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NATURE OF THE CASE

Matthew Luchins was convicted of second degree murder after a bench trial and was sentenced to 14 years in prison.

This is a direct appeal from the judgment of the court below. No issue is raised challenging the charging instrument.

ISSUE PRESENTED FOR REVIEW

Whether a defendant is entitled to present a defense of involuntary intoxication if he voluntarily consumes a cannabis edible, unaware that it has been adulterated with another intoxicant that puts him into a psychotic state.

STATUTE INVOLVED

Intoxicated or drugged condition.

A person who is in an intoxicated or drugged condition is criminally responsible for conduct unless such condition is involuntarily produced and deprives him of substantial capacity either to appreciate the criminality of his conduct or conform his conduct to the requirements of the law. 720 ILCS 5/6-3 (2018).

STATEMENT OF FACTS

Matthew Luchins was charged with first degree murder in the 2018 stabbing death of his father. (R. 543) The trial judge barred the affirmative defense of involuntary intoxication prior to trial. After a bench trial, Matthew was found guilty of second degree murder, where the judge found that Matthew had an unreasonable belief in self-defense. (R. 542)

Pre-Trial Proceedings

Prior to trial, the State filed a motion *in limine* to preclude the defense from presenting the affirmative defense of intoxicated or drugged condition. (C. 170) The State wanted to prevent the defense from arguing that Matthew Luchins was involuntarily intoxicated when he killed his father. (C. 170-2) The defense was based on the fact that Matthew consumed two pieces of a cannabis edible given to him by a friend that two expert psychiatrists determined had been laced with ketamine, bath salts, or a similar adulterant. (C. 170-2; 180-1) They both found that it was that adulterant that led to the temporary psychotic state which caused Matthew to believe that he had to kill his father to protect himself and his mother. (SUP2 CI 24; CI. 22)

At the hearing on the motion *in limine*, defense counsel presented written reports from two expert forensic psychiatrists. (SUP2 CI. 4-29; CI 9-24). The psychiatric examination report by Dr. Stephen Dinwiddie, a professor of psychiatry at of the Northwestern University Feinberg School of Medicine, summarized a four hour in-person evaluation of Matthew, an hour-long interview with Matthew's mother who was present during the offense, as well as the doctor's extensive review of several other psychiatric reports, grand jury testimony, and medical and

psychiatric treatment records. (SUP2 CI 4)

Dr. Dinwiddie's report contained a detailed timeline of the evening in question, including the various points in time when Matthew began experiencing different effects from what he had consumed. (SUP2 CI 16-17) There was also a summary of a report written by Dr. Andrew Marshall, the emergency room doctor that initially evaluated Matthew in the early morning hours, including his observations and Matthew's statements to him. (SUP2 CI 22-3) Dr. Dinwiddie's report also stated that while the blood work done on Matthew at the hospital showed the presence of cannabinoids, his vitals and "physical manifestations" were "inconsistent with" and "not typical" of cannabis intoxication, diagnosing him with "Substance/Medication-Induced Psychotic Disorder." (SUP2 CI 22-3, 24) Dr. Dinwiddie explained that Matthew's symptoms were induced by the ingestion of a "psychoactive substance" and that they were "not better explained by . . . intoxication with another substance." (SUP2 CI 24)

Dr. Dinwiddie also indicated in his report that it was his expert opinion that, at the time of the stabbing, Matthew "lacked substantial capacity to appreciate the criminality of his conduct" and that his drugged condition was "involuntarily produced," because he was not told that the edible contained more than cannabis. (SUP C. 25)

Similarly, Dr. Stafford Henry, who is certified by the American Board of Psychiatry and Neurology with a sub-speciality certification in forensic psychiatry, prepared a written report after meeting with Matthew for seven hours, interviewing his mother, reviewing other psychiatric reports, the grand jury testimony, as well as medical treatment records. (CI. 9-24) He stated in his report that there was

clinical evidence that the edible that Matthew consumed was adulterated. (CI. 21) Matthew experienced symptoms that were “unusual, aberrant, anomalous and atypical” of cannabis use. (CI. 22)

Dr. Henry stated that his opinion was “to a reasonable degree of medical and psychiatric certainty” that Matthew experienced “frankly psychotic symptoms,” including “illusions, delusions, and hallucinatory and perceptual distortions.” (CI. 23) Dr. Henry concluded his report by stating that “I am of the opinion, to a reasonable degree of medical and psychiatric certainty, that [Matthew] was unaware that the edible was adulterated and certainly, based on his frame of reference, did not and could not, have reasonably expected or anticipated the substance-induced, psychotically-driven behavior to manifest and emerge.” (CI. 24)

The State argued that because Matthew knowingly consumed cannabis, he could not raise the defense of involuntary intoxication. (R. 173-176; C. 170-2) Defense counsel argued that involuntary intoxication should be an available defense, because the key fact was that Matthew did not knowingly consume the adulterant that was mixed in the cannabis. (R. 180-185; C. 176-181)

The trial judge, who indicated that he had read both submitted reports, precluded the defense from arguing involuntary intoxication, because Matthew voluntarily consumed the cannabis edible. (C. 242; R. 193, 216, 222-3) Specifically, he stated that, “[e]ven if there was some ketamine [in the edible], I cannot divorce myself from the fact that the defendant voluntarily ingested a substance designed to produce an intoxicating effect.” (R. 220-1) The judge noted that if someone was drinking at a bar and someone “drops a substance in their drink” and then they

commit a crime, “there’s a situation where I think the involuntary intoxication is an appropriate defense.” (R. 215) He added that “you’re taking a risk when you are using these substances off the street, there’s no guarantee.” (R. 216).

