

Alec Baldwin facing new involuntary manslaughter charge in fatal 'Rust' shooting:

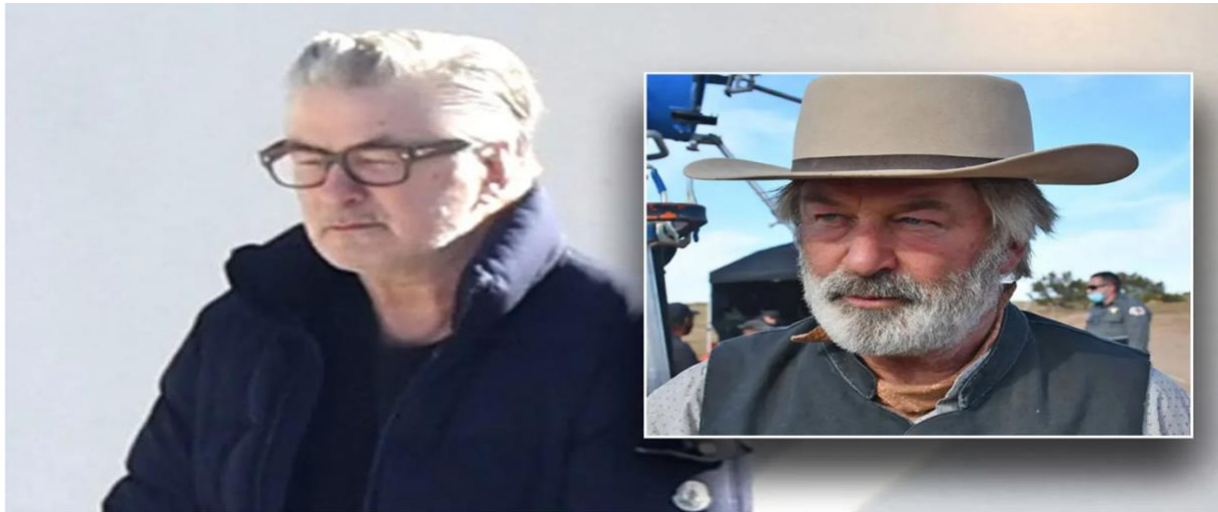
What's different this time

Baldwin charged with involuntary manslaughter for 2021 shooting death of cinematographer Halyna Hutchins

By [Tracy Wright](#) , [Lauryn Overhultz](#) **Fox News**

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Alec Baldwin was charged with involuntary manslaughter on Friday in the fatal shooting of cinematographer Halyna Hutchins on the set of "Rust" in 2021, according to documents obtained by Fox News Digital.



Alec Baldwin was spotted out for the first time Sunday in the Hamptons, two days after a grand jury indicted him on involuntary manslaughter charges. (Splash/ Santa Fe County Sheriffs Department)

It is the second time a grand jury has indicted Baldwin for Hutchins' death. Baldwin was originally charged with two counts of involuntary manslaughter on Jan. 31, and the charges were later dropped in April.

"We look forward to our day in court," Baldwin's lawyers, Alex Spiro and Luke Nikas, told Fox News Digital Friday when the new charge was released.

In November, video was released from the "Rust" set which showed Baldwin telling crew members to move out of the way as he prepared to shoot his weapon.

Celebrity lawyer and top family law attorney, Christopher C. Melcher, partner at [Walzer Melcher & Yoda](#), told Fox News Digital that the bombshell video may have been the catalyst for prosecutors to refile charges against Baldwin.

"The outtakes that were released in the fall were helpful and hurtful to his defense. It showed him directing a crew member to stand away from the direction that Alec was pointing his pistol," Melcher said. "That establishes that Alec was acting safely at the moment when handling a firearm (which is good for him), but it also shows that he understood the rules of gun safety (which shows he acted without due regard for safety when he shot Halyna Hutchins and Joel Souza)."

