANCOCK: All right. After the
25 incident, I know you had explained that you ran inside?

1 MS. GUTIERREZ: Yeah.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: Yeah. The incident
4 occurred and I like kind of didn't really flinch at it
5 even and Sarah said what was that? And I said I don't
6 know. And Sarah said was that the gun? And I said,
7 there's no way that could be the gun.

8 And then next thing you know, I hear like
9 on the -- in the earpiece like set medic emergency.
10 And I'm like, oh, what the hell? And I thought it was
11 like a popper that had blown someone's arm off or
12 something.

13 But I go over to the front of the church,
14 and I look in and I see people on the ground. And I'm
15 like, oh, my god. Was that -- was that the gun? And
16 Dave said, yeah, it was the gun. And so once I go
17 inside, scream, and then they yell at me and then I
18 walked back out.

19 I asked for the gun. Dave brings me the
20 gun.

21 DETECTIVE HANCOCK: When you were in there,
22 did you see where the gun was?

23 MS. GUTIERREZ: No.

24 DETECTIVE HANCOCK: Okay. All right.
25 Sorry. Go ahead.

1 MS. GUTIERREZ: No. That's fine. Yeah.
2 So I'm -- you know, everyone's kind of starring and
3 looking at me at this point and walking in and seeing
4 that was super fucking awful, too.

5 So I kind of come out here. I'm like over
6 here at this point, you know, kind of away from
7 everything. Dave brought me the gun. I take all of
8 them out. The first one I take out has been discharged
9 and it went -- like I told you, at first, I thought it
10 could be one of those old dummies.

11 But it could have been a live round. By
12 all means the ones you showed me that they pulled out
13 of Joel later. Yeah. It kind of seemed more like
14 that. But, yeah, so I pull all of them out and the
15 other five were still dummies. Just fine.

16 DETECTIVE HANCOCK: Okay. So Dave brings
17 it out, hands it to you. Is it open or closed at this
18 point?

19 MS. GUTIERREZ: It's closed.

20 DETECTIVE HANCOCK: Okay. Hands it to you.
21 Where do you inspect it?

22 MS. GUTIERREZ: You know, it was like still
23 really a situation to me. So I was either right there
24 or I was right there.

25 DETECTIVE HANCOCK: When you opened it?

1 MS. GUTIERREZ: When I -- when I checked
2 the gun. I'm pretty sure I got it here and like we had
3 kind of walked away with it, you know.

4 DETECTIVE HANCOCK: Okay.

5 MS. GUTIERREZ: Yeah.

6 DETECTIVE HANCOCK: But you said that you
7 emptied the gun, right?

8 MS. GUTIERREZ: Yeah.

9 DETECTIVE HANCOCK: Where did you empty it?

10 MS. GUTIERREZ: I took it out, put it in my
11 hands, and then I handed them to Sarah. And I said, go
12 check that fucking box. I got it from that box.

13 DETECTIVE HANCOCK: And gave what to Sarah?

14 MS. GUTIERREZ: The -- the dummies and
15 everything and the shell.

16 DETECTIVE HANCOCK: So everything that
17 you --

18 MS. GUTIERREZ: Had in my hands went to
19 Sarah.

20 DETECTIVE HANCOCK: You just handed it to
21 her?

22 MS. GUTIERREZ: Yeah.

23 DETECTIVE HANCOCK: Okay.

24 MS. GUTIERREZ: Yeah. Just handed it to
25 her. And I took the gun and I kept it in my waistband

1 after that.

2 DETECTIVE HANCOCK: Okay. You didn't go
3 check the box?

4 MS. GUTIERREZ: No. I didn't go check the
5 box. I was freaking out and Brian, my boss, came over
6 at that point and Brian took me a little further away
7 to, you know, kind of relieve people looking at me.

8 DETECTIVE HANCOCK: And you told Sarah, I
9 didn't want you to leave. Then she told Sarah to check
10 the gun and what happened?

11 MS. GUTIERREZ: I said, check the box. And
12 she comes over to me a little later, you know, while
13 I'm off to the side. And I said, did you check the
14 box? And she said -- and we also had collected the
15 other guns and Sarah took those as well.

16 And then I was like did you check the box?
17 And she said, yeah. There were some bad ones in there.
18 And I don't know really what that means. That's just
19 what she said and I thought that meant like one or two.

20 DETECTIVE HANCOCK: Okay.

21 MS. GUTIERREZ: Two -- two days later,
22 Sarah came to my hotel room after Halyna Hutchins's,
23 one of her vigils, and she came up to my room and was
24 checking on how I was doing. And I asked her, I was
25 all like -- I was like I can't believe somehow there

1 were some bad ones in that box. And she said -- she
2 said, Hannah, more than half of that box was bad ones.

3 DETECTIVE HANCOCK: And she didn't explain
4 what she meant by bad ones?

5 MS. GUTIERREZ: She said more than half of
6 that box -- she said, more than half of that box were
7 bad, which, I mean, it's safe to assume that live.

8 DETECTIVE HANCOCK: Okay.

9 MS. GUTIERREZ: At that point, yeah. It
10 was safe to assume that those were live --

11 DETECTIVE HANCOCK: So --

12 MS. GUTIERREZ: -- mixed in with dummies.

13 DETECTIVE HANCOCK: When you emptied out
14 the gun, how many rounds were there?

15 MS. GUTIERREZ: There was six.

16 DETECTIVE HANCOCK: Okay.

17 MS. GUTIERREZ: Yeah. One had been
18 discharged?

19 DETECTIVE HANCOCK: And do you remember
20 what that one looked like?

21 MS. GUTIERREZ: No, not really. I took it
22 out. At this point, like still pretty shocked. I'm
23 like shaking just thinking about everything. But so I
24 take it out, I pull all the others out. I'm like
25 showing them to Dave. And I'm saying like, no. Like

1 the others are dummies. Like what the fuck? How is
2 that in there? And I just like look at Sarah and I
3 like -- after I said that I was like, I don't know how
4 that happened. They are all dummies except for one.

5 And then I like look at Sarah and I was
6 like go check that box right now. And I handed it to
7 her and so it was pretty quick. And I wasn't even like
8 really looking at it. I was just more like looking at
9 Dave and just freaking out at that point.

10 DETECTIVE HANCOCK: How did you know that
11 one wasn't the dummy?

12 MS. GUTIERREZ: I'm not sure that it wasn't
13 a dummy still. I mean, now, we know really that it
14 could have been a live round. But in my head, I was
15 thinking that might have been one of the old dummies
16 that the primer cap can pop it out.

17 DETECTIVE HANCOCK: Okay.

18 MS. GUTIERREZ: Because those -- I don't
19 know those still. I haven't heard a lot of reports of
20 those, but I know that those did used to exist.

21 DETECTIVE HANCOCK: Okay. So after the gun
22 was emptied, I mean, how --

23 MS. GUTIERREZ: Do you mind if we take a
24 break?

25 DETECTIVE HANCOCK: Yeah.

1 MS. GUTIERREZ: I'm like getting a
2 little --

3 MR. BOWLES: Sure.

4 MS. GUTIERREZ: -- flustered.

5 MR. BOWLES: Yeah.

6 MS. GUTIERREZ: I'm sorry.

7 MR. BOWLES: Is the restroom okay to use?

8 DETECTIVE HANCOCK: Yeah. I don't know
9 what the room. It gets a little stuffy in here.

10 MS. GUTIERREZ: Totally. Yeah.

11 [Note: Break taken at 7:24.]

12 [Note: Interview resumes at 7:33:21.]

13 DETECTIVE HANCOCK: All right. Let's get
14 this thing going.

15 MS. GUTIERREZ: Okay.

16 DETECTIVE HANCOCK: All right. So going
17 back to those loose rounds that were near. Okay. It's
18 common for you to carry them in your pocket?

19 MS. GUTIERREZ: Yeah. My dad will
20 usually -- my usually carries a couple of like his
21 favorite dummies. You know, like good, nice safe ones
22 in his pocket, and I do the same.

23 DETECTIVE HANCOCK: Okay.

24 MS. GUTIERREZ: But we had a three guns
25 dummied up that day, so I used a couple of them on the

1 other guns.

2 DETECTIVE HANCOCK: Okay. Is that's why
3 you keep them in your pocket so that way --

4 MS. GUTIERREZ: Yeah. Because just in case
5 and then also I have another in the bag on the bottom
6 of it, you'll probably realize that there's also some
7 dummies in those pockets down there, too. I try to
8 keep like at least a good 12 dummies ready in
9 situations.

10 DETECTIVE HANCOCK: Those are -- but you're
11 talking about the like bags, though, right? I'm
12 talking about your pants.

13 MS. GUTIERREZ: Yeah. I'm talking about
14 my -- yeah. Okay. Yeah. I always try to keep like at
15 least five or six in there.

16 DETECTIVE HANCOCK: Do you remember where
17 you pulled those from?

18 MS. GUTIERREZ: Those came out of one of my
19 old boxes, and we had been using them from the weekend
20 previous and those were the ones with no primer caps.

21 DETECTIVE HANCOCK: So did you have those
22 in your pockets prior to going to lunch?

23 MS. GUTIERREZ: No. Those were -- those
24 should have been in -- in the gun already.

25 DETECTIVE HANCOCK: And I'm talking about

1 the ones that were in your pockets, though.

2 MS. GUTIERREZ: Yeah. The -- the four --
3 the four without primer caps?

4 DETECTIVE HANCOCK: I think we pulled -- I
5 think you pulled six rounds, six or seven out of your
6 pocket.

7 MS. GUTIERREZ: No. I pulled -- I'm pretty
8 sure I pulled the four out of there and then I got the
9 other two from the box and shook them as I walked --

10 DETECTIVE HANCOCK: No. I'm talking -- so
11 the -- the night that you came in for an interview.

12 MS. GUTIERREZ: Oh, yeah, I had some in --
13 I had some extras in there. I think I found some more,
14 and I was like I'll put some more in there just in
15 case.

16 DETECTIVE HANCOCK: But do you remember
17 when you put those in your pocket?

18 MS. GUTIERREZ: No, not exactly.

19 DETECTIVE HANCOCK: Before or after lunch?

20 MS. GUTIERREZ: I don't really remember.

21 DETECTIVE HANCOCK: Okay.

22 MS. GUTIERREZ: Yeah. I'm sorry.

23 DETECTIVE HANCOCK: So then how come you
24 didn't pull from your pockets to load that gun?

25 MS. GUTIERREZ: Well, I -- like I told you,

1 I pulled those out earlier, and I totally forgot that
2 there were more in there.

3 DETECTIVE HANCOCK: More in where?

4 MS. GUTIERREZ: More dummies in my pocket.

5 DETECTIVE HANCOCK: Okay.

6 MS. GUTIERREZ: Yeah. I just had forgotten
7 that they were there.

8 DETECTIVE HANCOCK: That one last one that
9 you pulled to load the gun. Do you remember checking
10 that round?

11 MS. GUTIERREZ: Yeah.

12 DETECTIVE HANCOCK: And what do you
13 remember about it?

14 MS. GUTIERREZ: Oh, it seemed fine to me
15 and Dave was just kind of in my ear and so I was
16 shaking it, walking in, and putting it in there.

17 DETECTIVE HANCOCK: Okay. But he wasn't in
18 your ear until you were at the church, right?

19 MS. GUTIERREZ: No. He was in my ear --
20 like in my the earpiece.

21 DETECTIVE HANCOCK: Oh. The -- your radio?

22 MS. GUTIERREZ: Yeah.

23 DETECTIVE HANCOCK: Got it.

24 MS. GUTIERREZ: There's always -- there's
25 always a spectrum --

1 DETECTIVE HANCOCK: I thought --

2 MS. GUTIERREZ: -- of people in my ear.

3 DETECTIVE HANCOCK: Probably p here
4 walking --

5 MS. GUTIERREZ: A ton of people on set just
6 take that thing out and throw it as far as I can.

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: Yeah, so --

9 DETECTIVE HANCOCK: So you don't remember
10 when --

11 MS. GUTIERREZ: That's how I knew when --
12 when he was telling me. Yeah, I don't remember exactly
13 when those were in my pockets. And, honestly, they
14 might have been in my pockets in a spot where they
15 aren't normally, you know.

16 DETECTIVE HANCOCK: Okay. All right. So I
17 have some questions regarding like media statements
18 that you guys have put out.

19 MS. GUTIERREZ: Okay. Yeah. And just so
20 you know like one of them with Bob got a little crazy
21 and Bob said some pretty weird stuff that doesn't
22 necessarily represent what I had told him.

23 MR. BOWLES: And he's not on the case
24 anymore.

25 MS. GUTIERREZ: Yeah. We took him off,

1 just so you know.

2 DETECTIVE HANCOCK: Oh, okay.

3 MS. GUTIERREZ: Yeah. We completely --

4 DETECTIVE HANCOCK: Okay.

5 MR. BOWLES: Yeah. Gorence is no longer on
6 the case.

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: Yeah.

9 DETECTIVE HANCOCK: No. It's more just
10 stuff that you guys have released. So the first one
11 was about training days. You made a statement about
12 how you wanted training days.

13 MS. GUTIERREZ: Yeah.

14 DETECTIVE HANCOCK: Who did you express
15 that to?

16 MS. GUTIERREZ: Gabrielle.

17 DETECTIVE HANCOCK: Okay.

18 MS. GUTIERREZ: Yeah. And I asked them
19 about it to Row and Gabrielle right from the get-go I
20 tried to start getting actors and everything to start
21 working with me kind of one a day would have been
22 ideal.

23 They told me they were like, well, no one
24 really needs to get trained, you know. These are all
25 trained people. And I was like okay, whatever.

1 I thought that more actors were coming in
2 later, and I would train them as the show went on but
3 then Joel called me and Joel was like, no, we need to
4 train like all the actors. They're going to be there
5 that first week and I said okay. So, yeah, they set up
6 a training day.

7 But I was trying to get them in from like
8 the very get-go.

9 DETECTIVE HANCOCK: Okay.

10 MS. GUTIERREZ: Yeah.

11 DETECTIVE HANCOCK: But, I mean, the
12 statement was that you fought for training days?

13 MS. GUTIERREZ: I did.

14 DETECTIVE HANCOCK: So --

15 MS. GUTIERREZ: Yeah. I -- I was always
16 pretty much arguing with Gabrielle and for him --
17 because at first, they didn't even want to have the
18 training day, you know. So --

19 DETECTIVE HANCOCK: So you were expecting
20 people to do?

21 MS. GUTIERREZ: Yeah. No. They literally
22 did not want to have that training day at first and
23 they told me it wasn't necessary. And then after Joel
24 called me, Joel told them like, no, don't be stupid.
25 You guys need to have these people trained. Joel

1 like -- that happens all the time with directors and
2 producers.

3 DETECTIVE HANCOCK: Uh-huh. So Joel pretty
4 much --

5 MS. GUTIERREZ: Joel --

6 DETECTIVE HANCOCK: -- overruled them
7 saying no?

8 MS. GUTIERREZ: Yeah. J -- Joel was like
9 no. Like, you know, they were -- they didn't want to
10 pay the money for it. Joel was like, you pay for the
11 money for it. But, yeah, so they didn't want to have
12 that day originally and then the -- the training day
13 that I fought for that I was trying to fight for was
14 the one with Alec after our training day.

15 So after I had trained with Alec, Alec was
16 the only actor I trained that day. And I was
17 thankfully able to step away from props for a little
18 bit in order to train Alec that day at the church and
19 we practiced some of his stuff.

20 Other than that, he was really distracted,
21 he was on the phone a lot, and he wasn't -- his holster
22 wasn't available for him to practice with that day.

23 So I told him the next day, we should
24 practice with the holster. And he said, yeah. I
25 agree. I will see you tomorrow. I'm also riding

1 horses tomorrow, so we'll do that, too, and I said
2 okay. Cool.

3 And I told Gabrielle, and Gabrielle was all
4 like -- Gabrielle was, basically, like I'll handle
5 Alec's. Because, you know, Alec is a producer, kind of
6 does whatever he wants, and so the other producers have
7 to reel him in all the time.

8 So for him to ask for another armorer day,
9 which is only like 60 more dollars -- for him to ask
10 for another armorer day, they were trying to like axe
11 my head.

12 DETECTIVE HANCOCK: Don't do it.

13 MS. GUTIERREZ: Yeah.

14 DETECTIVE HANCOCK: Did you ever put any of
15 this in writing? Or emails? Or text messages?

16 MS. GUTIERREZ: Yeah. There's a lot of --
17 it's a lot of text between me and Gabrielle. But other
18 than that, mostly the next morning when he was supposed
19 to show up for his lesson, he comes to set, doesn't
20 really say anything about his lesson. The producers
21 are telling me like, you know, no. Like we don't want
22 him doing this lesson this day.

23 I had already talked to them about it, and
24 I said he needs to practice -- and I was telling Nathan
25 and Nathan was like you called it. I said he needs to

1 practice with his holster; otherwise, he might like,
2 honestly, shoot himself in the arm. Or get really
3 pissed off and have a whole ass hissy fit and it
4 happened actually a little after that. And Nathan was
5 like you called it, and I said, yeah, I did.

6 DETECTIVE HANCOCK: What happened?

7 MS. GUTIERREZ: He tried to pull from his
8 holster, it got caught on his microphone, and he got so
9 pissed and threw a big ass hissy fit and started
10 bitching at sound. Thankfully, I didn't get that. I
11 didn't get the lashing, you know.

12 DETECTIVE HANCOCK: Yeah.

13 MS. GUTIERREZ: But, yeah, so the next --

14 MR. BOWLES: There's emails we can --

15 DETECTIVE HANCOCK: Yeah.

16 MS. GUTIERREZ: We can show you those. The
17 next morn -- yeah, the next morning, Sarah had to leave
18 set. Sarah had to leave set all day. Sarah was sick
19 as a dog, as well, and Sarah was leaving set to go get
20 shit done including some other stuff like with the
21 knives and the knife hole -- holster and all this
22 stuff.

23 So it's just me running the stuff on set
24 with Nicole on a very prop, heavy day. And props
25 includes food and everything. Just so you know.

1 So we had to a whole table scene that we
2 had to do with just two people, which is manageable but
3 also like I was also training the actor with that gun
4 while they're doing it. You know, like just the girl.
5 She wasn't shooting it or anything but they decided
6 randomly that they wanted to have her have a gun.

7 So I didn't get paid for armorer that day
8 either. I'm working two jobs, and I was supposed to
9 give lessons to Alec that day, but ultimately, could
10 not. Because, one, he didn't show up. Two, the
11 producers wouldn't let him, and then, three, I had to
12 stay on set and work with the fricking food.