Defense counsel sought clarification asking, “but [the defense] is still available to us if we’re able to show it, correct?” (R. 222) The judge stated that was not accurate and issued a written order granting the State’s motion *in limine* “to preclude [the defense] from arguing ‘involuntary intoxication’ is a defense.” (C. 242)

The judge stated that the trier of fact would be able to consider testimony that Matthew believed he was acting in self-defense as a mitigating factor to avail himself of a second-degree murder finding, but not a defense of involuntary intoxication. (R. 221)

Bench Trial

At a bench trial, the evidence showed that in May 2018, 26-year-old Matthew Luchins lived with his parents, Catherine and Daniel Luchins, at their condo in Chicago. (R. 252; 279) Matthew graduated from the University of Chicago in 2014 with a bachelor’s degree, worked in India helping students apply to college, and in 2016 moved to Colorado to work on a presidential campaign before returning to live with his parents. He applied to law school and worked at a consumer rights law firm. (R. 280; 387) He planned to attend law school in the fall of 2018. (R. 282)

Dr. Catherine Luchins, a retired physician, testified that Matthew and Daniel had “a very good relationship.” (R. 282) On May 1, 2018, Matthew returned to the condo around midnight and Catherine could hear him talking with Daniel. (R. 255) Daniel came into their bedroom and told Catherine that Matthew was

“in a highly impaired state” and that he said that he had something important to tell them. (R. 257)

Catherine went into the dining room with Matthew and Daniel. (R. 258) She testified that Matthew was walking in a strange way, lumbering around “like Frankenstein” and slapping himself. (R. 258) Catherine and Daniel tried to get Matthew to sit down and relax because he was agitated and jittery. (R. 259) His pupils were dilated, he was hot to the touch, and he was thirsty. (R. 290) Catherine testified that Matthew’s pulse was “so fast” that she “didn’t count it. It was almost uncountable.” (R. 290) He continued to walk around for “quite awhile.” (R. 260)

Matthew put his arms on both his parents’ shoulders and in a “mechanical sort of motorized way” turned them around and took them to their bedroom. (R. 260) He tucked them both into bed. (R. 261) Catherine and Daniel had a five-to-ten-minute conversation. She testified that she told Daniel that they should consider taking Matthew to the emergency room. (R. 291) They did not do so, because Daniel stated that all the ER would do is monitor him and that they could do that at home, noting that Matthew was breathing and walking and talking. (R. 292)

After speaking with Daniel, Catherine went back into the living room, because she did not want to leave Matthew alone and wanted to “keep an eye on him.” (R. 261-2) Catherine watched Matthew from the living room as he continued to walk around the dining room aimlessly, randomly hitting himself in the head. (R. 263) She went into the kitchen to get Matthew water. Matthew then came into the kitchen. (R. 265-6) Catherine saw Matthew look at a block of knives on the counter, which made her uncomfortable. (R. 266) She tried to get him to leave the kitchen, but he did not. (R. 267)

Matthew walked past the knife block a few times and then walked up to

it, pulled one knife out two or three inches, looked at it, and then pushed it back in “rather rapidly,” saying, “no.” (R. 268) Catherine was then “more scared” and considered getting Daniel, but she thought calling out to him might agitate Matthew, and she did not want to leave Matthew alone. (R. 268-9)

At some point “out of the blue,” Matthew, with “tremendous force,” grabbed one of the knives and ran past Catherine toward her bedroom. (R. 269-70) She ran after him and when she got to the bedroom, she saw Matthew stabbing Daniel. (R. 271) She grabbed Matthew’s arm and pulled it as hard as she could. (R. 271) Matthew was “very strong” and “flicked” her away, returning to continue stabbing Daniel. (R. 272)

Catherine then grabbed his leg, but Matthew kicked backward and did not stop what he was doing. (R. 272) She knew that Daniel was badly injured, but somehow he got up and went to the kitchen. (R. 273) She saw Daniel end up on his back and Matthew continue to stab him repeatedly. (R. 273) She thought Daniel was dead and ran into the hallway, screaming. (R. 274)

The neighbors from across the hall – Elizabeth Steiner and Ian Jackson – came out into the hallway after hearing Catherine screaming. (R. 274; 301, 310) After speaking with Catherine, Steiner called 9-1-1 and went down to the lobby to wait for paramedics and police. (R. 302) Jackson went into the Luchins’s condo with Catherine. (R. 313)