Hutchins was killed on the New Mexico set of the Western film, and director Joel Souza was wounded by a bullet from a weapon Baldwin was holding while rehearsing a scene in a church on Oct. 21, 2021. Baldwin has denied he pulled the trigger of the gun that killed Hutchins.

"Actors are not expected to be gun experts, but Alec was handed a real firearm and pointed it at two people without checking himself to see if it was unloaded, or having the prop master do that for him. It is standard procedure to ensure that a firearm is unloaded when using it on the set," Melcher said.

"Alec would have followed that process hundreds of times in his career. But this time he took possession of the firearm, pointed it at two people and shot

them. It would have taken seconds to determine there was a live round in the gun. The failure to use due care when handling a deadly weapon is not an accident, it is a crime."

The video, released in November by NBC News, showed Baldwin on set days before Hutchins' death. He could be heard telling crew members to move out of the path of the gun.

"Now wait a second. I'm going to shoot right," Baldwin said. "Do you mind going to the other side of the camera? I don't want to shoot toward you." At another point, Baldwin seemed concerned for the safety of whoever is behind the camera, saying, "I don't know why you're going up hills and all this other — you're going to break your f---ing neck."

Baldwin was spotted in the Hamptons on Sunday, the first time the actor had been seen since the new involuntary manslaughter charge was filed.

Kate Mangels, [partner at Kinsella Holley Iser Kump Steinsapir LLP](#), told Fox News Digital that the prosecution may have a stronger case against Baldwin this time around due to new testing on the weapon, which Baldwin has strictly denied he ever fired.

"Baldwin's attorneys can argue that a test on a reconstructed gun with new parts cannot be proof of what occurred with the original gun," Mangels said.

"They can also point to any inconsistencies between the two tests. In addition, evidence that Baldwin pulled the trigger is not dispositive of his guilt. The prosecution will still need to show evidence of his mental state and knowledge of the danger involved."

[Rither Alabre](#), former New York prosecutor and partner in the White Collar Defense & Investigations Practice Group at Blank Rome, told Fox News Digital, "At the time they dismissed the charges, prosecutors made it clear that the dismissal did not absolve Baldwin of criminal culpability and the prosecutors reserved the right to refile charges."

He added, "It appears that the prosecutors did conduct further forensic analysis on the gun and they now believe they have the evidence that was previously lacking, namely the gun could not have been fired without someone (namely Baldwin) pulling the trigger."

Brand expert Eric Schiffer explained that when the charges first happened, people were upset and angry, and he "was not seen sympathetically," but with time, perception seemed to change toward Baldwin, and he appeared to be gaining back some trust with the public.

However, he noted how jurors would be less likely to err on Baldwin's side now. "Most will see this as another celebrity trying to not take accountability for their actions, coupled with the fact that guns don't magically fire themselves, especially those that were in working order and the FBI validated – which is a big problem for him," Schiffer told Fox News Digital.

"There's certain people who feel like he's gone through hell. His reputation has been severely damaged. His film career has been decimated, so he's paid some price, but not in the eyes of the law."

Despite "Rust" forever having a hold over Baldwin, Schiffer believes Alec's career could still possibly rise again.

"There is a currency that comes from massive attention even though it's a negative sentiment, and that attention over time, the memory dissipates as to the negative side," Schiffer said. "What doesn't dissipate is the awareness factor of those individuals. As humans, people like, or are more interested in those we know, even if in the beginning it was a negative sentiment.

"He can get through this and eventually build back. Alec has tremendous talent. There's a segment that is rooting that he gets through this, and there is a segment that says guns don't go off, celebrity elites should not get favoritism, and he should face justice and let the jury decide."

Baldwin still faces a handful of civil lawsuits, including one brought by "Rust" script supervisor Mamie Mitchell and another by Hutchins' mother, father and sister. The plaintiffs are represented by attorney Gloria Allred. Amid the legal drama, Baldwin, the cast and crew finished filming "Rust" in May.