13 DETECTIVE HANCOCK: Okay. But he had
14 agreed to do that with you and then it was kind of shut
15 down by others?

16 MS. GUTIERREZ: He said, I will see you
17 tomorrow. And then I also got -- I think it was a
18 little after that, a couple days after that where I
19 texted his assistant. And I said, hey, you know,
20 does -- does he need any more work with this? Like how
21 is he feeling about that? And he's like hasn't
22 expressed anything to me, but I'll let him know that
23 you asked.

24 DETECTIVE HANCOCK: Okay.

25 MS. GUTIERREZ: Yeah. So I had tried to

1 possibly work with Alec more after that.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: So those are like the
4 training days I kind of fought for. After his
5 assistant like didn't really talk to me back, you know.
6 I'm not exactly gonna push for this really big actor to
7 receive that training.

8 DETECTIVE HANCOCK: Okay. So in reviewing
9 like the first interview and then media statements and
10 now the little bit of inconsistency about when the gun
11 was checked.

12 MS. GUTIERREZ: Okay.

13 DETECTIVE HANCOCK: About the rounds that
14 were checked.

15 MS. GUTIERREZ: Okay.

16 DETECTIVE HANCOCK: You know, from my
17 understanding, you checked them in the morning and then
18 didn't take them out again after lunch?

19 MS. GUTIERREZ: Didn't take the rounds --

20 DETECTIVE HANCOCK: The rounds --

21 MS. GUTIERREZ: -- out of the gun after
22 lunch?

23 DETECTIVE HANCOCK: Well, because they
24 weren't checked again.

25 MS. GUTIERREZ: You could see that there

1 were no primer caps. I had checked the one that I had
2 put in there after that.

3 DETECTIVE HANCOCK: Okay. But you said
4 only four of them had no primer caps and the other two
5 did?

6 MS. GUTIERREZ: Yeah, and the other two
7 did. Yeah. I pulled that other one out slightly and
8 looked for the hole.

9 DETECTIVE HANCOCK: I mean, those holes are
10 at the bottom, though? You'd have to pull it out a
11 pretty good ways.

12 MS. GUTIERREZ: I'm pretty sure it was like
13 kind of midway.

14 DETECTIVE HANCOCK: So, I guess, I need
15 clarification because, you know, Gorence is, actually,
16 the one that went on the media and said you did not
17 check the gun.

18 MS. GUTIERREZ: Bob.

19 MR. BOWLES: And he was completely wrong
20 about that.

21 MS. GUTIERREZ: And that's why we fired
22 him. That's exactly why I fired him. And he also said
23 the gun was left unattended for two hours on the prop
24 cart. He like made a bunch of crazy, ass statements in
25 that and that's why I said, fuck that. Bob's off.

1 DETECTIVE HANCOCK: Okay. So that's why we
2 want clarification on --

3 MS. GUTIERREZ: Yeah, no, Bob like --

4 DETECTIVE HANCOCK: -- when you checked --

5 MS. GUTIERREZ: Bob said that I didn't
6 check the gun and that was fucked up because, yeah, I
7 checked it when I put them in there and then, yeah.

8 DETECTIVE HANCOCK: Prior to lunch?

9 MS. GUTIERREZ: Yeah. Prior to lunch and
10 then, yeah, afterwards, opened it up, checked it, yeah.

11 DETECTIVE HANCOCK: But by "check," you
12 mean just opening it --

13 MS. GUTIERREZ: Just pulled that one out,
14 yeah, a also brushed it and put that other one in.

15 DETECTIVE HANCOCK: Okay. And I don't know
16 if this is coming from you or it goes from him. This
17 whole theory on somebody sabotaging the set.

18 MS. GUTIERREZ: Yeah. Jason kind of agrees
19 with me on that. I -- well, you know, we've all kind
20 of thought about what happened here and a whole box
21 with what Sarah said to be half live ammunition and
22 half dummy ammunition that doesn't happen. Like, you
23 know, that's super weird that that would even be on
24 set.

25 DETECTIVE HANCOCK: So who do you think

1 would do that?

2 MS. GUTIERREZ: Honestly, I'm not sure. I
3 will say, right now, that, you know, Seth supplies all
4 the boxes. And then on top of that, I was beefing with
5 Seth at the time.

6 I don't really know -- I don't want to
7 speculate, but he's also been acting pretty weird
8 towards me personally. And then --

9 DETECTIVE HANCOCK: But that was after --
10 come after the incident, right?

11 MS. GUTIERREZ: Yeah. Well, no, we had a
12 whole ass argument, and we weren't talking during this
13 incident. Like we were in a full fight.

14 DETECTIVE HANCOCK: Okay.

15 MS. GUTIERREZ: Yeah.

16 DETECTIVE HANCOCK: But you had said you
17 haven't seen Seth since before?

18 MS. GUTIERREZ: Yeah. We were texting, and
19 I blew up on him over text messages.

20 DETECTIVE HANCOCK: Right. But I'm saying
21 you stated you have not physically seen him?

22 MS. GUTIERREZ: I have not seen Seth. But
23 like I said, Seth sends Sarah to set with things.

24 DETECTIVE HANCOCK: Okay.

25 MR. BOWLES: And she was there first that

1 morning.

2 DETECTIVE HANCOCK: Sarah?

3 MS. GUTIERREZ: Yeah.

4 DETECTIVE HANCOCK: Okay.

5 MR. BOWLES: That's when that box came up
6 for the first time.

7 MS. GUTIERREZ: Yeah. Also, you know, it
8 could have been there --

9 DETECTIVE HANCOCK: But you had said
10 that --

11 MS. GUTIERREZ: -- over the weekend.

12 DETECTIVE HANCOCK: -- you had seen it
13 because it was sitting on top of --

14 MR. BOWLES: That morning, right?

15 MS. GUTIERREZ: Yeah. I saw it that
16 morning.

17 DETECTIVE HANCOCK: Okay.

18 MS. GUTIERREZ: On top of all my stuff.

19 MR. BOWLES: When -- when she got there, as
20 I understand, 6:40ish and Sarah's already been there
21 that's the first time that box --

22 MS. GUTIERREZ: That I saw it, at least.
23 And like I said, I thought it was weird that it wasn't
24 hunched over on any side considering the whole prop
25 truck got moved.

1 DETECTIVE HANCOCK: Okay. And describe
2 this box again for me what it looked like?

3 MS. GUTIERREZ: It was the same weight box.
4 I think it just said dummies on it. I'm pretty sure it
5 just said dummies.

6 DETECTIVE HANCOCK: Okay.

7 MS. GUTIERREZ: On the sticker and it was a
8 sticker and a label not like handwritten or anything.
9 But it wasn't the same font that I'm used to.

10 DETECTIVE HANCOCK: Okay.

11 MS. GUTIERREZ: Yeah.

12 DETECTIVE HANCOCK: So, obviously,
13 everybody has said, you know, no one ever suspected
14 live rounds to be on the set?

15 MS. GUTIERREZ: Yeah.

16 DETECTIVE HANCOCK: That's a given. Live
17 rounds aren't allowed?

18 MS. GUTIERREZ: Absolutely not. And
19 especially when it hadn't been brought to set or
20 anything like that either.

21 DETECTIVE HANCOCK: Right. So the thing is
22 there are other live rounds that were found in other
23 various places.

24 MS. GUTIERREZ: Really?

25 DETECTIVE HANCOCK: Not in that box.

1 MS. GUTIERREZ: Really? And where were
2 they found?

3 DETECTIVE HANCOCK: I'll go through the
4 pictures because I can't -- there's like so many
5 different areas and we'll -- I'm going to go over that
6 with you guys. Okay?

7 MS. GUTIERREZ: Yeah. That's news to me.
8 Wow.

9 DETECTIVE HANCOCK: So they weren't all in
10 that box.

11 MS. GUTIERREZ: Okay. Okay. Oh --

12 DETECTIVE HANCOCK: Do you have any
13 speculation on that?

14 MS. GUTIERREZ: No.

15 DETECTIVE HANCOCK: Okay. Do you think
16 anybody else manipulated that gun? Alec's gun?

17 MS. GUTIERREZ: I'm not exactly sure.
18 Yeah. I'm not exactly sure, and I don't really care to
19 speculate on it either.

20 DETECTIVE HANCOCK: Well, I mean, there's
21 really not a lot of time between you pulling it out.

22 MS. GUTIERREZ: Well, there was time, you
23 know, in the morning before that even. Well, yeah,
24 okay, yeah. I'm not sure. Yeah. I don't know.

25 DETECTIVE HANCOCK: But in between the time

1 that you had it, you checked the rounds?

2 MS. GUTIERREZ: Yeah.

3 DETECTIVE HANCOCK: And then --

4 MS. GUTIERREZ: There's like 10, 15
5 minutes, yeah. I'm not sure if anyone else did. I
6 wasn't in there.

7 DETECTIVE HANCOCK: Okay. And that's okay
8 if you don't.

9 MS. GUTIERREZ: Yeah.

10 DETECTIVE HANCOCK: Let's -- all right. I
11 had to keep myself straight on where we pulled these.
12 Let me clear this off.

13 MS. GUTIERREZ: Okay. All right. Are you
14 okay if we do prints and DNA real quick so I get send
15 my --

16 MR. BOWLES: Sure. Yeah.

17 MS. GUTIERREZ: Yeah.

18 DETECTIVE HANCOCK: -- fingerprinting tech
19 home because, of course, we've been here all day and --

20 MR. BOWLES: Yeah. Actually, I didn't
21 think about that, yeah.

22 MS. GUTIERREZ: Who him?

23 DETECTIVE HANCOCK: No. She's the other
24 female.

25 MS. GUTIERREZ: Yeah, no. We could have

1 done that. We have done that first --

2 DETECTIVE HANCOCK: I mean, you never --
3 never know but let me grab her real quick. We'll do
4 that. We'll do that. We'll all get out of here.

5 MS. GUTIERREZ: Okay.

6 DETECTIVE CANO: So you're not going to be
7 staying in Arizona?

8 MS. GUTIERREZ: No.

9 DETECTIVE CANO: No. That's where you're
10 originally from?

11 MS. GUTIERREZ: Yeah. Yeah. My hometown
12 has just like been overrun with press and everything
13 and they posted pictures of my house so it's like not
14 really even safe to stay there at this point.

15 DETECTIVE CANO: Yeah. They've been doing
16 the same here so I don't know.

17 MS. GUTIERREZ: Yeah. Fucking that's
18 terrible. That totally sucks.

19 DETECTIVE CANO: Yeah. They were posted
20 here for like a whole week and then at the -- at the
21 scene and --

22 MS. GUTIERREZ: Yeah. I really wish they
23 didn't like post pictures of my house. It was a small
24 town and anyone --

25 MR. BOWLES: Yeah.

1 MS. GUTIERREZ: -- can realistically find
2 my house pretty easily --

3 DETECTIVE CANO: Yeah.

4 MS. GUTIERREZ: -- just by pictures of it.

5 DETECTIVE CANO: Yeah, I mean --

6 MS. GUTIERREZ: And then they made fun of
7 my barbecue and a bunch of other things and just called
8 me poor, basically, which, yeah. It's like thanks for
9 making fun of me for not --

10 DETECTIVE CANO: Well, people, I mean --
11 people when they want to give an opinion online,
12 they're never going to say anything nice, you know.

13 MS. GUTIERREZ: Yeah. Right. They're just
14 like, look at her. She's poor. Ha, ha -- like --

15 DETECTIVE CANO: Yeah.

16 MS. GUTIERREZ: Yeah.

17 DETECTIVE HANCOCK: I'm a cop, and I'm
18 poor.

19 MS. GUTIERREZ: Right. Yeah. I know the
20 press is just making fun of how poor I am. I was like
21 thank you. It's hard to make money.

22 DETECTIVE HANCOCK: Okay. Where is this?
23 Let me just get -- so this is our consent form.

24 MS. GUTIERREZ: Were most of these found in
25 the truck?

1 DETECTIVE HANCOCK: Some in the truck --
2 I'll go over it.

3 MS. GUTIERREZ: Okay.

4 DETECTIVE HANCOCK: So many like --

5 MS. GUTIERREZ: -- by all means.

6 DETECTIVE HANCOCK: Okay. Look through,
7 make sure you're good with it. So here's a consent
8 form to get swabs and then prints. Okay?

9 MS. GUTIERREZ: Cool.

10 MR. BOWLES: That's pretty standard.

11 MS. GUTIERREZ: Yeah, no, totally.

12 DETECTIVE HANCOCK: Yeah. And I -- I
13 explained it.

14 MS. GUTIERREZ: Yeah. Cool.

15 DETECTIVE HANCOCK: -- either --

16 MS. GUTIERREZ: Let's -- let's get that
17 going.

18 DETECTIVE HANCOCK: So you're going to
19 print your name up here.

20 MS. GUTIERREZ: Yeah.

21 DETECTIVE HANCOCK: That way you can wash
22 up after because it kind of makes a mess.

23 MS. GUTIERREZ: Oh, fun.

24 MR. BOWLES: And then does she do --

25 DETECTIVE HANCOCK: Yes.

1 MS. GUTIERREZ: 4897.

2 DETECTIVE HANCOCK: And then if you'll give
3 your full name there?

4 MS. GUTIERREZ: Yeah. G-u-t-i-e-r-r-e-z.
5 It's so long.

6 DETECTIVE HANCOCK: And then initial these
7 for me.

8 MS. GUTIERREZ: Initial -- okay. Strange
9 because my name ends with easy but it's not easy to
10 spell.

11 DETECTIVE HANCOCK: And then you are going
12 to sign, date, and right now, it is 7:51.

13 MS. GUTIERREZ: Okay. 7:51. And I'm
14 sorry, what was the date again?

15 DETECTIVE HANCOCK: 11-9.

16 MS. GUTIERREZ: 11-9. And 11, not 12.
17 Sorry.

18 DETECTIVE HANCOCK: I'll have you go below.

19 MS. GUTIERREZ: Here you go.

20 MR. BOWLES: Thank you.

21 MS. GUTIERREZ: I'm -- I'm ready whenever
22 you are. I'm sorry for keeping you waiting.

23 FEMALE SPEAKER: No. I was just waiting
24 for this form to be done.

25 MS. GUTIERREZ: Yeah.

1 FEMALE SPEAKER: I'm good. So the first
2 thing --

3 DETECTIVE HANCOCK: I'm like I don't want
4 to keep her much longer.

5 MR. BOWLES: Yeah.

6 FEMALE SPEAKER: The first thing I'm going
7 to do is a buccal swab, which is just a cheek swab. So
8 I'm just going to swab either side of your cheek at
9 this point.

10 MS. GUTIERREZ: Okay.

11 FEMALE SPEAKER: Okay.

12 MS. GUTIERREZ: Bevel. Is that what
13 they're called?

14 FEMALE SPEAKER: Buccal or buccal.

15 MS. GUTIERREZ: Buccal. Oh, I thought you
16 said bevel. That sounds kind of cute. All right.

17 FEMALE SPEAKER: Just open up for me. Like
18 one more time.

19 MR. BOWLES: Oh, thank you. Appreciate
20 that.

21 FEMALE SPEAKER: Will you spell your last
22 name for me.

23 MS. GUTIERREZ: Yeah. Last name is
24 G-u-t-i-e-r-r-e-z.

25 FEMALE SPEAKER: Okay. H-a-n-n.

1 MS. GUTIERREZ: A-h. Yeah.

2 FEMALE SPEAKER: All right. I'm actually
3 going to have you stand up and stand on this side.

4 MS. GUTIERREZ: Okay.

5 FEMALE SPEAKER: Because I'm right-handed
6 and --

7 MS. GUTIERREZ: Oops. Sorry.

8 FEMALE SPEAKER: No, you're fine.

9 MS. GUTIERREZ: I'll go over here on this
10 side.

11 FEMALE SPEAKER: You're good. Okay. So
12 what I'm going to do is I'm going to start with your
13 right hand.

14 MS. GUTIERREZ: Okay.

15 FEMALE SPEAKER: Okay. So right hand first
16 and start with your thumb. And just kind of keep your
17 hand loose at the wrist.

18 MS. GUTIERREZ: Loosey-goosey.

19 FEMALE SPEAKER: Yeah. I'm just going to
20 roll each of your fingers here.

21 MS. GUTIERREZ: Okay.

22 DETECTIVE HANCOCK: I don't want this to
23 freak you out, Hannah. We're doing it for everyone
24 that --

25 MS. GUTIERREZ: No. I totally understand,

1 and, yeah.

2 MR. BOWLES: Yeah.

3 DETECTIVE HANCOCK: It's pretty standard
4 and so --

5 FEMALE SPEAKER: I'm going to do that same
6 thing over again on this side but --

7 MS. GUTIERREZ: Oh, same --

8 FEMALE SPEAKER: Yeah. I'm gonna do --

9 MS. GUTIERREZ: -- hand?

10 FEMALE SPEAKER: -- two sets of right and
11 two sets of left.

12 MS. GUTIERREZ: Oh, all right.

13 DETECTIVE HANCOCK: I was freezing when we
14 came in here and now I'll like --

15 MR. BOWLES: I know. It's a little warm.

16 FEMALE SPEAKER: It's nice in here compared
17 to the cubicles.

18 MR. BOWLES: Oh, yeah.

19 FEMALE SPEAKER: A second ago.

20 DETECTIVE HANCOCK: Like guys need some
21 plants in here or something.

22 FEMALE SPEAKER: Now, with your right hand
23 again. Sorry.

24 MS. GUTIERREZ: Oh. What?

25 DETECTIVE HANCOCK: Like I say, it's --

1 it's a mess.

2 MS. GUTIERREZ: How many of them are --

3 FEMALE SPEAKER: I was just going to do
4 index finger on this side.

5 MS. GUTIERREZ: Okay.

6 FEMALE SPEAKER: And then I'm going to do
7 your palms. So if you want to pull your sleeve up a
8 little bit.

9 MS. GUTIERREZ: Does it matter my hands are
10 sweaty?

11 FEMALE SPEAKER: No. You -- you're good.

12 MS. GUTIERREZ: Okay. Yeah. So I got
13 hyperhidrosis.

14 FEMALE SPEAKER: Okay.

15 MS. GUTIERREZ: I always sweat a lot.

16 DETECTIVE HANCOCK: Yeah.

17 FEMALE SPEAKER: Just hold your -- just
18 hold your palms flat.

19 MS. GUTIERREZ: Both hands are like --

20 FEMALE SPEAKER: All right. And just hold
21 it -- and now, I'm going to do this side area here.
22 Right. And you can just hold it. All right. All
23 right. Same thing right hand on this card. Okay?
24 Now, palm again. Okay.

25 MS. GUTIERREZ: Holy moly. We gotta do

1 this with the left?

2 FEMALE SPEAKER: Yeah. We gotta do the
3 left, too.

4 MS. GUTIERREZ: Holy shit.

5 FEMALE SPEAKER: And this side there again.

6 MS. GUTIERREZ: Okay.

7 FEMALE SPEAKER: All right. Good. Yup,
8 now, we're going to do the right.

9 MS. GUTIERREZ: Never. No. That's where I
10 had to go -- that's where I had to go for Seth's place.
11 And I was like why would you have something so
12 important in like all these things here in the
13 sketchiest part of town.