Jackson saw Daniel laying on the floor in the kitchen, with Matthew standing over him, stabbing him. (R. 314-16) Jackson and Catherine both yelled at Matthew to stop. (R. 316) Matthew stood up and moved to the other side of Daniel and crouched down, stabbing him in the abdomen. (R. 316) Jackson saw Matthew run the knife across Daniel’s throat. (R. 316-7) Jackson went back into the hallway

and heard Matthew say “it’s done,” in a “matter-of-fact” way. (R. 318) Jackson no longer heard Daniel making any noise. (R. 318)

Catherine went back into the hallway. (R. 318) Matthew later came into the hallway, wearing boxer shorts, with “much of his body” covered in blood. (R. 319) He was no longer holding a knife. (R. 319) Catherine and Jackson tried to get Matthew to sit down. (R. 276) Matthew reached toward Catherine’s arms and Jackson pushed him away. (R. 320) Matthew pushed him back forcefully in his upper chest area. (R. 320) Matthew reached for Catherine one more time and then went back into the condo. (R. 320-1) Matthew later returned to the hallway, having washed the blood off of his hands. (R. 321) He then went back into the condo. (R. 322)

Sergeant Philip Hooper testified that at approximately 3:00 a.m. on May 2, 2018, he responded to a call of a person with a knife at 5300 South Shore Drive in Chicago. (R. 330) Hooper wore a body camera and was the first officer on the scene. (R. 337) Video from the body camera was shown in court. (R. 339) The video shows Catherine telling Hooper that her son just went “crazy” and stabbed her husband and that he died. An officer opened the door to the condo, which had blood on it, and Hooper approached with his taser out and holding a shield. Matthew came into the hall, wearing only shorts and covered in blood. He then turned and faced the wall, put his hands together, and was handcuffed. The video showed Hooper enter the condo and Daniel’s body was visible on the kitchen floor. An EMT confirmed on the video that Daniel had no pulse. (People’s #3, 3:16-5:46; 6:45-8:25)

Matthew went to the emergency room to be treated for cuts on his hands. (R. 336) Toxicology tests were done on Matthew at the hospital that came back

positive for cannabis. (R. 511-13) The tests were negative for alcohol, methamphetamine, ecstasy, barbiturates, benzodiazepine, opiates, and PCP. (R. 511-13) Matthew was not tested for the presence of ketamine, bath salts, or any other “newer adulterants,” because they were not typically tested for, absent a specific request. (R. 513)

The parties stipulated to the testimony of medical examiner Dr. Steven White, who performed the autopsy of Daniel Luchins. (R. 357-375) He would testify that Daniel received dozens of stab wounds and other abrasions. (R. 359-375) He recovered a knife with a seven-inch blade from Daniel’s chest and ruled the death as a homicide caused by multiple stab wounds. (R. 375)

Matthew testified that at approximately 8:00 p.m. on the night of the incident, he met up with his friend Isaac Miller at Soldier Field to attend an event. (R. 387; 392) Matthew and Miller first met when they both worked at a law firm together. They ate lunch together each day and would see each other socially on weekends. (R. 387-8) They no longer worked together at the time of the incident, but they still socialized. (R. 389) Miller brought his girlfriend, Mary Molitor, with him to the event. (R. 389)

Earlier in the day, Miller told Matthew not to drive to the event because he was “bringing one of his brownies,” which Matthew understood to mean brownies infused with marijuana. (R. 392) He had previously discussed with Miller that Miller made cannabis brownies, but had never had one of Miller’s edibles before. (R. 392) When Miller and Molitor arrived, Miller offered Matthew part of an edible, which looked homemade. (R. 393; 497) Either Molitor or Miller told Matthew that the brownie was “strong.” (R. 469; 498) Molitor broke off a “minuscule” piece, about the size of the top third of an index finger, and gave it to Matthew, which he

ingested. (R. 393)

After a “good amount of time had passed,” Matthew was only feeling the “teeniest effect” of what he was familiar with experiencing from marijuana. (R. 395) He asked for a second portion and Molitor gave him a nickel-sized piece that he popped in his mouth. (R. 395) About 35-40 minutes later, Matthew began to feel the effects from the edible. (R. 395) They were the common effects that he previously experienced from marijuana, like time seeming to slow down and having “more creative or profound feeling thoughts.” (R. 395) Matthew testified that he had previously eaten cannabis edibles and had smoked cannabis 150-200 times in the course of his life. (R. 422)

The light show ended at 10:00 p.m. and, as he was walking two other friends to their car, he had a “bizarre unexplainable feeling of needing to kind of herd the group together” and felt a compulsion to use his hands to keep everyone together. (R. 397-8) Matthew took an Uber home and rode in the backseat of the vehicle, which was unusual for him. (R. 399) He knew he would not be capable of having a conversation with the driver as he typically would. (R. 399) He blacked out during most of the ride and only remembered when the car picked him up and then two or three minutes before it dropped him off at home. (R. 398-9)