14 MR. BOWLES: Yeah.

15 DETECTIVE HANCOCK: You have swabs and
16 everything?

17 FEMALE SPEAKER: Yup. I have everything.

18 DETECTIVE HANCOCK: Do you want to go wash
19 up before you give yourself a Mulan stache.

20 MS. GUTIERREZ: I'd rather not. I'm ready
21 to just handle this and then I'll deal with that.

22 DETECTIVE HANCOCK: Okay.

23 MS. GUTIERREZ: If I get the Mulan stache,
24 oh, well. I'm gonna definitely say the thing. Fa Mu
25 Lan.

1 DETECTIVE HANCOCK: Yes. Exactly.

2 MS. GUTIERREZ: I know exactly what's
3 coming.

4 DETECTIVE HANCOCK: All right. Before we
5 dive into these real quick so this is an example.
6 Okay?

7 MS. GUTIERREZ: Okay.

8 DETECTIVE HANCOCK: Remember how I was
9 asking you if they had any safety bulletins or anything
10 that's put out?

11 MS. GUTIERREZ: Okay.

12 DETECTIVE HANCOCK: So these are ones
13 pertaining to ammo, ammo, guns. Did you ever see
14 anything like this? Or was anything like this ever put
15 out? And you can --

16 MS. GUTIERREZ: I definitely didn't see
17 anything like this at all.

18 DETECTIVE HANCOCK: So they didn't put any
19 protocols out for --

20 MS. GUTIERREZ: I don't believe so. If
21 they did, it might have gotten lost in the email. Not
22 really sure.

23 DETECTIVE HANCOCK: Check through those and
24 see.

25 MS. GUTIERREZ: Okay.

1 DETECTIVE HANCOCK: But, yeah, so safety
2 bulletins, firearms, live ammo. Okay?

3 MS. GUTIERREZ: Okay.

4 DETECTIVE HANCOCK: It's kind of something
5 that's --

6 MR. BOWLES: You don't remember those?

7 MS. GUTIERREZ: No.

8 MR. BOWLES: Okay.

9 DETECTIVE HANCOCK: -- that's fairly
10 standard on most productions.

11 MS. GUTIERREZ: Yeah. I didn't see those
12 on my last one either, to be honest with you, or my
13 last one. I think it's also a new thing maybe, you
14 know.

15 DETECTIVE HANCOCK: Uh-huh.

16 MS. GUTIERREZ: Even though this was
17 whatchamacallit, yeah.

18 DETECTIVE HANCOCK: Okay.

19 MS. GUTIERREZ: Okay.

20 DETECTIVE HANCOCK: This was the box?

21 MS. GUTIERREZ: All right.

22 DETECTIVE HANCOCK: This is the box that
23 was on top of the cart.

24 MS. GUTIERREZ: I don't remember that being
25 the box that was on top of the cart.

1 DETECTIVE HANCOCK: This is the one that
2 was -- or handed that you guys had said that you had
3 pulled from.

4 MS. GUTIERREZ: I thought it just said
5 dummies on it. Yeah. I don't -- I don't remember this
6 one being the one. I thought it was much cleaner. It
7 was not --

8 DETECTIVE HANCOCK: Cleaner in what way?

9 MS. GUTIERREZ: Like, you know, just how
10 this is kind of messed up right here. Like these are
11 all kind of dirty and like the side right here is
12 dirty. I thought it was pretty clean and new, the one
13 that we were using.

14 DETECTIVE HANCOCK: Okay. Yeah. Because
15 this matches the one that you showed me.

16 MS. GUTIERREZ: Yeah. I understand that.

17 DETECTIVE HANCOCK: Okay.

18 MS. GUTIERREZ: You guys found this on the
19 cart? Or --

20 DETECTIVE HANCOCK: Yeah. This was the one
21 that was given to us that you guys had said that this
22 was the block that you had pulled from. And this is
23 the one that Sarah checked.

24 MS. GUTIERREZ: This is the one that Sarah
25 checked. Okay. And she found multiple live ones in

1 there. Just one?

2 DETECTIVE HANCOCK: Suspected. Until it
3 goes to the lab, we can't -- obviously, we can't
4 confirm.

5 MS. GUTIERREZ: Okay. Yeah. She -- she
6 definitely said that there were multiple in there.

7 DETECTIVE HANCOCK: Yeah. This is it.

8 MS. GUTIERREZ: Okay. I don't know. I
9 kind of think it's strange that these ones are missing
10 out of here when I'm pretty sure like we had only
11 really toughed these first couple of rounds there.

12 DETECTIVE HANCOCK: And then you -- I
13 mean --

14 MS. GUTIERREZ: What this?

15 DETECTIVE HANCOCK: There's also a hole
16 there.

17 MS. GUTIERREZ: Yeah, no. I think -- I
18 think that's weird. I don't remember that.

19 DETECTIVE HANCOCK: Okay.

20 MS. GUTIERREZ: And I don't know if maybe
21 one was taken back to the truck or something.

22 DETECTIVE HANCOCK: What do you mean?

23 MS. GUTIERREZ: I don't know. I don't know
24 if Sarah went back to the truck at all with anything.

25 DETECTIVE HANCOCK: Okay. But you didn't?

1 MS. GUTIERREZ: No, I didn't. I was there
2 with Brian the whole time. Sarah -- I don't know
3 exactly. I think she might have went back to the
4 truck.

5 DETECTIVE HANCOCK: So these two were on
6 the top of the cart.

7 MS. GUTIERREZ: Okay.

8 DETECTIVE HANCOCK: Also suspected live
9 rounds.

10 MS. GUTIERREZ: Okay. Okay.

11 DETECTIVE HANCOCK: That was the one that
12 came out of the gun?

13 MS. GUTIERREZ: Yeah.

14 DETECTIVE HANCOCK: Okay.

15 MS. GUTIERREZ: Okay.

16 DETECTIVE HANCOCK: So I don't know you
17 noticed the commonality between these that we suspect
18 them to be live.

19 MS. GUTIERREZ: The silver? Okay. All
20 right.

21 DETECTIVE HANCOCK: That didn't stick --
22 stick out to you when you loaded that gun?

23 MS. GUTIERREZ: No.

24 DETECTIVE HANCOCK: That the rest of them
25 were not the same color?

1 MS. GUTIERREZ: No. What -- what are we
2 looking at here? Oh, okay. I -- I'm sorry. I thought
3 that was messed up right there. I thought that was a
4 different kind of loading gate. Okay. Yeah.

5 DETECTIVE HANCOCK: Was this one pulled out
6 after lunch?

7 MS. GUTIERREZ: I can't really tell if --
8 got it. I would have to see the bottom of it to really
9 tell if this is Rust's gun or not. Other than that,
10 the only other two -- if this isn't Rust, they -- they
11 should have the two stars on them.

12 DETECTIVE HANCOCK: Okay. The Marshal one?

13 MS. GUTIERREZ: Yeah, the two Marshal ones
14 would have been out there after lunch.

15 DETECTIVE HANCOCK: Okay.

16 MS. GUTIERREZ: So I'm not -- is that the
17 Rust gun?

18 DETECTIVE HANCOCK: Uh-huh.

19 MS. GUTIERREZ: Okay. I kind of -- I can't
20 really tell unless I see the bottom of it.

21 DETECTIVE HANCOCK: You said it had like
22 markings on the bottom, right?

23 MS. GUTIERREZ: Yeah.

24 DETECTIVE HANCOCK: Okay.

25 MS. GUTIERREZ: Uh-huh.

1 DETECTIVE HANCOCK: This is your guys's
2 prop truck, correct?

3 MS. GUTIERREZ: Yeah.

4 DETECTIVE HANCOCK: Okay. Back of it?

5 MS. GUTIERREZ: Cool.

6 DETECTIVE HANCOCK: Okay. So there's two
7 access points to this truck?

8 MS. GUTIERREZ: Yeah.

9 DETECTIVE HANCOCK: One is here on the
10 side, on the passenger side.

11 MS. GUTIERREZ: Uh-huh.

12 DETECTIVE HANCOCK: And then this back.

13 MS. GUTIERREZ: Okay.

14 DETECTIVE HANCOCK: Okay. This is how we
15 found it.

16 MS. GUTIERREZ: Yeah.

17 DETECTIVE HANCOCK: Is that pretty common
18 on how -- obviously, this is after the incident so
19 stuff was put away. But is this pretty common on how
20 you guys store that cart?

21 MS. GUTIERREZ: Yeah. We left it usually
22 right there.

23 DETECTIVE HANCOCK: Okay. And that's the
24 safe?

25 MS. GUTIERREZ: Yeah.

1 DETECTIVE HANCOCK: So you were telling me,
2 and, you know, I --

3 MS. GUTIERREZ: Yeah.

4 DETECTIVE HANCOCK: I don't really know
5 safes too, too much but you tell me when you --

6 MS. GUTIERREZ: Mop it.

7 DETECTIVE HANCOCK: -- you pull this
8 handle.

9 MS. GUTIERREZ: 100 percent.

10 DETECTIVE HANCOCK: It locks itself?

11 MS. GUTIERREZ: Right.

12 DETECTIVE HANCOCK: You don't have to like
13 hit the pound key --

14 MS. GUTIERREZ: No.

15 DETECTIVE HANCOCK: Or --

16 MS. GUTIERREZ: 100 percent you just lock
17 it and it locks.

18 DETECTIVE HANCOCK: Okay.

19 MR. BOWLES: Inside this, too.

20 DETECTIVE HANCOCK: Okay.

21 MR. BOWLES: You just do the --

22 DETECTIVE HANCOCK: Yeah.

23 MS. GUTIERREZ: Everything single time it
24 locks like that. Yeah.

25 DETECTIVE HANCOCK: Okay. And this is

1 where you kept the gun?

2 MS. GUTIERREZ: Uh-huh.

3 DETECTIVE HANCOCK: So this is the cart.
4 This is how we found the cart the day of the incident.

5 MS. GUTIERREZ: Okay. So I'm not really
6 seeing the box on top of it.

7 DETECTIVE HANCOCK: So those -- that's the
8 thing is that box was given --

9 MS. GUTIERREZ: -- to us.

10 DETECTIVE HANCOCK: To us.

11 MS. GUTIERREZ: By who?

12 DETECTIVE HANCOCK: Sarah, I believe,
13 but --

14 MS. GUTIERREZ: Okay.

15 MR. BOWLES: And going back to that, are
16 you -- if Sarah gave that box, are you convinced that's
17 the box that you saw?

18 MS. GUTIERREZ: I don't -- I don't remember
19 that being the box.

20 DETECTIVE HANCOCK: That you were pulling
21 from?

22 MS. GUTIERREZ: I don't -- I don't recall
23 that being the box that we were pulling from.

24 DETECTIVE HANCOCK: Okay.

25 MS. GUTIERREZ: It seems a little dingy,

1 but, yeah, I'm not sure.

2 DETECTIVE HANCOCK: Okay. But here's my
3 thing is that, you know --

4 MS. GUTIERREZ: Yeah. There is suspected
5 live rounds in this box?

6 DETECTIVE HANCOCK: Which this matches what
7 you showed me --

8 MS. GUTIERREZ: Yeah.

9 DETECTIVE HANCOCK: -- what you brought.

10 MS. GUTIERREZ: Yeah. Yeah. Well, yeah,
11 those are the ones I brought. I'm not sure if Seth has
12 any like that.

13 DETECTIVE HANCOCK: Okay.

14 MS. GUTIERREZ: But also, I mean, a box is
15 a box. You can put different trays and different
16 boxes, you know.

17 DETECTIVE HANCOCK: Uh-huh. Let's see. So
18 these two. I think one of these was the one used. I
19 think this one was a potential suspected live.

20 MS. GUTIERREZ: Okay.

21 DETECTIVE HANCOCK: You know, just, I would
22 say that I think a blank that we had pulled there.

23 MS. GUTIERREZ: Okay.

24 DETECTIVE HANCOCK: But this is, I mean,
25 how the top of this looked.

1 MR. BOWLES: Yeah.

2 MS. GUTIERREZ: Okay. Yeah.

3 DETECTIVE HANCOCK: Were these already on
4 it? Or were these on actors?

5 MS. GUTIERREZ: These were on actors. That
6 one's Swen and this' one's Jensen's.

7 DETECTIVE HANCOCK: So do they just drop
8 them on the cart after the incident?

9 MS. GUTIERREZ: They gave them back to
10 Sarah.

11 DETECTIVE HANCOCK: Okay. And she put them
12 there?

13 MS. GUTIERREZ: Yeah.

14 DETECTIVE HANCOCK: This was also on that
15 cart, also suspected live.

16 MS. GUTIERREZ: Okay.

17 DETECTIVE HANCOCK: These were the ones in
18 the side, two out of the three of these are suspected
19 live. And this is on the top of the cart. So it's not
20 like from a different area. These were on the top of
21 the cart.

22 MS. GUTIERREZ: Okay. Yeah. I understand.

23 DETECTIVE HANCOCK: Both of them. This is
24 Alec's belt?

25 MS. GUTIERREZ: Yeah.

1 DETECTIVE HANCOCK: Okay. Also suspected
2 live.

3 MS. GUTIERREZ: Okay.

4 DETECTIVE HANCOCK: One of these two. One
5 of them rattles, one of them doesn't.

6 MS. GUTIERREZ: Okay.

7 DETECTIVE HANCOCK: Now, I think you
8 explained this to me earlier. I'm just curious --

9 MS. GUTIERREZ: Yeah.

10 DETECTIVE HANCOCK: -- on what these horsey
11 rounds were.

12 MS. GUTIERREZ: Yeah. What's up?

13 DETECTIVE HANCOCK: What are the horsey
14 rounds?

15 MS. GUTIERREZ: Oh, the horsey rounds.
16 Okay. Yeah. I thought you were saying that they were
17 live and those --

18 DETECTIVE HANCOCK: No. This box was
19 empty --

20 MS. GUTIERREZ: Yeah, yeah.

21 DETECTIVE HANCOCK: But just --

22 MS. GUTIERREZ: Those are the -- those are
23 like the eighth loads like I was telling you about.

24 DETECTIVE HANCOCK: Okay.

25 MS. GUTIERREZ: Not the one box --

1 DETECTIVE HANCOCK: The blanks.

2 MS. GUTIERREZ: -- that I contributed.

3 Yeah.

4 MR. BOWLES: Did you have a shooter on the
5 horses or something?

6 MS. GUTIERREZ: Yeah.

7 MR. BOWLES: Yeah.

8 MS. GUTIERREZ: The horsey rounds.

9 MR. BOWLES: Yeah.

10 MS. GUTIERREZ: They had a little
11 horseshoe. I thought it was cute.

12 DETECTIVE HANCOCK: This is another box.

13 MS. GUTIERREZ: Okay. Okay.

14 DETECTIVE HANCOCK: With one suspected
15 live.

16 MS. GUTIERREZ: Okay. Copy that. And,
17 yeah, I'm not really sure about this box, the writing
18 on it. I've definitely seen it before, but, yeah, I'm
19 not sure what that writing is because --

20 DETECTIVE HANCOCK: That same from Seth.

21 MS. GUTIERREZ: Okay.

22 DETECTIVE HANCOCK: He said that he marks
23 stuff like that. These were found --

24 MS. GUTIERREZ: I think I had seen some
25 other things from Seth that weren't marked like that

1 that --

2 DETECTIVE HANCOCK: Yeah. He -- he said he
3 does different kind of ways.

4 MS. GUTIERREZ: Different things, yeah.

5 DETECTIVE HANCOCK: So these ones were
6 found in one of your bags.

7 MS. GUTIERREZ: Okay.

8 DETECTIVE HANCOCK: Okay. Just different
9 calibers. The only thing that sticks out is that
10 this --

11 MS. GUTIERREZ: Yeah. You always wanna
12 keep these on set. These are, basically, you put those
13 there in order to like -- if you have a gun scene, you
14 know, and the person is reloading it, they would be --
15 if they shot the gun off and everything, they would be
16 dropping those out of the cylinder, and so I have a
17 couple of bags.

18 DETECTIVE HANCOCK: Okay. So that's why
19 you keep --

20 MS. GUTIERREZ: Yeah.

21 DETECTIVE HANCOCK: -- things that don't
22 have --

23 MS. GUTIERREZ: Yeah. You bring those --
24 so that way, you know, you can litter the ground with
25 shells to make it look like people have been shooting

1 there.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: Yeah.

4 DETECTIVE HANCOCK: That makes sense.

5 MS. GUTIERREZ: Yeah. You definitely
6 always need to have like at least a couple bags of ones
7 that have no thing on them, yeah.

8 DETECTIVE HANCOCK: What do you know about
9 the manufacturer of what you guys received?

10 MS. GUTIERREZ: I'm not entirely sure. Are
11 you saying like Joe Swanson? Because I -- I don't know
12 exactly where all these come from. Like I said, a lot
13 of these came from Seth.

14 DETECTIVE HANCOCK: Do you know -- okay.
15 So brand?

16 MS. GUTIERREZ: Yeah.

17 DETECTIVE HANCOCK: You know what a
18 Winchester is. Everybody knows Winchester makes --

19 MS. GUTIERREZ: Yeah.

20 DETECTIVE HANCOCK: -- live rounds?

21 MS. GUTIERREZ: Yeah.

22 DETECTIVE HANCOCK: Okay. So one of these
23 was a Winchester round?

24 MS. GUTIERREZ: A Winchester like live
25 round?

1 DETECTIVE HANCOCK: Well, it was one of
2 these -- I think --

3 MS. GUTIERREZ: Like a .45. Not my 44-40?

4 DETECTIVE HANCOCK: It's not live,
5 obviously.

6 MS. GUTIERREZ: Okay.

7 DETECTIVE HANCOCK: But at one point it
8 was.

9 MR. BOWLES: Yeah.

10 MS. GUTIERREZ: Okay.

11 DETECTIVE HANCOCK: I'm not saying for this
12 set, particularly, but Winchester doesn't make --
13 these -- the manufacturer of these is Starline brass.