When he walked into the lobby of his building, around 11:00 p.m, he tried to greet the security guard like he usually would, but “couldn’t get words out.” (R. 399, 402). Matthew began feeling “overwhelmed by this sense of having forgotten the most important thing in [his] life” and the feeling would not go away. (R. 400) There was a physical aspect to the feeling and he began pacing by the elevator bank in the lobby, moving his arms around trying to figure out “what this thing was.” (R. 400, 472) He had never previously experienced that sensation or had

that thought process. (R. 400-1)

After pacing the lobby for 15 minutes, he went up to the 4th floor, where the family's condo was located. (R. 401) He continued to "pace and move and gesture" in the hallway, trying to "figure out this thing that was just overwhelming." (R. 401) After about 45 minutes, he went into the condo. (R. 401-2) He went directly to his parents' bedroom and said, "Dad, I should have been a doctor," which was his "very best guess as to what this thing was that I had forgotten." (R. 403)

He continued desperately searching for what it was that he had forgotten, because he still had the feeling. (R. 404) He tried to explain it to his father, but he was unable to. (R. 404) He thought that he and his father needed to dance, so they danced together. (R. 404-5) His father tried to get him to drink water. (R. 405) Matthew's next thought was that he needed to tuck his parents into bed, which he did. (R. 405)

Daniel gave Matthew a stuffed animal to help comfort him and then Matthew tried to go to sleep in his room, but was "extremely uncomfortable" and could not lay still. (R. 405-6) He got up and went back into the kitchen and continued pacing, trying to figure out what he needed to remember. (R. 406) He then looked into the kitchen and saw a "ray of light shining on the big knife in the butcher block" and then he had an "instantaneous realization" that he needed to take the knife and stab his father. (R. 407) Recognizing that notion "resolved this feeling of not knowing what I needed to do." (R. 407)

Matthew tried to stay away from the knife block, hoping the feeling would go away. (R. 407) He told himself, "This can't be right." (R. 407) He heard a voice ask him, "Where's your key?" He attributed that to having previously lost his house key and it reappearing on his desk one day. (R. 409) He believed that the same

“force” that made his key appear on his desk was the same force that was shining a light on the knife. (R. 409)

He continued to pace in front of the knife block and pulled one of the knives out, looking to his mother for confirmation that it was what he was supposed to do. (R. 410) His mother responded, “Matt, what are you doing?” (R. 410) He then put the knife back. (R. 410) He paced more and then “very suddenly there [was] this blackness that [came] on” and “[his] field of vision start[ed] shrinking, it start[ed] dissolving.” (R. 411) He looked at his mother and she looked “skeletal.” (R. 411) Matthew then began to lose sensation in his legs and realized that if he did not stab his father then the “force” would be “coming for [him] and [his] mom.” (R. 411) He believed that if he did not kill his father, then he and his mother would die. (R. 419)

Matthew grabbed the knife and ran to his parents’ bedroom, where he met his father in the doorway. (R. 412) Matthew began stabbing his father; they grappled and struggled over the knife. (R. 412) When he looked at his father, he no longer saw his father’s face, but a “monstrous thing.” (R. 412) A “super human scream and strength” came over Matthew and he threw his father off of him and continued to stab him, “trying to end it.” There was a feeling of energy leaving his father and something inside Matthew made him say “I love you” and then he got up. (R. 413)

Matthew next had a realization that he needed to sleep with his mother, so he went into the hall to get her, but Jackson got in between them. (R. 413) He started pushing Jackson, but then his mother screamed and then Matthew “sort of realized that everything [he] thought was real was not.” (R. 413) Although he no longer thought it was real, he went and waited in the bedroom for his mother,

in case the delusion was real. (R. 413-4) The police arrived later and he went into the hall and put his hands behind his back, because he knew at that point what he had done was wrong. (R. 454)

Defense witness Dr. Stafford Henry, a qualified forensic psychiatrist, testified that he interviewed Matthew about the incident and had determined to a reasonable degree of medical and psychiatric certainty that Matthew was in a psychotic delusional state. (R. 464, 467, 486) Dr. Henry testified that when Matthew had an urge to “herd” his friends together, that was clinically significant because it was the start of Matthew experiencing a “very idiosyncratic symptom set,” which he “had never experienced before” and was “not consistent with the self-administration of THC.” (R. 470-1)

Dr. Henry stated that Matthew’s period of amnesia in the Uber on the way home and his elusive sense of “not being able to recall the most important thing in his life” showed an evolution of a psychotic thought process. (R. 471) Matthew’s pacing near the elevator bank and reaching out his hands to try to “enhance his thinking” were clinically important, where the actions did not make any sense and were not socially appropriate. (R. 472-3) Matthew’s feeling that every breath he took was taking energy away from his parents was “completely and totally psychotic” and had “no basis of reality.” (R. 473) Dr. Henry testified that “psychosis” is a compilation of symptoms that are not reality-based, such as delusions, hallucinations, and paranoia. (R. 473)

Matthew continued to exhibit actions that were clinically significant when he reached the condo, including asking his father to dance. (R. 476) Dr. Henry said that action was “bizarre” and showed that Matthew had “impaired impulse control” and disorganized thinking, and was a “reflection of an altered non-reality

based mental state.” (R. 476)

Dr. Henry also testified that Matthew’s actions showed the “evolution of a psychotic thought process,” including moments when he temporarily “gets better,” which was consistent with “our understanding of the psycho-kinetics of mood-altering substances.” (R. 477-8) Dr. Henry testified that cannabis does not usually cause delusions and instances of hallucinations only occur in cases of “really high doses” or when the cannabis has been adulterated. (R. 493-4)

Dr. Henry said that the fact that Matthew saw a light shining on the knife block indicated that his senses were altered. (R. 478-9) The “panoply of perceptual disturbances” that Matthew experienced were “indicative of an adulterant or a hallucinatory substance,” not THC. (R. 479) Dr. Henry also testified that the fact that Matthew debated on whether to stab his father along with the “rational side of his brain [being] present” was also indicative of psychosis, because typically someone experiencing psychosis maintains “an element of rational thought.” (R. 478-9; 506-7) Dr. Henry stated that he believed “that there was a direct causal nexus between the psychotic behavior depicted that evening and his self-administration of adulterated mood-altering substances.” (R. 488)

In closing argument, defense counsel argued that the evidence was “absolutely uncontradicted that he was in a psychotic delusional state,” and that they had presented a mitigating factor, making this a second-degree murder case. (R. 529) The trial judge found that Matthew’s brain had been “adulterated” when he stabbed his father and that Matthew’s testimony, although “bizarre beyond belief,” and “unimaginable,” was “credible.” (R. 539) The judge also found that Matthew had an unreasonable belief in self-defense and found Matthew guilty of second-degree murder. (R. 542) The judge later sentenced Matthew to 14 years in prison. (C.

303; 601)

Direct Appeal

On appeal, Matthew argued, *inter alia*, that the trial court erred in granting the State's motion *in limine* denying him the right to present a defense of involuntary intoxication, where he knowingly consumed a cannabis edible, but did not know that it was laced with an adulterant. The appellate court affirmed the trial court's decision, stating that the trial court properly denied Matthew the opportunity to raise a defense of involuntary intoxication, where he knowingly ingested the illegal cannabis. *People v. Luchins*, 2025 IL App (1st) 221604-U, ¶52. Justice Ocasio dissented, stating that Matthew "cannot be deemed to have voluntarily submitted to the effects of a substance that he did not know was there." *Id.*, ¶ 70.

Matthew filed a petition for leave to appeal, which this Court granted on September 24, 2025.

ARGUMENT

The trial judge erred in denying Matthew Luchins the chance to present a defense of involuntary intoxication, where, although he knowingly consumed portions of a cannabis edible, he did not voluntarily consume the adulterant added to the edible, which caused him to enter into a psychotic state and kill his father.

Matthew Luchins did not knowingly or voluntarily consume the adulterant contained in the cannabis edible that experts determined caused him to enter a psychotic state and kill his father. Despite this, he was denied the right to present the affirmative defense of involuntary intoxication, where the trial court erroneously found that such a defense was not available to him, because he voluntarily consumed the cannabis edible. (C. 170, 242; R. 216) This denial was affirmed by the appellate court, who held that the defense was not available to Matthew who voluntarily ingested an illegal substance. *People v. Luchins*, 2025 IL App (1st) 221604-U, ¶¶ 51-2. However, as the dissent below correctly pointed out, the plain language of the Illinois involuntary intoxication statute provides that “the availability of the defense turns on whether the ‘condition is involuntarily produced.’ The legal status of the substance does not make a difference.” *Luchins*, 2025 IL App (1st) 221604-U, ¶ 67 (Ocasio, J., dissenting)

The appellate court erred in affirming the lower court’s ruling denying Matthew the opportunity to present this affirmative defense, departing from both the plain language of the involuntary intoxication statute and failing to even acknowledge, let alone address, pertinent precedent in *People v. Brumfield*, 72 Ill. App. 3d 107, 113 (5th Dist. 1979) (holding that it was improper for the trial court to grant the prosecution’s motion *in limine* to bar the presentation of an involuntary intoxication defense, where defendant consumed cannabis that he did not know was laced with “angel dust”); *see also*, *People v. Penman*, 271 Ill.