14 MS. GUTIERREZ: Okay.

15 DETECTIVE HANCOCK: Okay. And this is just
16 from doing research --

17 MR. BOWLES: Uh-huh.

18 DETECTIVE HANCOCK: And what I have found
19 out. Okay?

20 MS. GUTIERREZ: Okay.

21 DETECTIVE HANCOCK: So you can tell because
22 it has a like a little star.

23 MS. GUTIERREZ: Yeah.

24 DETECTIVE HANCOCK: An ark and then a star.

25 MR. BOWLES: Yeah.

1 MS. GUTIERREZ: Yeah.

2 DETECTIVE HANCOCK: So all these have
3 different manufacturers. That's how you can tell where
4 these come from.

5 MS. GUTIERREZ: Okay.

6 DETECTIVE HANCOCK: Some of them have
7 nothing.

8 MS. GUTIERREZ: Yeah. And so like I said,
9 they all kind of vary a little bit.

10 DETECTIVE HANCOCK: Right.

11 MS. GUTIERREZ: Yeah.

12 DETECTIVE HANCOCK: So --

13 MR. BOWLES: A star, a star, yeah.

14 DETECTIVE HANCOCK: And that's the one that
15 was discharged?

16 MR. BOWLES: Yeah.

17 DETECTIVE HANCOCK: So here's my thing with
18 this company is this company doesn't produce live ammo.

19 MS. GUTIERREZ: So what the fuck? That's
20 insane.

21 MR. BOWLES: Wow.

22 MS. GUTIERREZ: So how did that -- that
23 must have -- is that one of those primer cap things I
24 was talking about? Those older ones that like the
25 primer cap's --

1 DETECTIVE HANCOCK: They don't --

2 MS. GUTIERREZ: -- alive? They don't know
3 how that happened then.

4 MR. BOWLES: So this company -- and you
5 said those stone --

6 DETECTIVE HANCOCK: Starline.

7 MR. BOWLES: Starline.

8 DETECTIVE HANCOCK: Starline brass is --

9 MR. BOWLES: Starline brass.

10 DETECTIVE HANCOCK: Yeah.

11 MS. GUTIERREZ: Okay.

12 DETECTIVE HANCOCK: Yeah, like --

13 MR. BOWLES: And they don't produce live
14 rounds? So somebody's got to --

15 DETECTIVE HANCOCK: So somebody -- this is
16 used for movie sets --

17 MS. GUTIERREZ: Yeah.

18 DETECTIVE HANCOCK: -- because they are --

19 MS. GUTIERREZ: Totally. But this was from
20 the top of the cart, right?

21 DETECTIVE HANCOCK: Uh-huh.

22 MS. GUTIERREZ: Okay.

23 DETECTIVE HANCOCK: There is the round
24 that --

25 MR. BOWLES: That fired.

1 MS. GUTIERREZ: That should have been the
2 one that I took out and gave to Sarah. That should be
3 it.

4 DETECTIVE HANCOCK: Right.

5 MS. GUTIERREZ: So like what are you --
6 like what are you saying for that? Like somehow that
7 one that should have never been able --

8 MR. BOWLES: That somebody --

9 MS. GUTIERREZ: -- to fire? Would they be
10 able to fire?

11 MR. BOWLES: Somebody made it into a live
12 round. Or it just -- I mean --

13 MS. GUTIERREZ: Are you serious?

14 DETECTIVE HANCOCK: Speculation.

15 MS. GUTIERREZ: Oh, my God.

16 MR. BOWLES: Because those -- if they don't
17 make live rounds, somebody had to convert it or it was
18 a dummy that just went haywire. I guess which more
19 likely somebody converted that to a live round.

20 DETECTIVE HANCOCK: Take a deep breath.

21 MS. GUTIERREZ: That's -- that's just --

22 DETECTIVE HANCOCK: Like I said, I wanna be
23 honest with you guys about --

24 MS. GUTIERREZ: Yeah.

25 MR. BOWLES: I appreciate it.

1 DETECTIVE HANCOCK: You know, about --

2 MR. BOWLES: I appreciate that a lot.

3 DETECTIVE HANCOCK: -- where were at and
4 what we've found. Okay?

5 MS. GUTIERREZ: Okay. Yeah. Those are
6 mine?

7 DETECTIVE HANCOCK: Okay.

8 MS. GUTIERREZ: Yeah.

9 DETECTIVE HANCOCK: The ones that you keep
10 for --

11 MS. GUTIERREZ: Uh-huh.

12 DETECTIVE HANCOCK: Got it. And this is
13 what I'm saying. So there's a bunch of random, you
14 know --

15 MS. GUTIERREZ: Dummies that fly out of
16 places instead of lost places.

17 DETECTIVE HANCOCK: Well, what's weird to
18 me is all the different brands.

19 MR. BOWLES: Right.

20 MS. GUTIERREZ: Yeah. They're all like
21 kind of a little different like I told you. It's so
22 weird.

23 DETECTIVE HANCOCK: So this is like a VHA,
24 this is SNB.

25 MS. GUTIERREZ: Oh.

1 DETECTIVE HANCOCK: The rest of these are
2 Starline.

3 MR. BOWLES: Starline.

4 MS. GUTIERREZ: Yeah.

5 MR. BOWLES: So --

6 MS. GUTIERREZ: I, actually, have noticed
7 the Starline ones -- yeah. I try to use those
8 because --

9 MR. BOWLES: Do you have any idea where
10 those came from the Starline?

11 MS. GUTIERREZ: I have no idea. I mean,
12 like I've seen them a lot before. I had them on my
13 last set, yeah.

14 DETECTIVE HANCOCK: Yeah. It's the normal
15 of what is supplied.

16 MR. BOWLES: Okay. Yeah.

17 DETECTIVE HANCOCK: So I don't know if you
18 want to go through those again.

19 MS. GUTIERREZ: Did -- did they do gun
20 residue out of the -- did they find powder residue in
21 that Starline one?

22 DETECTIVE HANCOCK: It -- it takes a while
23 for --

24 MS. GUTIERREZ: Okay. Yeah.

25 DETECTIVE HANCOCK: Because --

1 MS. GUTIERREZ: Do you guys have an idea of
2 how long like that labs are going to take?

3 MR. BOWLES: They actually take a while.

4 DETECTIVE HANCOCK: Yeah.

5 MS. GUTIERREZ: Oh, my god.

6 DETECTIVE HANCOCK: Unless the FBI --

7 MS. GUTIERREZ: Talking like months? Or
8 like --

9 MR. BOWLES: Actually, yeah. They -- the
10 quickest way to do it. They state that it'll take two
11 years but --

12 MS. GUTIERREZ: Are you fucking kidding me?

13 MR. BOWLES: The FBI doesn't do that.
14 Yeah.

15 MS. GUTIERREZ: Holy shit.

16 DETECTIVE HANCOCK: Yeah. That's why I
17 brought the FBI in.

18 MS. GUTIERREZ: Oh, my God. Two years.

19 MR. BOWLES: No. But not for -- the FBI --

20 MS. GUTIERREZ: Oh, okay. I was like, I
21 can't fucking do this for two years. Guys, oh, my god.

22 DETECTIVE HANCOCK: I'm sorry utilize
23 our --

24 MS. GUTIERREZ: No. Totally. Thank God.

25 DETECTIVE HANCOCK: Yeah.

1 MR. BOWLES: Wow. That's crazy.

2 MS. GUTIERREZ: Yeah. Honestly, depending
3 on how many suspected lives are in here, considering
4 with what Sarah told me, I would kind of consider that
5 there's another box.

6 DETECTIVE HANCOCK: This is it for --

7 MS. GUTIERREZ: Well, just because she told
8 me that more than half of the box she shook and was
9 live.

10 DETECTIVE HANCOCK: Yeah. Your thought
11 process.

12 MS. GUTIERREZ: So like -- like --

13 DETECTIVE HANCOCK: So where is that we --

14 MS. GUTIERREZ: Where did those go?

15 DETECTIVE HANCOCK: I don't --

16 MR. BOWLES: I mean --

17 DETECTIVE HANCOCK: When you're doing
18 things in a state of -- of, you know, after a traumatic
19 situation --

20 MS. GUTIERREZ: Totally.

21 DETECTIVE HANCOCK: -- what you perceive
22 could not be what is. Okay?

23 So we have a spent casing from Alec's gun.

24 MS. GUTIERREZ: Okay.

25 DETECTIVE HANCOCK: We have the ones that

1 was in that box.

2 MR. BOWLES: Yeah.

3 DETECTIVE HANCOCK: Which we were told that
4 you were -- that this was the box that you were pulling
5 from.

6 MS. GUTIERREZ: Yeah. My -- yeah.

7 DETECTIVE HANCOCK: Okay. We have the two
8 on the top of the cart.

9 MS. GUTIERREZ: Yeah.

10 DETECTIVE HANCOCK: Just --

11 MS. GUTIERREZ: So those might have been
12 from the box.

13 DETECTIVE HANCOCK: Do you think she was
14 doing them and then throwing them out?

15 MS. GUTIERREZ: No.

16 DETECTIVE HANCOCK: Of the cart when she
17 was checking?

18 MS. GUTIERREZ: Maybe. I don't know. I --
19 I wasn't there.

20 DETECTIVE HANCOCK: One in the bandoleer on
21 the top of the cart.

22 MR. BOWLES: Right.

23 DETECTIVE HANCOCK: And one in Alec's
24 bandoleer.

25 MS. GUTIERREZ: Uh-huh.

1 DETECTIVE HANCOCK: And then the one that's
2 unsure. That was in that food truck we said.

3 MR. BOWLES: And the -- it looks like
4 they're all Starline?

5 DETECTIVE HANCOCK: Uh-huh.

6 MR. BOWLES: Yeah. They're all the -- that
7 type. Huh. Wow. That's crazy.

8 DETECTIVE HANCOCK: So my thing is, I mean,
9 these boxes, obviously, I mean, you can just even
10 though these are dummy rounds --

11 MS. GUTIERREZ: Yeah.

12 DETECTIVE HANCOCK: -- you know, a majority
13 of them, obviously.

14 MS. GUTIERREZ: Yeah.

15 DETECTIVE HANCOCK: You could see that they
16 are different kinds of dummy rounds.

17 MS. GUTIERREZ: Totally.

18 DETECTIVE HANCOCK: So --

19 MS. GUTIERREZ: Yeah.

20 DETECTIVE HANCOCK: You know what I mean?

21 MS. GUTIERREZ: Yeah.

22 DETECTIVE HANCOCK: Why would there be
23 mixed boxes of this stuff?

24 MS. GUTIERREZ: So, usually, like, you
25 know, the only thing that I try to keep consistent is

1 if there's no primer caps or if there's primer caps.
2 And so this is just try to keep the primer caps, the
3 ones without primer caps together so that way I know
4 where they are.

5 DETECTIVE HANCOCK: Okay. And then, you
6 know, this box is -- why would there be live ammo on
7 the set?

8 MS. GUTIERREZ: I have no idea. At this
9 point, it kind of seemed like somehow these were mixed
10 in.

11 DETECTIVE HANCOCK: Okay. Did you ever do
12 gun practice on this set?

13 MS. GUTIERREZ: Never, not once.

14 DETECTIVE HANCOCK: Never took the guns out
15 for target practice, any from the cart?

16 MS. GUTIERREZ: No. And I think there
17 would be like videos, pictures of that, or anything.
18 You know, everyone would be pretty stoked if we were
19 going shooting on set.

20 DETECTIVE HANCOCK: Okay.

21 MS. GUTIERREZ: Even on the weekends there
22 would always be something.

23 DETECTIVE HANCOCK: You wouldn't suspect
24 anyone to tell me that you were out there?

25 MS. GUTIERREZ: I don't know why people

1 would say that.

2 DETECTIVE HANCOCK: Okay.

3 MS. GUTIERREZ: Because 100 percent I was
4 not, and I guarantee you people would probably have
5 pictures and be stoked about it.

6 DETECTIVE HANCOCK: Okay. Is there any
7 reason that you can think of that your DNA or prints
8 would come back on these?

9 MS. GUTIERREZ: Maybe picking them up,
10 maybe moving them around, maybe not necessarily putting
11 them in things, maybe not checking them because I'm not
12 putting them in things.

13 DETECTIVE HANCOCK: Okay.

14 MS. GUTIERREZ: And, you know, I did open
15 the box as well. So, yeah, I opened it.

16 DETECTIVE HANCOCK: Okay.

17 MS. GUTIERREZ: I'm not sure --

18 DETECTIVE HANCOCK: Right.

19 MS. GUTIERREZ: I still don't really
20 remember this being the box. But, yeah. I'm pretty
21 sure -- I thought it just said "dummies" written on it.
22 Did you find any box that just said like "dummies" on
23 it?

24 DETECTIVE HANCOCK: So many boxes that --

25 MS. GUTIERREZ: I'm just saying like, you

1 know, if there was a box --

2 DETECTIVE HANCOCK: I'll look --

3 MS. GUTIERREZ: If there was a --

4 DETECTIVE HANCOCK: I'll look further into
5 it and, you know --

6 MS. GUTIERREZ: Yeah. I'm just saying if
7 there was a box that like just said "dummies" straight
8 across on it, you can switch boxes around.

9 DETECTIVE HANCOCK: Uh-huh.

10 MS. GUTIERREZ: You know. I don't really
11 know. Yeah. And for -- this was all found on the
12 cart? Or was -- in the truck or --

13 DETECTIVE HANCOCK: Yeah. These were on
14 the cart.

15 MS. GUTIERREZ: Yeah.

16 DETECTIVE HANCOCK: On the top of the cart.
17 I mean, this was on the top of the cart. Where did
18 that shotgun go after?

19 MS. GUTIERREZ: Shotgun?

20 DETECTIVE HANCOCK: Yeah.

21 MS. GUTIERREZ: That should have been
22 there.

23 DETECTIVE HANCOCK: Where?

24 MS. GUTIERREZ: That should have been
25 probably on the bottom of the cart.

1 DETECTIVE HANCOCK: Okay.

2 MS. GUTIERREZ: Yeah.

3 DETECTIVE HANCOCK: After the incident?

4 MS. GUTIERREZ: Yeah. Unless Sarah moved
5 it.

6 DETECTIVE HANCOCK: What about those two
7 other guns?

8 MS. GUTIERREZ: Those should have been on
9 the cart. Like I said, given to Sarah. I'm not sure
10 if she put the guns away or something just out of like,
11 you know --

12 DETECTIVE HANCOCK: Yeah. Well --

13 MS. GUTIERREZ: Wanting to keep them locked
14 up. Because, yeah, I definitely didn't put anything
15 away, and I was with Brian the whole time kind of
16 freaking out right on the side.

17 DETECTIVE HANCOCK: And you didn't see
18 where Sarah went?

19 MS. GUTIERREZ: No.

20 DETECTIVE HANCOCK: I mean, that's a long
21 way to run with guns.

22 MS. GUTIERREZ: No, I didn't see -- I
23 didn't see where she went, and she was gone for like
24 10, 15 minutes before you guys showed up.

25 DETECTIVE HANCOCK: Yeah. So that's where

1 we're at.

2 MS. GUTIERREZ: Okay.

3 DETECTIVE HANCOCK: Every single one of
4 those suspected live is Starline brass.

5 MR. BOWLES: Okay.

6 MS. GUTIERREZ: That's fucking crazy.

7 MR. BOWLES: That's crazy.

8 MS. GUTIERREZ: That's like literally
9 insane.

10 DETECTIVE HANCOCK: Do you guys have any
11 questions?

12 MR. BOWLES: No.

13 DETECTIVE HANCOCK: A lot to --

14 MR. BOWLES: Yeah. A lot to -- do you have
15 any questions before we finish?

16 MS. GUTIERREZ: No, not really.

17 MR. BOWLES: Okay.

18 DETECTIVE HANCOCK: You can always call me.

19 MS. GUTIERREZ: Yeah.

20 MR. BOWLES: Yeah.

21 MS. GUTIERREZ: This is -- that's pretty
22 crazy. That's like fucking -- I don't even know how
23 you would do that.

24 MR. BOWLES: Okay. Well, let's -- you want
25 to get going?

1 MS. GUTIERREZ: Yeah.

2 MR. BOWLES: Yeah.

3 MS. GUTIERREZ: Yeah.

4 DETECTIVE HANCOCK: Okay.

5 MR. BOWLES: Okay. Thank you.

6 [The recording concludes.]

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1 In re:

2 RUST

3
4 **CERTIFICATE**

5
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7 DO HEREBY CERTIFY that the above-captioned
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9 that the RECORDING was reduced to typewritten
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12 record of all material included thereon, and that the
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18 I FURTHER CERTIFY that I am neither employed by
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Hannah Gutierrez-Reed
12/16/2021

OSHA Interview

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TRANSCRIPT OF
INTERVIEW OF HANNAH GUTIERREZ-REED
THROUGH ZOOM VIDEO CONFERENCE

December 16, 2021
1:06 p.m.

ATTENDING:

HANNAH GUTIERREZ-REED

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1 MR. MONTOYA: So my name is Lorenzo Montoya,
2 and I'm an inspector with New Mexico OSHA.

3 With me is Mia.

4 MS. NAPOLITANO: Mia Napolitano, assistant
5 general counsel for the New Mexico Environment
6 Department.

7 MR. MONTOYA: And then Cheryl.

8 THE REPORTER: I am Cheryl Arreguin with
9 Albuquerque Court Reporting Service.

10 MR. MONTOYA: And I suppose, Hannah, if you
11 could introduce yourself.

12 And then Mr. Bowles.

13 MR. BOWLES: Yes.

14 MS. GUTIERREZ: Cool. All right. Yeah. Hi.

15 I'm Hannah Gutierrez-Reed. I was the
16 armorer/prop assistant on Rust.

17 MR. BOWLES: And I am Jason Bowles, and I'm an
18 attorney, and I am representing Hannah Gutierrez-Reed.

19 MR. MONTOYA: Great. Appreciate it.

20 So to briefly explain, this way it's on the
21 record and all this stuff, that when people read it
22 later they know what's -- how this all works.

23 OSHA is, of course, investigating the
24 workplace incident that resulted in Halyna being killed
25 and then Joel being injured. And so Occupational Safety

1 and Health, that's OSHA, our job is to try to protect
2 employees when something happens that we weren't able to
3 prevent in the first place, while we are kind of going
4 back and seeing maybe what can be improved on, what can
5 be done differently, if anything.

6 And so for that purpose we're taking some of
7 your time, Hannah -- thank you for giving it to us --
8 just to get your -- your statements on what you saw,
9 what you heard while you were there, what a normal day
10 on set looked like, this sort of thing.

11 MS. GUTIERREZ: Okay. Yeah.

12 MR. MONTTOYA: Our office is not -- we don't do
13 a lot of film. It's a very new sort of thing. So I
14 might ask you some kind of dumb questions. So I would
15 appreciate your patience, because this is -- even with
16 all the interviews we've done already, it's still a very
17 foreign industry to us, and it can be kind of
18 complicated.

19 So --

20 MS. GUTIERREZ: Me, too, totally.

21 MR. MONTTOYA: The court reporter here is going
22 to transcribe everything you say as accurately as
23 possible to the best of her ability. When the interview
24 is done -- it will take some time, and their offices are
25 going to be closing here for the holidays, and so you

1 might not get the transcript until after the new year.
2 But you'll be able to sit down with Mr. Bowles and go
3 over your statements, make any corrections you may need
4 to make, you know, "Oh, I said Monday, I meant to say
5 Tuesday," that sort of thing. So that's the pro there.

6 Secondly, we're taking the audio recording as
7 a backup, just in case there's something missed in --
8 during the discussion, or if there's an audio issue,
9 perhaps the recording will catch it, and we can refer to
10 it to correct it.

11 Otherwise, I guess we -- let's go ahead and
12 jump into it.

13 Normally our interviews would be done on set,
14 in person. Oh, apologies.

15 So I have to show you my credentials. And
16 credentials are just very simply a piece of paper signed
17 by the Environment Department secretary, saying that I
18 am indeed an OSHA inspector. I think it's probably
19 backwards for you. But the idea is we would be in
20 person, and if you thought I was a random guy on the
21 street who walked up and claimed to be somebody, you
22 would be able to call the Environment Department and
23 confirm my identity.

24 But I am technically required to show you
25 these so -- to the best of my ability.

1 MS. GUTIERREZ: Yes. That looks very
2 official.

3 MR. MONTTOYA: Indeed. But if we were in
4 person, you'd be able to actually read it, right?
5 But --

6 MS. GUTIERREZ: Right. Yeah. No. I love how
7 all official paper is still just paper, but yeah. No.
8 It's super -- yeah. Right on. I totally get it. Cool.
9 Thank you.

10 MR. MONTTOYA: All right. So let's begin.

11 First, Hannah, if you could just -- what is
12 the role of an armorer on set? What does the armorer
13 do?

14 MS. GUTIERREZ: So as the armorer/gun coach on
15 a set, normally my job -- normally my job entails
16 training actors on how to use the guns correctly,
17 putting blanks inside of the guns, and making sure that
18 the blanks are appropriately sized for animals,
19 children, adults and everything, proximity of people,
20 how close people are together when they're shooting said
21 blanks. That's also my job.

22 Passing out ear protection and things like
23 that, that usually falls under props or -- or armorer,
24 depending on, you know, how it goes.

25 MR. MONTTOYA: Um-hum.

1 MS. GUTIERREZ: And then also, I'm in charge
2 of dummieing up the guns, particularly in westerns,
3 because you can see the dummies in westerns.

4 And I am also in charge of training actors
5 usually unless there is a separate gun coach, but that
6 has not happened to me yet.

7 MR. MONTOYA: I see.

8 So now can you tell us what does a prop
9 assistant do?

10 MS. GUTIERREZ: So I'm still not really
11 entirely sure about that. I kind of just got thrown
12 into this prop assistant role on this one.

13 I thought I was doing an okay job. I was told
14 by my superiors that I needed to work harder on
15 supporting props. So basically, I guess, what they told
16 me, at least, is that I need to just be an on set force
17 as supporting props and your job is to give actors
18 anything that they use in a scene.

19 So if they pick it up, if they bite it, if
20 they eat it, if they use it, it's a prop, and our job is
21 to give them said props, and to make sure that they have
22 it on in the scene, and to dress props into scenes, as
23 well. And that includes guns, too, for armorers. They
24 need to be dressed into scenes most of the time, as
25 well.

1 And other than that, I think that's all I
2 really do as a prop assistant.

3 MR. MONTROYA: Okay. Appreciate it.

4 So how much background, experience -- how long
5 have you been working as an armorer, and have you ever
6 worked as a props assistant before, or was this sort of
7 the first time they kind of -- you had that little extra
8 job?

9 MS. GUTIERREZ: Yeah. No. So for this one,
10 because I was hired on a union show, what I was told by
11 the production, the line producer, was that in order to
12 hire an armorer that wasn't technically in IATSE, our
13 union -- which, by the way, I'm only like two days away
14 from being in the union -- but in order to technically
15 hire me, they would have needed to hire me as an
16 assistant props person.

17 And when they told me that, I assumed it was
18 more like, you know, okay, like, quote, unquote, "You're
19 assistant props, but really you're doing the guns." But
20 they informed me that I needed to be doing both. So
21 this time -- this is the first time I've ever done
22 assistant props.

23 And previous to this I mostly worked -- I only
24 really started working as an armorer on the shows back
25 in March with Murder at Emigrant Gulch. And then a

1 little after summer I did The Old Way as head armorer
2 rather than an armorer assistant.

3 And before that I also worked with my dad a
4 little bit, assisting him with some guns on a -- Once
5 Upon a Time in Hollywood. But I wasn't really too
6 focused on the guns in that. I was mostly a production
7 assistant.

8 And other than that, that -- like officially
9 assistant armorer in March. Yeah.

10 MR. MONTTOYA: I see.

11 And let me ask you, who -- who was it who
12 hired you directly? Was it just the line producer, or
13 did you actually have to talk to -- to others, as well?

14 MS. GUTIERREZ: I didn't talk to really
15 anybody. Seth -- Seth Kenney, he was providing the guns
16 and ammunition for the show. He knew the prop master,
17 Sarah, and so he -- they needed an armorer desperately,
18 and so he reached out and got me the job. I really
19 didn't have to talk to anyone.

20 And that's also kind of the strange thing
21 about the film industry, is it's not very usually
22 interview based.

23 MR. MONTTOYA: But eventually it was -- it was
24 the line producer who said that you would have to
25 basically pull double duty, due to the whole --

1 MS. GUTIERREZ: Yeah. Yeah. We have an
2 e-mail where she approached me about that and told me
3 that I was focusing on my job as an armorer too much and
4 that I needed to support props more.

5 MR. MONTTOYA: I see.

6 This was -- what was her name? Pickle.

7 MS. GUTIERREZ: Yes. Gabrielle Pickle.

8 MR. MONTTOYA: Gabrielle. Thank you.

9 Okay. So you have this e-mail.

10 About -- I know the production was only going
11 on for 12 days or so, maybe give or take one -- a day or
12 two.

13 About when during the actual, you know,
14 production did she send you this e-mail? Was it halfway
15 through --

16 MS. GUTIERREZ: I think it was about -- kind
17 of into the first week. Yeah. Kind of into the first
18 week. I could get the exact date for you. Let me just
19 go through my stuff really quick.

20 MR. MONTTOYA: It's all right. We don't quite
21 need it right this instant.

22 MS. GUTIERREZ: Okay.

23 MR. MONTTOYA: I will note, unless Mr. Bowles
24 objects, which I can't imagine why -- I would actually
25 like to have a -- to have a copy of that e-mail, if

1 that's all right.

2 MR. BOWLES: Yeah. I think -- I mean, you
3 know, Hannah's an open -- I mean, she's transparent
4 about this, she's trying to cooperate. So unless she
5 has an issue with it, I don't think there's a problem
6 with it.

7 MS. GUTIERREZ: No, totally not. Any e-mails
8 or texts that I refer to in this, you are more than
9 welcome to get that.

10 MR. MONTTOYA: I appreciate it.

11 MS. GUTIERREZ: And the day in question is
12 October 14th for Gabrielle's e-mail. And we will be
13 sure to send a copy of that to you guys.

14 MR. MONTTOYA: Okay. Thank you.

15 Let's see. So as both an armorer and a props
16 assistant, technically you're working with Sarah
17 Zachary, but you're also the armorer, and so you're sort
18 of -- I don't want to say you're your own boss, but
19 Sarah's not exactly your superior, as you would be in
20 the props department if you were just a props person.

21 What is your --

22 MS. GUTIERREZ: Well, that's --

23 MR. MONTTOYA: Okay.

24 MS. GUTIERREZ: That's not exactly true --

25 MR. MONTTOYA: Okay.

1 MS. GUTIERREZ: -- on this one. Props
2 master -- so normally I have my own department.
3 Normally I'm just an armorer on my own and I answer to
4 myself. On this one it was very clear to me that Sarah
5 was indeed my boss despite being armorer.

6 MR. MONTTOYA: Oh, okay.

7 MS. GUTIERREZ: Yeah. She definitely made
8 sure that she was heard in a lot of how she wanted the
9 guns to be ran and everything. So -- and usually in
10 shows like this the prop master is in charge of the
11 armorer.

12 MR. MONTTOYA: Right. That's what I had
13 expected. So thank you for -- for setting that
14 straight.

15 So working with you there was a props
16 assistant. Did she actually assist as well with the
17 guns, or was it really just you and Sarah?

18 MS. GUTIERREZ: Mostly any gun stuff that she
19 assisted with would be putting dummy rounds like just in
20 the belts. That's all. And also, she would assist with
21 holding the guns, or, you know, if I had to go check the
22 guns with Dave, usually I'm checking in eight, nine, ten
23 guns at a time, it's too much for me to carry, so I'll
24 have Sarah or Nicole right there to hold them as I check
25 them in to Dave.

1 And also, sometimes when -- when guns are done
2 being used in the scene, I like to get them locked up as
3 soon as possible. So I'll usually put them in a sleeve,
4 like in their little gun sock, and I will send Nicole
5 back to the prop truck to put away a gun.

6 MR. MONTOYA: When you say putting dummy
7 rounds in belts, you mean like for the costume, like
8 actual belts, bandoliers?

9 MS. GUTIERREZ: Yeah. Just belt -- like gun
10 belts, you know, gun leathers, cowboy holsters, all that
11 stuff.

12 MR. MONTOYA: Right.

13 MS. GUTIERREZ: But yeah. Other than that,
14 she was never in charge of checking the guns or anything
15 like that.

16 MR. MONTOYA: I see.

17 Did she ever assist with loading blanks, or
18 was she really relegated to the dummy round stuff?

19 MS. GUTIERREZ: She -- she only loaded the
20 dummies into the gun belts with me. She was never
21 subjected to loading blanks. That's definitely a little
22 bit harder of a job. And yeah. No. She never loaded
23 any blanks or anything into the guns at all. And she --
24 I don't even think she knew how to check them.

25 MR. MONTOYA: I see.

1 So Sarah is your -- what's called immediate
2 supervisor.

3 Who was Sarah's boss? Who was next up the
4 chain?

5 MS. GUTIERREZ: Sarah's boss -- so
6 technically -- this is the first that I've ever really
7 been on where like the chain of command was so apparent,
8 because normally I'm an armorer, and like my stuff is
9 very much technical, and it's guns and everything. But
10 technically we all fall under art department.

11 The head of art department on this show, I
12 believe, was Daniel Ortiz and Bryan Norvack, or
13 Norvelle. I -- but yeah. So technically they were our
14 superiors. And I had not even figured that out until
15 like a weekend, and I've never -- like all the sets I've
16 been on where I'm just my own department and everything,
17 I've never once had to like answer to an art department
18 person.

19 MR. MONTTOYA: I see.

20 Did you ever talk to them, interact with them?
21 It was more of a technicality?

22 MS. GUTIERREZ: No. I definitely -- so
23 that's -- that's where I was saying I noticed it more on
24 this thing. When Gabrielle Pickle had addressed me,
25 Bryan was there, as well. And I'm not sure if he was

1 just there as like backup for Gabrielle or like what it
2 was essentially, but he was the head of the department.
3 So basically he said -- like they were just like "Yeah,
4 no, you need to step up in props," like, I mean, "props
5 needs help right now."

6 So technically Bryan is my prop -- Bryan is my
7 boss and Bryan was there.

8 MR. MONTTOYA: Okay.

9 MS. GUTIERREZ: And Bryan -- there was a
10 couple of times where Bryan would just come over and
11 make sure that we were set or that we -- if we needed
12 anything what would -- we needed, and he told us
13 ultimately if we needed anything or help at all to come
14 to him. So yeah.

15 MR. MONTTOYA: Okay.

16 When it -- so if you needed anything, came to
17 help, he's art department. If you need --

18 MS. GUTIERREZ: Yeah. He actually -- he was
19 actually how I got -- ended up getting the cart finally
20 after asking for a week. Yeah. I -- Bryan -- I bitched
21 to him about it, and then finally he handled it. So
22 thankfully.

23 MR. MONTTOYA: If you needed more ammo, you're
24 running low on anything, would he also be the one to
25 order that, or --

1 MS. GUTIERREZ: No. That's Sarah Zachary's
2 job.

3 MR. MONTTOYA: Oh, okay.

4 MS. GUTIERREZ: Yeah. She would --
5 normally -- normally when it's my own department, if I
6 needed more anything, I would just call up Seth
7 personally, and I would get ahold of it, whatever I may
8 need. But normally that never happened to me because I
9 always made sure I left with what I needed.

10 On this show we were kind of short in terms of
11 dummies, short in terms of some blanks, as well. And
12 yeah. So Sarah was regularly bringing in supplies from
13 Seth in Albuquerque.

14 Which that also kind of made it hard for me
15 to -- I don't know, really be aware of what my supplies
16 were, you know, because random boxes would be coming in
17 throughout the weeks, sometimes every other day.

18 MR. MONTTOYA: Right.

19 MS. GUTIERREZ: Yeah.

20 MR. MONTTOYA: And that sort of leads me to
21 another question. Where was the ammo and the weapons --
22 they're stored in a vehicle. What sort of vehicle is
23 this? Is it an SUV? Is it a pickup truck?

24 MS. GUTIERREZ: It's a typical box truck.

25 MR. MONTTOYA: Oh, okay.

1 MS. GUTIERREZ: Like I believe -- I believe
2 they call it a mini box truck, but it's definitely
3 bigger than some of the other ones I had seen. Probably
4 like 12 feet wide, 20-something long.

5 MR. MONTTOYA: I see.

6 MS. GUTIERREZ: Yeah. And we had a gun safe
7 in there. And technically, according to most like laws
8 and everything, I know that the guns are always supposed
9 to be locked up if they're not being used. So we have a
10 gun safe. There is no real rules for locking up
11 ammunition or dummies or anything, which I kind of think
12 after this there should be.

13 MR. MONTTOYA: Right.

14 MS. GUTIERREZ: Yeah.

15 MR. MONTTOYA: The only thing -- the only thing
16 OSHA has on securing ammunition is when you have a lot.
17 You know, you'd have to be -- you'd have to be the
18 factory or maybe fireworks, that sort of level of gun
19 powder. And they're really more concerned about fire.

20 MS. GUTIERREZ: Yeah. Totally.

21 MR. MONTTOYA: So the rounds are kept in this
22 box truck, as well as the guns, but the guns are locked
23 up in a safe. Okay.

24 MS. GUTIERREZ: Yeah. And typically -- I
25 wasn't exactly sure, because I've never worked on a job

1 with teamsters. Teamsters are the people that run the
2 trucks and, you know, kind of control the trucks. Like
3 we -- we're not even technically allowed to be putting
4 up the loading gate and everything even though we know
5 how to do it. Usually a teamster will come over and
6 help us with that.

7 So most days we would leave, and normally like
8 other prop masters I've worked with would lock up
9 their -- their truck and everything. Sarah and I never
10 once like locked the truck. We would leave at the end
11 of the day, and I figured that maybe teamsters were
12 doing it. But I'm not sure if it was locked up.

13 MR. MONTOYA: Interesting.

14 MS. GUTIERREZ: Yeah. And that's also --
15 that's typically done not -- this is -- that isn't
16 usually done for ammunition or anything usually. I
17 believe it's because so that way key props in the film
18 don't go missing.

19 MR. MONTOYA: Right.

20 MS. GUTIERREZ: Yeah. Which a lot of the
21 times props always get lost, quote, unquote.

22 MR. MONTOYA: Misplaced permanently.

23 MS. GUTIERREZ: Yes.

24 MR. MONTOYA: Okay. I asked this question.
25 So I have a whole list of questions. That way I don't

1 sit here twiddling my thumbs too long. So -- okay.

2 Appreciate you detailing all of that.

3 So let me ask, what sort of -- what
4 guidelines, what safety policies, rules were you
5 expected to follow? Did anybody communicate to you
6 "Here's the book we're using, here's the rules you're
7 going to follow"?

8 MS. GUTIERREZ: You know, it's pretty strange.
9 I've never like seen a book or any like job description
10 for armorer or anything. And I think it's because I was
11 like this -- this close to being official with being in
12 the union and everything.

13 MR. MONTTOYA: Um-hum.

14 MS. GUTIERREZ: Yeah. Even then I -- after
15 all of this I did look up the union rule book for
16 armorers, and it's very vague from what I can tell. You
17 know, there's not really a ton of rules in it, from
18 what -- I don't exactly remember what it said, but it's
19 kind of a vague thing. I'm sure if you look at the
20 IATSE or contact IATSE about it, they can let you know
21 about it.

22 But other than that, I just know from my dad
23 teaching me that I'm supposed to call out like, you
24 know, when guns are hot on set, I'm supposed to call out
25 when they're clear on set, I'm supposed to bring guns to

1 set and let it be known on channel 1 that guns are clear
2 or if they're hot or how many loads we're doing or
3 whatever.

4 MR. MONTOYA: I see.

5 MS. GUTIERREZ: Um-hum.

6 MR. MONTOYA: So nobody ever handed you a
7 piece of paper that says here's the steps you're
8 expected to -- to follow.

9 MS. GUTIERREZ: No.

10 MR. MONTOYA: Okay.

11 MS. GUTIERREZ: And same with the prop
12 assistant job either. They just kind of told me -- kind
13 of told me the gist.

14 MR. MONTOYA: Right. Okay.

15 MS. GUTIERREZ: Yeah. Which is also, like I
16 said, surprising since this was a union job.

17 MR. MONTOYA: Okay.

18 So you said you looked at the union
19 guidelines.

20 Are you familiar at all with -- oh, and I've
21 just forgotten what they were called -- the industry
22 standard -- let me just open it real quick. I can --

23 MS. GUTIERREZ: Go ahead.

24 MR. MONTOYA: It's Industry-Wide
25 Labor-Management Safety Committee. Are you familiar

1 with those policies at all? They're titled Safety
2 Bulletins? For example, Safety Bulletin Number 1 is the
3 one for firearms safety practices? Are you familiar at
4 all with that?

5 MS. GUTIERREZ: No.

6 MR. MONTOYA: Okay.

7 MS. GUTIERREZ: Yeah. No. I would like to be
8 familiar with it, if you could ever send a copy of that
9 over, or somewhere I can find that.

10 MR. MONTOYA: Yeah. They actually are
11 publicly available.

12 MS. GUTIERREZ: Oh, okay.

13 MR. MONTOYA: But they're -- they also should
14 have been provided to you.

15 MS. GUTIERREZ: Totally.

16 MR. MONTOYA: But -- okay. I just wanted to
17 know if you were familiar with those or not, but -- all
18 right. So -- all right.

19 When you -- so you're familiar with the call
20 sheets, tell you what time you're supposed to come in to
21 work.

22 MS. GUTIERREZ: Yeah.

23 MR. MONTOYA: Did you ever see any sort of
24 attachments to these call sheets stapled to them, safety
25 things, you know, warning about heat or snakes or -- or

1 firearms or anything of that nature?