82 (1915) (holding that it was error to prevent the defendant from presenting evidence to support his involuntary intoxication defense, namely that the man who gave him tablets told him they were “breath perfumers,” but they were, in fact, cocaine)

The Due Process clauses of the United States and Illinois Constitutions guarantee criminal defendants the right “to a fair, orderly, and impartial trial” that “is conducted according to law.” *People v. Bull*, 185 Ill. 2d 179, 214 (1998); see U.S. Const. amends, V, VI, XIV; Ill. Const. art I, §§ 2,8. These constitutional guarantees also provide the right to “a meaningful opportunity to present a complete defense.” *Holmes v. South Carolina*, 547 U.S. 319, 324 (2006), citing *Crane v. Kentucky*, 476 U.S. 683, 690 (1986) (this right is rooted in the Due Process, Compulsory Process, and Confrontation Clauses, and allows defendants to present evidence relevant to a theory of innocence). This includes “the right to present the defendant’s version of the facts as well as the prosecution’s to the [fact-finder] so it may decide where the truth lies.” *Washington v. Texas*, 388 U.S. 14, 19 (1967). Indeed, “Few rights are more fundamental than a defendant’s right to present relevant evidence in his defense.” *Taylor v. Illinois*, 484 U.S. 400, 408 (1988). A defendant should not be denied the opportunity to present an affirmative defense, unless the evidence is so clear and convincing as to permit the judge to find as a matter of law that there was no affirmative defense. *People v. Jones*, 175 Ill. 2d 126, 132 (1997).

A trial court’s ruling on a motion *in limine* is reviewed under the abuse of discretion standard. *People v. Wilson*, 214 Ill. 2d 127, 136 (2005). However, where the trial judge’s decision in this case was based entirely on his interpretation of the involuntary intoxication statute, this Court reviews *de novo* the construction

of a statute as a question of law. *People v. Roberts*, 214 Ill. 2d 106, 116 (2005); *People v. Clark*, 2024 IL 130364, ¶ 15.

The affirmative defense of involuntary intoxication exonerates an accused when the trier of fact finds the elements of the defense have been met. *People v. Hari*, 218 Ill. 2d 275, 295 (2006); *Brumfield*, at 113. The Illinois involuntary intoxication defense statute reads as follows:

A person who is in an intoxicated or drugged condition is criminally responsible for conduct unless such condition is involuntarily produced and deprives him of substantial capacity either to appreciate the criminality of his conduct or to conform his conduct to the requirements of the law. 720 ILCS 5/6-3 (2018).

The cardinal rule of statutory construction is to give effect to the intent of the legislature. *People v. Blair*, 215 Ill. 2d 427, 442 (2005). The best evidence of legislative intent is the language used in the statute, which must be given its plain and ordinary meaning. *Id.* at 442-43. It is never proper for a court to depart from plain language by reading into the statute exceptions, limitations, or conditions which conflict with the clearly expressed legislative intent. *Id.* at 443.

The plain language of the involuntary intoxication statute provides that a defendant should not be held responsible for their conduct if their “intoxicated or drugged condition” is “involuntarily produced.” 720 ILCS 5/6-3. Here, there is no dispute that Matthew was “in an intoxicated or drugged condition” at the time that he stabbed his father. The only question is whether *that condition* was *involuntarily produced*.

In *People v. Hari*, 218 Ill. 2d 275, 292-3 (2006), this Court interpreted section 5/6-3 and defined “involuntary” as “springing from accident or impulse rather than conscious exercise of the will” and “not resulting from free and unrestrained choice; not subject to control by the will.” (quoting Webster’s Third New International

Dictionary 1191 (1993) and Black’s Law Dictionary 833 (7th ed. 1999). This Court held that the phrase “involuntarily produced” did not require further definition in the Code and that a defendant was entitled to have a jury instructed on involuntary intoxication where his intoxication resulted from the unexpected and unwarned adverse side effects of medication prescribed by a physician, which “falls within the plain meaning of the term ‘involuntarily produced’” and the “ordinary and popularly understood definition of ‘involuntary.’” 218 Ill. 2d at 291-2. Black’s Law Dictionary also defines “involuntary intoxication” as “quality, state, or condition of having ingested alcohol or drugs against one’s will or without one’s knowledge.” Intoxication, Black’s Law Dictionary (12th ed. 2024).

Here, the unexpected effects – violent psychosis – from unknowingly consuming an adulterated substance that Matthew did not know was infused into the cannabis edible he was given also falls within the “ordinary and popularly understood definition” of involuntary and within the plain meaning of “involuntarily produced.” Matthew did not – of his “free and unrestrained choice” – decide to consume bath salts or ketamine or whatever adulterant was in the cannabis edible. He was told it was “strong cannabis,” not that it contained an entirely different intoxicant. Matthew made a conscious decision to consume a cannabis edible. He had consumed cannabis edibles prior to that night, in addition to having smoked cannabis 150-200 times. (R. 422) The unexpected effect of this edible was not subject to the control of Matthew’s will.

Affirmative defenses like involuntary intoxication are exculpatory defenses, meaning that if the trier of fact finds that the State has not proven beyond a reasonable doubt not only the elements of murder, but also that the murder was not the result of defendant’s involuntary intoxication, the defendant is not culpable

for the offense he is charged with and he should be acquitted. *See, People v. Jeffries*, 164 Ill.2d 104, 127 (1995) The origins of modern exculpatory defenses like this have been traced back to Aristotle, who argued that “acts are involuntary, and therefore excusable, when they are performed either ‘under compulsion or owing to ignorance.’” Exploitation. John Lawrence Hill, 79 Cornell Law Review 631, 655-59 (1994). Ignorance is the antithesis of culpability, which is defined by Black’s Law Dictionary as “moral blameworthiness.” Culpability. Black’s Law Dictionary (12th ed. 2024).