2 MS. GUTIERREZ: Yeah. So typically every day
3 for our -- for our call sheets there would be like
4 something at the top, not a separate -- not a separate
5 page attached per se, but something kind of underneath
6 all the producers' names, in between that and like what
7 we were doing for the day. Right there they would have
8 like either in all red or all caps or whatever like
9 live -- like firearms on set or like live animals or
10 children on set, snake wrangler.

11 Yeah. So those were -- the call sheets
12 typically had that on it.

13 MR. MONTROYA: I see. Okay. Not a separate
14 paper attached, just a little note on top.

15 MS. GUTIERREZ: Yeah. I don't believe it was
16 a separate paper attached, just right underneath what we
17 were doing that day in large letters.

18 And also, I have a copy of one of those if you
19 ever wanted to see that.

20 MR. MONTROYA: Sure. Yeah. It wouldn't hurt.
21 We've -- we've asked for copies of all of them. We've
22 not quite gotten them just yet.

23 MS. GUTIERREZ: Oh, really? Okay.

24 MR. MONTROYA: So if you have one on hand, yes,
25 I would love to see it.

1 MS. GUTIERREZ: Totally. I'll send it to
2 Jason and send it to you.

3 MR. MONTTOYA: Thank you.

4 All right. So your knowledge of all the
5 safety practices comes from your dad.

6 And did Seth Kenney ever conduct a -- like a
7 training with you, as well?

8 MS. GUTIERREZ: You know, I had been bugging
9 him about it for quite some time. Not necessarily
10 training about the guns and everything -- well, about
11 the practices on set, but more of the training about
12 guns and how he would like me to maintenance them, and
13 mostly how some of his products worked specifically.
14 And he never provided me with a training session despite
15 me asking for it.

16 MR. MONTTOYA: How long have you -- had you
17 worked with Mr. Kenney?

18 MS. GUTIERREZ: I worked with him on The Old
19 Way. And on The Old Way -- what Seth does, he preps for
20 the shows and everything, and on The Old Way he was so
21 thorough with like prepping me for the shows, or like,
22 you know, any gun that I had, that I had questions
23 about, I would just go and ask him about it before the
24 show and everything.

25 So technically The Old Way is the first time I

1 had worked with him.

2 MR. MONTOYA: I see.

3 MS. GUTIERREZ: And that was back, I think,
4 September, August.

5 MR. MONTOYA: The firearms that were used in
6 Rust, all these old western firearms, your experience
7 with them, was that from working on The Old Way, or was
8 that more so from working with your dad previously?

9 MS. GUTIERREZ: Well, my experience with --
10 with older guns like that kind of goes back to me even
11 being 15 years old, mostly with the Peacemakers, you
12 know, the standard Colt .45, 1911. So yeah. Those I've
13 known since I was like 15 and pretty much like -- well,
14 younger than that even.

15 But as for the lever action rifles and
16 everything, mostly learned that from watching my dad and
17 everything on set, usually back 2015, when I was on
18 Magnificent Seven.

19 MR. MONTOYA: I see.

20 MS. GUTIERREZ: Um-hum.

21 MR. MONTOYA: And so did you do maintenance on
22 the guns yourself? Did you take them apart and clean
23 them, or --

24 MS. GUTIERREZ: Yeah. So that was also my
25 other issue, is production didn't want to pay me for

1 maintenance days. And with westerns, you know, a
2 character gets shot, the gun falls in the dirt, and then
3 if it's not cleaned by the next time, it's not going to
4 work properly, and then they yell at me. But -- so they
5 didn't want to pay me for maintenance days.

6 I finally pushed and bugged them enough to get
7 it -- to get one maintenance day that I was allowed to
8 do. Other than that, I was telling them I might have to
9 do some overtime and everything, because they were
10 really pushing not to have me do more maintenance days
11 and more training days than I needed to.

12 MR. MONTTOYA: Was all of this verbal, or was
13 any of this by e-mail or text or written down?

14 MS. GUTIERREZ: Text. We have some texts from
15 Gabrielle Pickle where I'm telling them like, you know,
16 is there any word about my maintenance days, because
17 if -- like if we're not doing maintenance days, obvious
18 it's going to slow production down and everything. And
19 she kept saying she would get back to me, and eventually
20 she got back to me. And I told her I was taking one day
21 for a maintenance day.

22 And then also, there were a few text messages
23 where she specifically said no more training -- there
24 was one text message where she specifically said no more
25 training days. There were several text messages where I

1 was bugging her about training Alec particularly.

2 MR. MONTOYA: So let me ask you --

3 MS. GUTIERREZ: And we can provide you with
4 those, as well, too.

5 MR. MONTOYA: I would love to have them,
6 please, and thank you.

7 So let me ask, for the one maintenance day
8 that you did get, what does it consist of? What does it
9 look like?

10 MS. GUTIERREZ: Maintenance days for me,
11 normally -- see, that's -- that was my issue with this
12 whole assistant props thing. Normally if I am not doing
13 a gun scene or if I have no guns even like really out
14 that day, I will just stay in my prop truck, and I will
15 clean my guns, and I will just look at all my supplies
16 and kind of go through my things and really organize my
17 stuff.

18 The one maintenance day I had I did that, I
19 organized the entire prop truck. And I went through 17
20 guns that day alone and cleaned all of them, because
21 Seth had provided me with some dirty guns, which is
22 pretty rude.

23 But other than that -- I usually just sit in
24 there, and I clean all the guns, usually throw on some
25 tunes, and make sure they're working fine.

1 I did have one gun with an issue. I sent that
2 gun back to Seth Kenney to fix it. The hammer wasn't
3 dropping properly. It was stuck all the way back. And
4 he told Sarah I had cleaned it wrong, but I don't really
5 believe that, considering I cleaned 17 guns that day,
6 and all of them were fine.

7 MR. MONTTOYA: So let me ask -- so you had
8 mentioned -- you're familiar with, for example, the
9 Colts from your -- from your youth. But did he ever
10 teach you how to clean these firearms? Did he ever sit
11 down and open them up with you and show you what to look
12 for?

13 MS. GUTIERREZ: No, he didn't. And that was
14 also very frustrating, because at the end of The Old Way
15 he texted me, saying that I -- he didn't like -- I
16 cleaned all the guns before I sent them back, as my dad
17 has always taught me that's polite to do. But he told
18 me that he didn't like in terms some of the maintenance
19 that I had on the guns, like keeping the screws really
20 screwed in and everything. He said that a couple of my
21 screws were loose.

22 So I told him next time I saw him I would like
23 to go over how he would like me to maintain these guns
24 on a daily basis to make sure that no parts get lost and
25 everything. And he never got around to it, as Seth was

1 pretty busy.

2 MR. MONTOYA: I see.

3 MS. GUTIERREZ: So no. He never taught me how
4 to clean them or anything.

5 MR. MONTOYA: Right.

6 So for your -- for the maintenance day that
7 you spent with the guns, are you familiar at all with --
8 did you clean the -- the revolver that Alec Baldwin
9 eventually used?

10 MS. GUTIERREZ: Yeah. I did. I cleaned that
11 one that day.

12 And actually he kind of almost chose a
13 different one other than that one, and I simply made
14 that one kind of look like the other one, because I knew
15 that his ran better, like his -- I was pulling the
16 action on it. That means basically you're pulling the
17 hammer and dropping it, pulling the hammer and dropping
18 it repeatedly, to make sure like, oh, does it jam every
19 five, or does it jam every 10. So I did it probably
20 about 50 times. And his gun that I -- that I assigned
21 him was the most reliable and the safest one.

22 MR. MONTOYA: I see.

23 MS. GUTIERREZ: Yeah. So I did clean that
24 one. I found it to be very standard in all of its
25 mechanical operations, and I found it to be better than

1 the other option he had. So I just went ahead and I
2 switched it, and I didn't let him know.

3 MR. MONTOYA: Okay. So no mechanical defects.
4 The other option noted. Okay.

5 MS. GUTIERREZ: Yeah.

6 MR. MONTOYA: Let me also ask, do you happen
7 to know off the top of your head, or maybe you have it
8 written down, what day this maintenance day was on?

9 MS. GUTIERREZ: Da-da-da-da. I don't have it
10 on the top of my head, but it's also right here in
11 these -- in these text messages. So if I find it, I
12 will send it to you.

13 MR. MONTOYA: Okay. Thank you.

14 So -- all right. Did you -- so, of course,
15 you said his gun was, you know, very reliable and the
16 like. You had to send one gun back to Seth because the
17 hammer kept getting stuck.

18 Were there any other sort of defects that you
19 noticed with these firearms that were workable, but they
20 were notable, such as hammers slipping or sensitive
21 triggers?

22 MS. GUTIERREZ: You know, no, I never really
23 saw any sensitive -- I never saw any sensitive triggers
24 on this by any means. Usually we -- in the -- in the
25 industry it's standard to not make them hair triggers,

1 you know, even though we -- by all means, some people
2 can do that. We try not to do that, simply because we
3 don't want anything just going off when it's not
4 supposed to or anything. And all of these seemed pretty
5 good in that respect.

6 Didn't really notice anything weird with them
7 other than that hammer getting kind of stuck back, and
8 also one of the other ones that I don't even think I
9 ended up using, I didn't really like -- I'm not exactly
10 sure what they're called, but it's a part of the
11 cylinder that, you know, catches the hammer when it
12 pulls back. I didn't like exactly -- I thought it was
13 kind of rubbed down a little bit, and I told Seth Kenney
14 about it.

15 But that just means like it wouldn't
16 necessarily catch on -- when the hammer is drawn back.

17 I don't know if that makes sense to you,
18 but --

19 MR. MONTTOYA: Sure.

20 MS. GUTIERREZ: It didn't seem to have an
21 issue. I just noticed that it was getting kind of dull.

22 MR. MONTTOYA: Right. Okay.

23 MS. GUTIERREZ: I believe the day in question
24 that I did the cleaning days was October 10th.

25 MR. MONTTOYA: Okay. And if it's different

1 when you look at the text, that's okay.

2 MS. GUTIERREZ: Totally.

3 MR. MONTOYA: All of -- all of your answers
4 are to the best of your knowledge. So no worries if it
5 turns out to have been the 11th or the 12th.

6 Let's see. Okay. So some of the questions we
7 already asked on my list here so let me get these ones
8 out of the way.

9 So prior to really starting the filming of any
10 scenes and the like, you did like a firearm safety
11 training with some of the folks or maybe all of them.

12 Can you talk about that? Who did you train,
13 and what exactly did you go over with them?

14 MS. GUTIERREZ: Okay. So I trained pretty
15 much all of the main characters. They even -- it was
16 weird. All right? So for the training days for this
17 one, they threw them all into one training day, and they
18 had me training three of them at a time, which isn't
19 really -- which isn't really great to do, you know,
20 especially because actors, like they kind of feed off of
21 each other and get all weird and try to outdo each
22 other.

23 So they had me doing three of them at a time.
24 It was right after the show and tell. And the other
25 really annoying thing about it was they had maybe 15

1 producers standing right behind me while this is all
2 happening, talking, being distracting really, and also
3 distracting actors frequently.

4 But other than that, I still tried to work
5 with the actors to the best of my abilities, despite how
6 many of them I was working with at the same time. I
7 trained Jensen Ackles. He was one of the characters on
8 that. I trained him pretty well.

9 I like to train all of them ideally on how to
10 open the gun, check the gun, reload the gun, make sure
11 the gun is safe. I like to make sure that they know how
12 to do that and everything. And so that way -- because,
13 you know, they're all supposed to be experienced law
14 men, they should know their gun inside and out.

15 The only one that wasn't at that meeting per
16 se was Alec. And Alec and I, we had ours in the church
17 actually where the incident happened. He -- he claimed
18 it was an hour-and-a-half, and, yeah, it's true that
19 Mr. Baldwin and I were together for an hour-and-a-half,
20 but this happens a lot with bigger celebrities. They
21 kind of just push off my recommendations and my
22 suggestions for training.

23 So I went in there, and I went to go do the
24 same thing I showed for like Jensen Ackles and Devon
25 Werkheiser, where I taught them how to open the gun, how

1 to check it for safety and everything. And I told
2 him -- I was like "All right. We're going to start with
3 some quarter loads, and I'm going to show you how to
4 open this and everything."

5 And he said "Yeah, yeah, yeah. Just load it
6 with the most realistic looking ones, and we'll shoot it
7 a few times."

8 And I said "Okay. That's how this is going to
9 go, I guess."

10 And he was kind of distracted by his family on
11 FaceTime and all that, and he was calling his ex-wife at
12 the time.

13 So we also had to wait to get the full loads,
14 because normally I never train actors with full loads,
15 as that can be a bit of a sticky situation, but he
16 didn't have his holster that day. So I was like
17 whatever, he's not going to be pulling it out from his
18 side, because that could be dangerous, so he's just
19 holding it out in front of him. I was like by all
20 means, yeah, he can shoot fulls in this case.

21 So we had to wait a little bit for my
22 assistant to bring the full load blanks to me and Alec.
23 So that probably -- and along with him talking to his
24 family took about 20 minutes out of it, maybe 30 minutes
25 out of it.

1 We did shoot it a couple times. I did try to
2 tell him a couple things about not putting his finger on
3 the trigger until he's ready to shoot, keeping it out of
4 the trigger guard, as we call it, for safety purposes.
5 I train children especially with that, because you don't
6 want them to accidentally touch it. It's not a big
7 action to pull that trigger, by any means. So I did try
8 to tell him to keep his finger out of the trigger and
9 just to really aim at his target.

10 He ended up getting -- he ended up trying to
11 like make Instagram videos or like some type of social
12 media videos during our lesson. So yeah. He didn't get
13 to work with the holster, and he also was pretty
14 distracted during our entire lesson.

15 MR. MONTTOYA: I see.

16 MS. GUTIERREZ: Yeah. If you would like me to
17 go into other acting with other trainers -- with other
18 actors or whatever, I'm more than willing, but I don't
19 know how much of it pertains.

20 MR. MONTTOYA: Right. No. It's fine. I do
21 have --

22 MS. GUTIERREZ: Yeah. Because I trained a lot
23 of people, so -- you know.

24 MR. MONTTOYA: Right.

25 Let me ask you just as a curious question.

1 You trained children for this film, or do you just mean
2 previously?

3 MS. GUTIERREZ: Previously. I was -- I
4 thought I was supposed to be training a child with a gun
5 in this film, but they told me that they're just going
6 to CGI it and that according to their union rules it
7 wasn't going to be cool to do it.

8 MR. MONTTOYA: Oh.

9 MS. GUTIERREZ: Also, for these training days,
10 originally I called Gabi, and I told her I wanted to
11 start working with these actors as soon as possible, you
12 know, to give them the most time to get comfortable with
13 these weapons and to make sure everything goes smoothly
14 on set.

15 And originally Gabi told me that everyone on
16 the show was like already trained in like guns and
17 everything, and I assumed like, oh, maybe they had a gun
18 training person.

19 The director called me the weekend after that,
20 and he had informed me that most of the actors had never
21 worked with guns before ever. And so it took Joel
22 yelling at Gabi to get me to train people in the first
23 place.

24 MR. MONTTOYA: Okay. Thank you for that. To
25 have the training take place.

1 I'm taking -- I'm taking notes, obviously.

2 MS. GUTIERREZ: Oh, by all means, take your
3 time.

4 MR. MONTOYA: All right. So -- we requested
5 it from the -- from the production company, we don't
6 quite have it yet. Do you have any sort of
7 correspondence or e-mails or a roster of who all
8 attended the training that you did?

9 MS. GUTIERREZ: I do have an e-mail with it
10 all set up and everything and how they decided to do it.
11 I can send that over to you.

12 MR. MONTOYA: Sure.

13 Do you happen to know if it lists all of the
14 participants?

15 MS. GUTIERREZ: Yeah. It does. I think it
16 just has their actor name and not necessarily their
17 corresponding character name.

18 MR. MONTOYA: Right, right.

19 MS. GUTIERREZ: Yeah. So I will get that over
20 to you. I don't even think Jason has that. But I
21 will -- I will look for that.

22 MR. BOWLES: Yeah. I'm not sure -- sorry
23 about that. I'm not sure I have that.

24 MS. GUTIERREZ: Yeah. I will go back and look
25 for that.

1 MR. MONTOKA: Now, one -- well, I do have one
2 more question for the training thing, is you mentioned
3 you trained most of the main actors. What about the
4 rest? What about the extras and the like who may have
5 used firearms? Did you train them, as well, or --

6 MS. GUTIERREZ: Typically we do our best never
7 to have extras shooting guns, and --

8 MR. MONTOKA: Oh.

9 MS. GUTIERREZ: -- I'm usually what you could
10 call a hard ass on this. Unless they're a stuntman or
11 an actor, I don't really like people having guns. And
12 usually if -- if they do have guns, if any background
13 ever has a gun -- had a gun in my possession, it's
14 usually an unfiring gun, that is made specifically to
15 not fire. And it would just get shot out of their hand
16 or something.

17 MR. MONTOKA: Okay.

18 Was there anybody on set who did use firearms
19 who you did not get the opportunity to train?

20 MS. GUTIERREZ: No. The stuntman who ended up
21 having one of the accidental discharges -- yeah. I
22 wasn't able to train him. That kind of goes back to,
23 you know, who has the say over who in the film industry.
24 And technically stuntmen fall under the stunt
25 coordinator.

1 And sometimes, you know, the stunt
2 coordinators are more than okay with me training their
3 guys and everything, and sometimes they're very machismo
4 and they're like "All my guys are highly trained,"
5 yadda, yadda, yadda.

6 But this guy in particular I could tell did
7 not really know a lot about firearms. So I wasn't
8 allowed to train him based on the stunt coordinator kind
9 of telling me that he was good at his job.

10 MR. MONTOYA: Okay.

11 So now I did -- this actually led to -- I want
12 to ask you about these accidental discharges.

13 Could you tell me about -- I know the first
14 one happened in a cabin? Could you tell me about
15 this --

16 MS. GUTIERREZ: So actually that wasn't the
17 first one.

18 MR. MONTOYA: Oh.

19 MS. GUTIERREZ: That was -- that was the
20 second one. And what's really strange about these
21 accidental discharges is I have never really had one
22 previously on any set. But when it did happen, it was
23 the first time I was able to leave the set to go to the
24 bathroom for 10 minutes.

25 And I'm -- I can't really attest to what

1 happened with the first one. The first one had
2 apparently happened while Sarah was loading a gun for an
3 actor, a standard Peacemaker. And basically I had -- I
4 was the one who trained Sarah on loading those and
5 everything.

6 And I told her "You have to put your thumb way
7 over the hammer, otherwise sometimes it will slip when
8 you let it down."

9 And she told me -- I was in the bathroom, and
10 all of a sudden I hear like screaming on the headset,
11 and then I hear Dave say "Oh, it's just a misfire. No
12 one -- everyone be -- everyone chill out."