Thus, the affirmative defense of involuntary intoxication has at its core the notion of the lack of defendant’s culpability or “ignorance” of the nature of the substance consumed. For that reason, it is necessary to determine whether the defendant knowingly ingested the actual substance that caused the psychosis, not merely whether he knowingly ingested whatever intoxicant was spiked with an adulterant. To be culpable, it is logical that a person would have to ingest the substance with knowledge of the possible results. It follows that if someone is unaware that what they are ingesting contains ketamine or bath salts or another adulterant, they cannot be blamed for their resulting condition.

Here, it was not the cannabis itself that led to Matthew’s condition. Under the plain meaning of the statute and this Court’s prior definition in *Hari*, his consumption of the unknown adulterated substance produced his involuntary psychotic state. Both the trial judge and the appellate court improperly read into the statute an exception that the defense of involuntary intoxication should not apply to a defendant who has consumed an “illegal” substance. However, neither the statute itself nor existing precedent established the preclusion of the defense under these facts.

This Court has never held that a defendant's right to present an involuntary intoxication defense hinges on whether he consumed an illegal substance. It has instead focused on whether the defendant's drugged condition resulted from an "external influence" or was the result of a defendant's "conscious choice." *Hari*, 218 Ill. 2d at 293-4. In so doing, this Court distinguished prior cases, not based on the fact that the defendant in those cases consumed an illegal substance, but, rather, because those situations lacked an "external influence," where the defendant made a conscious choice to enter into the drugged condition that led to the resulting crime. *Id.*, "*People v. Downey*, 162 Ill. App. 3d 322, 335 (2d Dist. 1987) (defendant claimed his action was involuntary because he was addicted to cocaine; *People v. Larry*, 144 Ill. App. 3d 669, 677-78 (1st Dist. 1986) (defendant smoked marijuana *that he saw another person put white powder on*) (emphasis added); *People v. Gerrior*, 155 Ill. App. 3d 949 (2d Dist. 1987) (defendant knew the nature of the medicines and Antabuse he was taking and was told by his physician of a potential extreme reaction when taken with alcohol) In *People v. Walker*, 33 Ill. App. 3d 681, 687-8 (2d Dist. 1975), the barring of involuntary intoxication jury instructions stemmed not from the illegality of the substances consumed, but because the defendant's medical witness testified that any possible effect of the pills that the defendant consumed four hours prior would have been almost dissipated by the time of the shooting and there was no testimony that he was seriously intoxicated at the time of his arrest.

No Illinois court has specifically held that in a scenario like Matthew's – voluntarily consuming cannabis, but being unaware that it is laced with an adulterant that caused the intoxicated condition that led to the commission of a crime – that a defense of involuntary intoxication could not be raised. The only

case that addressed such a factual scenario – *People v. Brumfield* – actually held that the defendant *was* entitled to the instruction. 72 Ill. App. 3d 107, 113 (5th Dist. 1979). Notably, the appellate court majority below failed to address *Brumfield*.

In *Brumfield*, 72 Ill. App. 3d at 110, the State filed a motion *in limine* prior to the start of trial testimony to prevent the defense from arguing that involuntary intoxication was a defense to rape. During the hearing on the motion, the defense asserted that on the night of the incident, the defendant voluntarily smoked marijuana, which he was unaware contained “angel dust.” 72 Ill. App. 3d at 110-1. Defense counsel alleged that the intoxicating effects of the “angel dust,” with the alcohol that he voluntarily drank, led to the defendant’s involuntary actions. 72 Ill. App. 3d at 111. The trial judge granted the State’s motion, striking any defense of involuntary intoxication. *Id.*

The appellate court reversed the trial judge’s ruling, finding that the fact that the judge rejected the involuntary intoxication defense before evidence was even presented at trial was reversible error. 72 Ill. App. 3d at 112. It stated that “there was certainly no obligation on the part of the defendant to prove that he had sufficient evidence to establish that defense prior to trial.” *Id.* The court went on to say that, “once the defendant asserted a legally viable defense in response to the State’s discovery motion, the State and the trial court were without authority to question the propriety of that defense prior to trial.” *Id.*

Like in *Brumfield*, the trial court’s ruling on the motion *in limine* here “raises serious constitutional questions relating to an accused’s right to present a defense.” 72 Ill. App. 3d at 107. The facts proffered during the hearing on the State’s motion *in limine* supported the decision to allow the defense of involuntary intoxication to be presented at trial. Defense counsel stated that the evidence would show that

Matthew took an edible that he believed to contain cannabis, having consumed cannabis previously without any resulting psychosis. (R. 182) The edible, which he received from a trusted friend, contained an adulterant – likely ketamine, bath salts, or something similar – and two expert psychiatrists would testify that the adulterant led to Matthew’s psychotic state. (R. 181) This psychotic state brought on by the adulterant led Matthew to believe that he had to attack his father in order to save his mother and himself. (R 181-2) Just like in *Brumfield*, the trial court here erred when it barred Matthew from attempting to establish that defense at trial.