13 And so I run out of the bathroom with my pants
14 halfway down, and I start running to set.

15 And I go up to Sarah, and I said "Hey, what's
16 up?"

17 And she says "Nothing. Can you go ahead and
18 load the guy inside for me."

19 And I said "Okay."

20 So I go, and I load the stuntman inside of the
21 cabin. So that's when that one -- so that first one had
22 already happened at this point. So I go and I load the
23 one for the guy in the cabin.

24 The stuntman looks at me, and he says "Is
25 this" -- he said "So this is hot."

1 And I said "Yeah."

2 And he said "Is there one in the chamber?"

3 And I said "Yes."

4 And he said "Okay."

5 And I was like "All right. So there's one in
6 the chamber. All right?"

7 He's like "Okay."

8 And I said "All right." And I walked out.

9 And next thing I know, I walk away for like
10 one, two minutes, and then boom, it goes off in the
11 cabin.

12 I had never really had experience with this
13 many accidental discharges happening.

14 So I said like "What is going on?" Like, you
15 know, I don't -- I had no idea. And I went back in
16 there, and I said "I told you it was hot."

17 And he said "It just went off."

18 And when I asked Sarah about it, Sarah had
19 told me that the gun apparently just went off. And me
20 knowing the gun she was working with, it's not very
21 possible at all. You -- and also the fact that she was
22 loading it, it's probably exactly how I said, the hammer
23 must have slipped out of her thumb.

24 And for the stuntman, he must have -- he must
25 have levered a shot -- well, that -- there was already

1 one in the thing. So I don't know what happened with
2 that exactly, because the hammer might have already been
3 back.

4 MR. MONTOYA: So he said "It just went off,"
5 he didn't offer any additional details on how?

6 MS. GUTIERREZ: No. He said it -- he said "It
7 just went off."

8 And I said "Yeah, but that's not really how
9 that gun works."

10 MR. MONTOYA: I see.

11 So for the -- for a lever action rifle to go
12 off, even like a common accident, sort of like how
13 the -- for the revolver, the hammer slips, strikes the
14 primer -- for this lever action, how would -- how may it
15 have gone off on accident on him?

16 MS. GUTIERREZ: With him, you know, it's -- it
17 wouldn't be a stretch to say if he set that down like
18 really, really hard per se, like if he like really hit
19 the butt on the ground, like somehow -- if he
20 accidentally dropped it or whatever, that is how those
21 can go off. It's -- when guns get dropped, that's more
22 likely, especially if the hammer is already down and
23 there's one already levered in there, which it was,
24 because he was ready to go at the moment.

25 MR. MONTOYA: I see.

1 MS. GUTIERREZ: Yeah. If he would have
2 dropped it like that, usually the force from dropping it
3 like that can make it go off. But it's -- with the --
4 with the other ones, unless Sarah dropped it, that
5 wouldn't really be the likely cause of that.

6 So he was sitting down, and I'm kind of
7 thinking maybe he had it in his lap and it just like
8 slipped or something.

9 MR. MONTOYA: Right. Okay.

10 MS. GUTIERREZ: But I can't speak to it
11 because I was not in the cabin.

12 MR. MONTOYA: That's okay. I just wanted to
13 hear --

14 MS. GUTIERREZ: Yeah.

15 MR. MONTOYA: -- how it may have happened.

16 MS. GUTIERREZ: Yeah. It -- I'm -- I think he
17 maybe might have set the butt down too hard or
18 something, and that's how a lot of -- if any accidental
19 discharges happen, it's usually because a gun is
20 dropped, and the force can make the trigger go back.

21 MR. MONTOYA: Okay. Thank you.

22 So after these -- after these two discharges,
23 did you have the opportunity to look the weapons over?

24 MS. GUTIERREZ: Oh, boy. I wish. Yeah. As,
25 you know, one person that does the guns and everything,

1 we were doing an insane gun battle that day from pretty
2 much from sunup to sundown. And -- yeah. No. After
3 that I had two other -- three other gun battles that I
4 had to do that day. And then, of course, like I said, I
5 tried to get them all sent back to the truck.

6 But I did look at the one that Sarah had
7 after -- after that. I didn't really bother to look at
8 the rifle, because I was like -- it's a standard lever
9 action rifle. You know, you have to lever all the way
10 for anything to be in there. And, you know, the
11 stuntman, he's not privy to all of that.

12 But I did look at the one Sarah had, and that
13 one seemed to be pretty standard, too, no weird hair
14 trigger or anything, and you had to -- it pulled back
15 all the way, C-O-L-T, so, you know, four -- four little
16 clicks in the hammer.

17 MR. MONTTOYA: So -- okay. All right.
18 Appreciate that.

19 So you mentioned Dave Halls had called over
20 the radio "It's a misfire, chill out," or whatever he
21 might have said, you know, verbatim.

22 But did he ever -- did anyone ever sort of say
23 anything?

24 MS. GUTIERREZ: No.

25 MR. MONTTOYA: Did he talk to Sarah --

1 MS. GUTIERREZ: And so that -- that was the
2 crazy thing. The worst that happened to me that day --
3 I fully expected on me and Sarah both getting canned
4 after that, because that doesn't happen. And no, it's
5 not cool. But the worst that happened to me that day is
6 the stunt coordinator talked a little bit of shit to me.

7 And I told Sarah, I was like "Yo, you need to
8 contact production about that, because I don't know if
9 people are going to really want you working with guns
10 after this and everything."

11 And she got mad. She texted Seth Kenney.

12 Seth Kenney told me to chill out and to not go
13 to production to tell on her per se, which I wasn't
14 planning on anyways, because she is my superior.

15 But I did just say like, you know, "You might
16 want to hit up the producers, let them know, and then
17 that way if there are any complaints about it, we can
18 address it."

19 But other than that, I'm -- I was told that
20 she contacted the producers, and no one said anything
21 after that, and -- yeah. No. I'm still pretty shocked
22 that no one said anything about that. If they did or if
23 they -- anyone talked to production about it, it was not
24 addressed to me.

25 MR. MONTROYA: All right. So -- got all those.

1 All right. I'm going to ask just a quick sort
2 of statistical question. Estimate off the top of your
3 head, it's a total guess, if you have to guess how many
4 people were on set, where the guns are on set, not
5 necessarily at base camp, on any given day, how many
6 people would you have to estimate might be there, you
7 know, if you have 30 on a lot of shooting or you have
8 five on a quiet dialogue scene? Is there an average,
9 somewhere in between?

10 MS. GUTIERREZ: Oh. Ah, okay. You know,
11 some -- it really all just depends on how big the area
12 is and what the set is. Typically for really small sets
13 there would be five people in there. For medium sets
14 you still have people going in and out along with
15 background actors, so I would assume anywhere from --
16 it's the pretty big number range right here. And it
17 also just depends on the movie, too. Probably like at
18 least 50 people to 150, depend -- also, you know, with
19 background extras, you know, just how big the gun scenes
20 are, who's around in the vicinity, because for crew I
21 would say probably 50 to 100. Yeah.

22 MR. MONTTOYA: Appreciate it. I know that's a
23 hard guess, but just --

24 MS. GUTIERREZ: Yeah. No. It always just
25 varies, and usually how it varies is the setting. If

1 it's outdoor, there is a lot more people around, usually
2 50, 60, upwards.

3 MR. MONTOYA: Okay.

4 MS. GUTIERREZ: If it's indoor, it's much
5 smaller.

6 MR. MONTOYA: So you mentioned you had cleaned
7 17 guns.

8 How many guns did you have in total?

9 MS. GUTIERREZ: You know, I didn't count some
10 of them because they weren't even being used.

11 MR. MONTOYA: Okay.

12 MS. GUTIERREZ: I wanted to send them back,
13 because then we wouldn't have to pay for that rental. I
14 was working on doing that with Sarah once we ruled them
15 out that no one was going to use them. If I had to
16 guess, it was probably about 25, maybe -- maybe 30. But
17 yeah. Definitely 17 of them I knew had -- were all
18 addressed to a character and were going to be used.

19 MR. MONTOYA: Okay.

20 And so off the top of your head, the biggest
21 fire-fight scene that they had, gun battle scene, would
22 everyone use blanks, or would the blanks be reserved for
23 perhaps a main actor, and everyone else is just going to
24 be, you know, using pyrotechnics?

25 MS. GUTIERREZ: I -- well, I'm not exactly

1 sure what pyrotechnics they would have for that.

2 MR. MONTOYA: Little poppers on the ground or
3 something.

4 MS. GUTIERREZ: Oh, poppers? Yeah. No. So,
5 I mean, if there's characters and like, you know,
6 they're behind camera or whatever, they won't be
7 shooting real -- they won't be shooting blanks at the
8 characters. We'll just be having the poppers and
9 everything go off around them.

10 So if they're behind camera, by no means are
11 they getting blanks, I mean, unless the other actors
12 want them to make it feel real. Sometimes the actors
13 like want the other ones to have blanks and everything
14 to make it feel more real for them in the moment.

15 Other than that, if -- as long as everyone's
16 on camera, everyone who is shooting is getting blanks.

17 MR. MONTOYA: I see.

18 MS. GUTIERREZ: And unless some rare cases
19 where -- it's like usually not in gun battles, it's
20 usually like a singular shot that's really close
21 proximity or something, then we CGI it.

22 MR. MONTOYA: Okay.

23 MS. GUTIERREZ: Um-hum.

24 MR. MONTOYA: All right. So now I'd like
25 to -- let's take a jump. Let's go all the way to the

1 day of the incident in which Halyna was shot, as well as
2 Joel.

3 And I'd like you to go through the events of
4 the day, to the best you can in the order that they
5 happened. But I'd like to start, you know, right after
6 breakfast. And the -- yeah. And take your time and try
7 to think through how the day played out. But I'd like
8 you just to talk and go through it.

9 MS. GUTIERREZ: Okay. Right on.

10 Yeah. I remember I went into the tent for
11 breakfast. There really wasn't breakfast that day, or
12 they had ran out or something. So I just went straight
13 to set, after going to the bathroom.

14 I got there. The truck was already open.
15 Sarah was in the gun safe, which was a little out of
16 character for her, because, like I said, you know, I am
17 the armorer, and I like usually go in there and I pull
18 all the guns out at the beginning of the day, but I
19 guess Sarah just had like -- knew it was a gun heavy day
20 and was trying to help. So Sarah was already in the gun
21 safe, pulling guns.

22 Nicole's in there. She's digging around,
23 getting the badges and everything.

24 And I step in there, and I tell Sarah, I'm
25 like "Oh, it's all right, dude." You know, like "Go

1 ahead, handle your stuff, and I'll go ahead and get all
2 the guns out. I have a lot of them set out on top of
3 stuff already."

4 And so I'm like loading up the guns onto the
5 cart that we're going to need for the whole entire day,
6 because we're not really sure at this point what we're
7 starting with, you know, or you want to be prepared.
8 But I'm like going through, and then I -- right next to
9 the gun safe was all my ammunition and everything,
10 sitting out there in boxes, chilling right next to the
11 gun safe.

12 And I had a bag, a bag that -- that was just
13 like sitting up there. I usually bring ammunition in
14 said bag to set, but there -- I noticed that there was
15 this box on top of my bag, which is kind of strange.
16 This box was placed on there in a way where -- you know,
17 the truck moved that weekend over a bumpy -- super bumpy
18 road, and that -- that box was on my stuff in a way
19 where like it should have fallen while the truck was
20 moving. So I had assumed that that box had gotten there
21 that day.

22 But I said something to the tune of like
23 "Where did this box of .45 long Colt dummies come from?
24 We've been needing these."

25 And Nicole just laughed, because I didn't say

1 it like that.

2 But Sarah didn't say anything.

3 And I just said like whatever, we need them.

4 So I put them on the cart, and that ended up being the
5 box in question. So I'm not sure where that box came
6 from or how it got there or why it was placed on top of
7 my things like that, but that's where it was.

8 So we got done and everything, and we headed
9 out to set for that day. Set for that day at the
10 beginning was somewhere else in the town, not at the
11 church. It was kind of down where we had one of our
12 first gun battles, just in the town a little more. And
13 it was just characters walking.

14 So I went to Dave, and I showed him all of
15 these guns were clear. We had about two shotguns out at
16 the time, several pistols, a rifle. I had cleared all
17 of those with Dave, and the characters kept them on most
18 of the day.

19 Shooting didn't resume right at like 6:30, how
20 it normally does, because I was like sitting there, and
21 I was like, well, what's going on? Like why -- why
22 aren't we shooting? And I found out that the camera
23 crew had quit that day. So we all had to sit there for
24 approximately like an hour, maybe even two, while the
25 new camera crew figured out how to put their cameras

1 together and everything.

2 So we were all just chilling out there. I
3 don't think really any of the actors -- the actors were
4 like gunned up and everything, but they were all staying
5 close, and we were all just ready to go.

6 Sarah, Nicole and I were just kind of talking
7 amongst ourselves and just kind of generally watching
8 the guns and all of that. Eventually we did start
9 shooting. I can't remember exactly what time, but it
10 was very late in the day. So things were moving fast.

11 And then we got done with all of that scene
12 finally. I won't go into it too much, because it's not
13 really super relevant or anything.

14 But then we went out to the scene later on,
15 which was at the church. So we pushed our janky cart
16 all the way up the hill to the church, and we all got
17 ready and everything. A lot of the guns that were
18 working in previous scene were working in this scene.
19 So a lot of the actors just kept their guns on except
20 for when they went back to base camp, in which I
21 collected the guns, because I don't like them to go back
22 to base camp with them or leave set with them.

23 And then so we were sitting there that day,
24 just kind of going through the motions and getting
25 everybody's anticipation shots set up, where they like

1 enter the church, you know. Like Rust is in the church.

2 Alec Baldwin's character is already in the church.

3 And there were a couple times where I knew
4 that the guns were out and that they were pointed at the
5 camera. So Sarah, Nicole and -- Sarah and I, we dummied
6 up the guns together. She did Jensen Ackles'. I did
7 Alec's. And I think -- I think I did Woods', as well.
8 But -- so we dummied them up and everything with mostly
9 no primer ones.

10 And then so I had four no primer ones. Those
11 like have no back on them. So, you know, they can't go
12 off, and they have a hole in the side. And then I was
13 like walking in, about to put a fifth one in, and then I
14 saw that I had one with a hole in the side. So I used
15 that one. So those ones don't shake, essentially. So I
16 didn't shake that one, because it had a hole in the
17 side.

18 I put the fifth one in, and then I tried to
19 put a sixth one in that also had a hole in it. But it
20 did not -- it did not go in there, basically. Alec
21 Baldwin's gun was dirty due to the whole maintenancing
22 issue I had talked about. So I was like, okay, I'll
23 just kind of hide this thing, and as long as he doesn't
24 pull the hammer back or anything, it won't show.

25 So we left it like that. We had all them

1 dummied up before lunch. Nothing went awry. No one was
2 cocking anything.

3 Alec had kept his gun on him most of the day
4 for the most part, which was kind of strange, because
5 normally he hands it off to me pretty regularly.

6 I was outside of the -- we were set up outside
7 of the church, probably about 20 feet if you stepped out
8 of the doors to the left. That's where our cart was.
9 So we could kind of watch the entrance and everything
10 and be close by. But we couldn't be in the church due
11 to COVID issues and the camera crew moving around
12 regularly. It's just not really possible at the time.

13 So lunch had -- lunch had came to, and we
14 collected all the guns, and we went and locked up the
15 guns during lunch. We hadn't, however, stayed out -- we
16 left out the cart with the dummies on the top of the
17 cart that we were using that day, and all the -- all the
18 blanks and everything were on the bottom of the cart,
19 because they were not getting used until after lunch.
20 And I like to keep them in bags usually kind of or just
21 like hidden under stuff so no one messes with them.

22 But yeah. We had to go to lunch. We ate
23 disgusting peanut butter pasta. It was really gross.
24 It was supposed to be pad thai.

25 We came back from lunch. And I remember that

1 Alec's gun was dirty in that one thing. So I cleaned it
2 out, shook a dummy, because it was one of the ones that
3 shook, and all the other ones were apparently back in
4 the truck with the no primers in them. But -- so I
5 shook one, and I put it in there.

6 And then Dave immediately starts calling for
7 the gun to be in there, which I thought was kind of
8 strange, because normally we don't start shooting as
9 soon as we get back from lunch. It takes a while for
10 the camera crew to set up and everything.

11 But he's in my ear, and he's like "Can you
12 bring the gun in here like now?"

13 And I'm like "Okay."

14 So I bring it in there, and I like go to spin
15 it for Dave, and Halyna's talking to him, Joel is
16 talking to him, everyone's talking to him. Dave
17 couldn't really focus at the time, and he's also sitting
18 in for Alec, because Alec wasn't there yet.

19 And I'm trying to spin it for him. He's not
20 really able to see. That happens a lot with actors and
21 with the AD, trying to show it to them. They're not
22 always paying attention. I just try to show it to them
23 to the best of my abilities.

24 But he said "Yeah, yeah. That's fine. Just
25 go ahead. I am only going to be sitting in with it

1 until Alec gets here."

2 And I said "Okay. Well, just let me know when
3 Alec gets here." And then that way I'll go ahead and
4 check it for him, and we can start the scene and
5 everything.

6 But as far as I was concerned, there was not
7 supposed to be any clicking, like no hammer stuff,
8 nothing with the gun in that scene. It was just
9 supposed to be like out and kind of ready, from what I
10 could tell.

11 I had heard Mamie yelling at Dave earlier that
12 day about revisions to the script that she had not
13 gotten. And I'm not -- I'm still not really even sure
14 what those revisions to the script are, because I didn't
15 get them either. So I'm not sure if that's maybe why
16 the scene ended up changing with what they were doing in
17 it, you know.

18 MR. MONTTOYA: Um-hum.

19 MS. GUTIERREZ: All I know is that they
20 weren't supposed to be doing that.

21 And so I stepped out to my cart to get ready
22 for the upcoming gun battle. I loaded my fanny pack
23 with some blanks and everything, because Sarah was
24 supposed to use the fanny pack during the gun battle to
25 load guns while I had like all my pockets and my cargo

1 pants.

2 And so I'm out there, loading the stuff, and
3 getting ready for the upcoming scene, making sure all
4 the actors are propped up with their badges and whatnot.
5 And all of a sudden we here a pop. And I -- I didn't
6 flinch or turn around or anything, because, you know, we
7 had had some stuff go on with the poppers with special
8 effects. So I kind of figured, oh, it was one of those,
9 you know.

10 But I didn't say anything. I didn't turn
11 around.

12 And then Sarah like says "What was that?"

13 And I said "I don't know."

14 And she said "Was that the gun?"

15 And I said "There's no way that could be the
16 gun."

17 And next thing you know, I hear "Set medic,
18 emergency." And I'm like, oh, what the hell, like did a
19 popper blow off someone's arm?

20 So I walk over to the front of the church, and
21 I'm like looking in there, and I see some people hunched
22 over and everything.

23 And I start to step up, and I say -- I say
24 "Wait. Was it the gun?"

25 And Dave said "Yeah, it was the gun."

1 And I like start walking in there, and I see
2 them on the ground. I screamed out like "Oh, my God,
3 Joel. I am so sorry."

4 And everyone in there screamed at me to get
5 out of the room. And I ran out of the room.

6 I told Dave I needed to see the firearm. And
7 so he brought it to me out of the -- out of the church
8 and everything. And right there I took -- I opened it
9 up, and, you know, with a revolver the first one that
10 you just used is what comes out, and I pulled out a
11 shell, and I had immediately assessed that that had to
12 have -- either have been a live round, or I was kind of
13 thinking it was kind of like the Brandon Lee thing where
14 the primer was hot on it so it dislodged the -- you
15 know, like the bullet part from the shell.

16 But I didn't -- I didn't know exactly what
17 happened, and all I -- I pulled out the other five. The
18 other five were the same dummies that I put in there.
19 They were fine. And I was really confused.

20 I told Sarah -- I said "Sarah, go check that
21 box," because that box is what I was pulling out of. I
22 said "Go check -- go check that box for live rounds."

23 And I walked a little ways over. Mamie's --
24 Mamie, the stunt -- the script person, is freaking out,
25 20 feet away from the entrance of it forward. And I go

1 over there, I'm kind of freaking out.

2 And then my superior, Bryan, comes over, head
3 of the art department, and I said -- I said "Somehow the
4 gun went off, and I just saw Joel on the floor." And I
5 was like "I can't be here right now. Everybody was like
6 looking at me and looked really nasty."

7 So he took me around a corner, and over there
8 I started to hyperventilate and everything. But he took
9 me around this corner, and I was waiting for Sarah to
10 bring me my fanny pack, because I needed my inhaler.

11 She didn't come for probably like eight
12 minutes or so. And in the time, I guess, of that the
13 cart had moved 40 feet for some reason. It was moving
14 towards the prop truck. I had nothing to do with that.
15 I don't know why it was moving or anything like that.

16 But next thing I know Sarah comes around the
17 corner with my fanny pack. I heard the helicopter
18 landing, and I saw the police get on scene. I had had
19 the gun with me. Sarah took all the dummies and
20 everything, but I had -- I kept the weapon on me. And I
21 immediately brought it over there, and I handed it to
22 the officer.

23 He asked me how he knew if this was the gun.

24 And I said "Because it's the gun." Not really
25 any way I could prove it. Just said it was.

1 He takes me over to his truck, which is now
2 where my cart was, which was super odd, because, like I
3 said, it got moved very far. Some things weren't on my
4 cart that were there before, including the box in
5 question.

6 And I just started hyperventilating and sat in
7 the back of the cop car while getting oxygen.

8 Sorry.

9 MR. MONTTOYA: It's okay.

10 MS. GUTIERREZ: And I just remember seeing the
11 helicopter, and I was freaking out, and the guy -- the
12 medical person helping me, he was telling me that, you
13 know, "Hey, you know, your friend right now, she's
14 stable," and everything. And he said "As long as that
15 helicopter takes off, your friend is stable." And he
16 said "Joel, he doesn't look too bad. He looks like he
17 got winged or like something -- you know, it's in his
18 shoulder." He's like "The other one's looking a little
19 worse, but as long as that helicopter takes off, she's
20 stable."

21 Sarah had came up to me for a little bit while
22 I was in the cop car, and I said -- I said "So were
23 there some bad ones?"

24 And she said "Yeah, there were some bad ones."
25 And she said "Seth said those weren't his," or

1 something.

2 And then after that the police officer told
3 her like sorry, no one's allowed to talk to me. So
4 everyone was held back at a distance and wasn't allowed
5 to speak to me while I was back in there.

6 And I saw the helicopter take off. So I felt
7 a little relieved. I was finally able to calm down.

8 And I told the officer that I had to go to the
9 restroom. And I was heading back to the set, and I
10 looked at it, after going to the restroom, and I said
11 "I'm not going back there. Take me wherever you have to
12 take me if you want to interview me, but I'm not going
13 back to that set."

14 And she took me to the sheriff's department.
15 And I did my interview with the police.

16 I'm not really sure if I'm forgetting anything
17 important about that day. But that was pretty much the
18 end of the day. I just went back to my hotel room and
19 dealt with it.

20 MR. MONTTOYA: Thank you for explaining all
21 that. Sorry to make you repeat all that, but thank you
22 for going through that.

23 MS. GUTIERREZ: Okay.

24 MR. MONTTOYA: So I'd like to ask you, after
25 you -- well, Dave Halls was standing in for Alec. You

1 handed him the firearm, and then you stepped out.

2 Do you remember when Alec arrived and replaced
3 Dave Halls?

4 MS. GUTIERREZ: You know, I like purposely set
5 up there so I would be able to watch the front door, and
6 my back was just to it while I was setting up the fanny
7 pack or I was bending over and getting those loads from
8 the bottom of the cart. But he must have snuck in
9 behind me. I think it was about 15 minutes in between
10 me walking out of there and handing the gun off to Dave
11 and hearing the shot.

12 MR. MONTOYA: Okay.

13 MS. GUTIERREZ: And I didn't hear -- normally,
14 you know, like if actors are on set, you hear "First
15 team on set," or you hear "Rehearsal's up," or
16 something. And I didn't hear anything about first team
17 being back, and I didn't hear anything about rehearsal.

18 And I don't think at that time it technically
19 was a rehearsal, but I also just recalled that I never
20 even heard that first team was on set. Which is kind
21 of -- it's just standard to let people know when first
22 team is there, because actors don't like to wait for
23 things.

24 MR. MONTOYA: Right.

25 MS. GUTIERREZ: Yeah.

1 MR. MONTOYA: You had loaded the dummy rounds
2 without primers, nothing on the back.

3 You had loaded those before lunch?

4 MS. GUTIERREZ: Yeah. I loaded those before
5 lunch, and the other -- the fifth one had a primer, but
6 it had a hole in the side. And that was before lunch,
7 as well.

8 MR. MONTOYA: And when you came back from
9 lunch --

10 MS. GUTIERREZ: Yeah.

11 MR. MONTOYA: -- when you sort of cleaned out
12 the chamber that the sixth round wouldn't fit in
13 originally, did you happen to look at the rounds that
14 were in the rest of the cylinder?

15 MS. GUTIERREZ: Yeah. I checked them. They
16 were still -- they were still the standard, you know, no
17 primer one. I pulled out the other one, and I checked.
18 It still had the hole in it. Yeah. They all looked the
19 same.

20 MR. MONTOYA: I see.

21 Then you gave the gun to Dave Halls, and then
22 you left the building, and then eventually the gun
23 fires.

24 MS. GUTIERREZ: Yep.

25 MR. MONTOYA: Okay.

1 MS. GUTIERREZ: Yeah.

2 MR. MONTTOYA: Okay. Well, I've gone through
3 all of my questions. Well, I suppose I do have one
4 more.

5 The -- there were safety meetings, you know,
6 at the start of the day, discussing "Oh, it's going to
7 be hot today, make sure you're drinking plenty of
8 water," or "We're going to have horses," or whatever the
9 case is.

10 Did you attend any of these safety meetings by
11 chance?

12 MS. GUTIERREZ: Yeah. So normally every
13 single day that there's something dangerous on set,
14 including temperature advisories or, you know, guns or
15 horses or whatever -- every day there's a full safety
16 meeting, and either I'll speak or the first AD will
17 speak.

18 On this set there wasn't a safety meeting
19 every single day, and a lot of the times it was like get
20 in, get the sunrise shot and handle it. I think we had
21 maybe done two or three safety meetings overall out of
22 10 days of gunfire. Yeah.

23 So I spoke at the first one. I told
24 everybody, you know, like if there's ever an unattended
25 gun, do not touch it, call me, I will pick it up,

1 because sometimes actors leave them around. And I also
2 told them, you know, "We have a lot of" -- especially
3 the first day that I spoke, I was like "We have a lot of
4 weapons firing blanks and everything. Sometimes, you
5 know, things can get dislodged in the barrel."

6 Especially with actors, they like to set
7 them -- the muzzle in the dirt. So I always tell people
8 like "Listen, like no matter what, if you don't have to
9 be where a gun is pointing, do not be there." So I
10 always tell people -- it's just like if a ladder is
11 coming through set or if a horse is coming through an
12 area, you want to make sure the area is cleared.

13 So I just told everybody all the time to don't
14 point it at people and don't be standing where people
15 are firing.

16 MR. MONTTOYA: Right.

17 But -- so your estimate is out of 10 days of
18 shooting you only did two or three safety meetings?

19 MS. GUTIERREZ: Yeah.

20 MR. MONTTOYA: Was one -- was a safety meeting
21 held this day for the day of the incident?

22 MS. GUTIERREZ: Yeah. It was held for this
23 day of the incident.

24 MR. MONTTOYA: Okay.

25 MS. GUTIERREZ: Dave -- I didn't speak that

1 much. Dave did that day. Yeah. There definitely
2 should have just been more safety meetings, especially
3 like the horses. I pretty much almost always get killed
4 by a horse on set every time I do a western. So --

5 MR. MONTTOYA: Um-hum.

6 MS. GUTIERREZ: Yeah. I don't think anyone
7 was like privy to the fact either that you're not
8 supposed to walk behind the horses. Like, you know, it
9 was just -- I feel like some safety was definitely
10 really lax on this.

11 MR. MONTTOYA: Were the -- let me ask you about
12 that. Did -- were you talking -- what do you mean,
13 getting killed by horses?

14 MS. GUTIERREZ: Well, you know, it's not
15 typical -- I mean, it's typical for horses. They're
16 kind of sketchy animals, in my opinion, and I don't
17 like -- I've been trying to get out of westerns for
18 years because I don't like working around the horses.
19 But yeah. No. Sometimes, you know, horses get loose.

20 We had a runaway horse two or three times on
21 this set, ran right by the bathrooms and everything, you
22 know. And like that also comes down to communication,
23 who is on channel 1 and who gets the call that there's a
24 runaway horse. You know, like who doesn't know.

25 MR. MONTTOYA: Okay.

1 MS. GUTIERREZ: And -- yeah. Definitely the
2 horses were problematic, and they always are pretty
3 much.

4 MR. MONTOYA: Hmm.

5 MS. GUTIERREZ: They're just wild animals, and
6 they're very large.

7 MR. MONTOYA: Okay.

8 MS. GUTIERREZ: And very fast.

9 MR. MONTOYA: So these safety meetings, even
10 if they did them for the horses, for example, was there
11 any sort of roll call? How would they make sure that
12 everyone was getting the safety meeting?

13 MS. GUTIERREZ: That's the thing. There's no
14 like roll call or anything. And I've heard a lot of
15 people just say, you know, like just do it on channel 1
16 and everything, and you don't exactly -- like
17 (unintelligible and/or inaudible) they have to be here,
18 like we got to work and stuff. But there's not usually
19 a roll call or anything.

20 It's just the first AD saying like "Yeah, like
21 everyone report here. We have a safety meeting." If
22 not, it is like relayed on channel 1 most of the time.

23 But yeah. There's no real roll call or
24 anything, just because there's no way that we can
25 possibly make every single person that is going to be on

1 set there, especially because a lot of people come later
2 in the day, especially actors and everything, as you
3 know.

4 MR. MONTOYA: Okay.

5 MS. GUTIERREZ: Yeah.

6 MR. MONTOYA: Well, that --

7 MS. GUTIERREZ: So in that case you could even
8 say that like, you know, crew and actors who aren't
9 earlier in the day, like they probably don't even get a
10 safety meeting.

11 MR. MONTOYA: Right.

12 MS. GUTIERREZ: Yeah.

13 MR. MONTOYA: And they do everything when it's
14 still dark. Yeah. So --

15 MS. GUTIERREZ: Um-hum.

16 MR. MONTOYA: Okay. Yeah. At this time, no,
17 I don't think I have any other questions for you.
18 That's just the --

19 So let me ask you. Are you comfortable if we
20 do have maybe a random question here or there that might
21 pop up, if we send Jason Bowles an e-mail, and then he
22 could, you know, speak with you, and then maybe you
23 could answer, you know, if we have a random question
24 here or there?

25 MS. GUTIERREZ: Entirely. And in fact, I

1 encourage it. You know, I understand that you guys
2 aren't really privy to the world of film, but I would
3 like OSHA to know, now that I know that you guys are
4 dealing with this and everything, and I'm not sure what
5 you guys are doing to work to prevent this in the
6 future, but I will say that film is kind of a weird --
7 it's a really weird industry, as I'm sure you're finding
8 out. And I think that it's a very lax industry, and I
9 think a lot of safety and everything gets skipped in a
10 lot of cases, especially with like lower budget films
11 and everything.

12 So any questions you guys might have about
13 anything, go ahead and ask me, because ultimately I just
14 want to make sure that things like this can never happen
15 again.

16 MR. MONTTOYA: That will be fine. So -- yeah.

17 So what will happen next is our court reporter
18 will transcribe, will review everything, review the
19 audio file, transcribe your statements, and then
20 we'll -- they'll be e-mailed to Mr. Bowles, and then the
21 two of you could review them for accuracy, make any
22 corrections or adjustments that you need to make. And
23 then you'll have seven days to do that review, and then
24 send it back to the court reporter when you're done,
25 signed.

1 But that might -- you might not get that
2 until --

3 MS. GUTIERREZ: After the holidays?

4 MR. MONTTOYA: Yeah.

5 MS. GUTIERREZ: Oh, next week? Okay.

6 MR. MONTTOYA: No. Next year.

7 MS. GUTIERREZ: Oh, okay. No. That's fine.
8 I understand.

9 MR. MONTTOYA: But you will get that
10 transcript, and that will be through e-mail.

11 MS. GUTIERREZ: Okay. Cool, cool.

12 I was also just wondering like, you know, in
13 terms of OSHA's involvement with this and everything,
14 what does that exactly mean? You know, I know that --
15 like are you guys the ones in charge of changing these
16 protocols? Like is that going to be through the union?
17 Are you going to work with the union to basically
18 prevent these things from happening in the future? Like
19 can you just tell me what OSHA's involvement in this is
20 going to be like?

21 MR. MONTTOYA: Right. So, unfortunately, I
22 can't really project what the future may look like. Any
23 OSHA standard is actually -- has to be ratified by
24 Congress in DC. So -- so I can't simply say that we do
25 something like come up with new rules as a result of

1 this.

2 But when the investigation is done, we will
3 see if there is any sort of recommendations or the like,
4 or maybe it does spark change in the industry. So hard
5 to answer at this point in time, but, of course, our job
6 is workplace safety and trying to ensure that everyone
7 goes home at the end of the day to their families,
8 and --

9 MS. GUTIERREZ: Totally. In that -- in that
10 case, too -- I don't know. I just think it should also
11 be known about like the whole weird situation of the
12 hotels and everything. I'm sure you've been told about
13 it --

14 MR. MONTTOYA: Yeah.

15 MS. GUTIERREZ: -- by some people. I just
16 know like, yeah, of course, that camera man is up
17 playing it a lot, too, but there were like several
18 people, like teamsters and everything, people who get
19 precalled an hour before, people who leave hours later
20 and everything, and, you know, I got e-mails about hotel
21 rooms. But a lot of people who are there a lot longer
22 than me didn't receive e-mails from production. I'm not
23 sure if that's on purpose or not or if they somehow just
24 missed it.

25 But, you know, like that's super dangerous,

1 too, and I have had coworkers crash on their way home
2 due to that being an issue. So -- yeah.

3 MR. MONTTOYA: All right. Well, I appreciate
4 you mentioning that. But -- all right. Well, hour and
5 30 minutes. So I think we did good time.

6 Were there, by chance, any other questions
7 that you might have, either you or Jason?

8 MS. GUTIERREZ: I think I'm good.

9 And I'd like to thank you guys for your time
10 and everything, and for --

11 MR. BOWLES: Yeah.

12 MS. GUTIERREZ: -- saying thanks to me. Thank
13 you.

14 MR. BOWLES: Yeah. Thank you.

15 MR. MONTTOYA: Well, thank you for yours, and
16 thank you for going through that again to give us what
17 you had seen and heard.

18 MS. GUTIERREZ: I'm sure it won't be the last
19 time.

20 MR. MONTTOYA: All right. Well, then, thank
21 you all for your time.

22 MR. BOWLES: Appreciate it.

23 MR. MONTTOYA: Have a good rest of your day.

24 MR. BOWLES: You, too.

25 MS. GUTIERREZ: All right. Yeah. You guys,

1 too. Have a great weekend. Bye.

2 MR. MONTTOYA: Bye.

3 MR. BOWLES: Talk to you later.

4 MS. NAPOLITANO: Bye.

5 (End of transcription.)

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CORRECTION PAGE

Any changes to your statement may be
listed below with a statement as to the reason
for such change.

PAGE	LINE	CORRECTIONS	REASON FOR CHANGE
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See Next Pages

I have read and had the opportunity to correct
this statement consisting of 55 pages, and these facts
are true and correct to the best of my knowledge.

I request that this statement be held in
confidence to the extent provided by law.

HANNAH GUTIERREZ-REED

DATE

T P H F P L Y D
S K W R R B G S Z
A O E U

Albuquerque Court Reporting Service, LLC
3150 Carlisle Boulevard, NE
Suite 104
Albuquerque, NM 87110
(505) 806-1202
abqcrs@gmail.com

January 5, 2022

Mr. Jason Bowles, Esq.
Bowles Law Firm
4811 Hardware Drive, NE
Building D, Suite 5
Albuquerque, NM 87109
jason@bowles-lawfirm.com

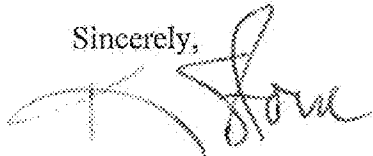
RE: OSHA Interview of Hannah Gutierrez-Reed

Dear Mr. Bowles,

As you will recall, the interview of Hannah Gutierrez-Reed was taken in the above matter on December 16, 2021. The transcript is now ready for review. Please have the witness make any necessary corrections on the enclosed signature page and return only the signature page to our office.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kim Stone".

Kim Stone
Albuquerque Court Reporting Service, LLC

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CORRECTION PAGE

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I request that this statement be held in
confidence to the extent provided by law.

HANNAH GUTIERREZ-REED



DATE 1/5/2022

STATE'S EXHIBIT 15

Source Extraction:
Logical

100-10417-208
What is the last recorded wine shipped to the
State Dept.
CONFIDENTIAL

Source Extraction
Logical

378

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Source Extractors:
Logical

✕ **Bookmarks**

Chats

Facebook Messenger

394891041101085

iMessages

Native Messages

+19284443555

hannahmemail@gmail.com

Recents

TikTok

Tinder

WhatsApp

19284443555@s.whatsapp.net