Instead of relying on *Brumfield*, which is factually and procedurally analogous to the present case, the appellate court below relied on a line of cases that do not involve a trial court’s pretrial ruling denying the presentation of an affirmative defense. *See Luchins*, 2025 IL App (1st) 221604-U, ¶¶ 43-44, 49. Perhaps more importantly, those cases do not even involve a defendant consuming any substances unknowingly. Order at ¶ 43; *People v. Gerrior*, 155 Ill. App. 3d 949 (2d Dist. 1987) (defendant knowingly consumed Antabuse, alcohol, and prescription pain killers); *People v. Larry*, 144 Ill. App. 3d 669 (1st Dist. 1986) (trial court did not err in denying jury instruction on involuntary intoxication, where defendant smoked marijuana knowing that white powder had been placed on top of it); *People v. Walker*, 33 Ill. App. 3d 681 (2d Dist. 1975) (finding that trial court did not err in failing to give involuntary intoxication instruction to the jury, where the defendant mixed prescription pills with alcohol); see also, *People v. McMillen*, 2011 IL App (1st) 100366 (affirmed denial of post-conviction petition alleging that defendant should have been permitted to raise an involuntary intoxication defense, where defendant voluntarily ingested cocaine, along with prescription medicine).

The trial court and the appellate court in this case improperly interpreted the prior case law and did not look at whether Matthew knowingly ingested the adulterant. Instead, they read a limitation into the statute that allowed only those defendants who did not voluntarily consume any illegal substances to use the affirmative defense of involuntary intoxication. This limitation was not intended by the legislature and this Court should not read it into the statute. Had the legislature intended for the right to present the affirmative defense to hinge on whether the initial substance consumed was legal or illegal, the statute would have stated that. *See, People v. Hanna*, 207 Ill. 2d 486, 497 (2003) (the most reliable indicator of statutory intent is found in the language of the statute itself).

The appellate court's fixation on the "illegal" nature of cannabis at the time that Matthew ingested it, rather than on the involuntary consumption of the adulterant within the edible, creates an unworkable standard. Cannabis possession and usage in Illinois remains highly regulated. 410 ILCS 705/1-705/999-99. Under the appellate court's logic, even today, if someone in Illinois consumed cannabis laced with an adulterant, there are numerous circumstances under which they would be unable to avail themselves of a defense of involuntary intoxication because their possession and usage was "illegal."

For example, under the appellate court's reasoning, a 22-year-old man who currently lives in Indiana attending college, returns for a weekend visit to his parents' home in Illinois and hosts a party for his friends from high school. He has numerous refreshments available, and a pan of homemade cannabis brownies that his friend brought, which contains 250 milligrams of THC. If this man consumed some of the cannabis brownies, unaware that they were laced with an adulterant that led him to enter a psychotic state and murder his father, would he be able to avail

himself of the involuntary intoxication defense? Under the appellate court's "legality" standard, it would be very difficult to determine whether this man could avail himself of the involuntary intoxication defense. Multiple questions would need to be answered first regarding whether his consumption of cannabis was "legal."

There would need to be a determination made regarding whether the man was a resident of Illinois or Indiana, because the limitations on possession depend on residency. 705 ILCS 10/10 (a)(2), (b)(2) (limiting Illinois residents to possessing no more than 500 milligrams of THC contained in cannabis-infused products versus nor more than 250 milligrams for out-of-state residents). The issue of possession would likely also need to be parsed, in order to determine whether he technically possessed the whole pan of brownies, or just the portion that he consumed, given that they were made by someone else, but gifted to him. If he was found to only be in possession of the part that he consumed, then the concentration would be under 250 milligrams (since that was the amount in the whole pan) and he could then raise the defense of involuntary intoxication because he voluntarily consumed legal cannabis.

Another possible scenario could be where a fraternity at an Illinois college hosts a party attended by students between the ages of 18 and 22 years old. The fraternity serves an alcoholic punch, which a rival fraternity member laces with LSD as a prank. The laced punch causes multiple guests to enter altered states and commit various crimes. There is no question that the students age 21 and over who unwittingly consumed the LSD are entitled to present a defense of involuntary intoxication. However, under the appellate court's reasoning, those under 21 would likely be liable for the exact same activity without an opportunity to present an affirmative defense, because their consumption of alcohol was "illegal." Further

complicating this scenario could be a student who turns 21 at midnight and then commits a crime while intoxicated with the laced punch. The difference being able to present the affirmative defense or not would come down to whether the student consumed the laced punch before or after midnight.

The focus on the “legal vs. illegal” nature of a substance overly complicates what should be a straightforward reading of the involuntary intoxication defense statute. Deviating from the plain language of the statute results in seemingly endless questions that are absent in a straightforward reading of the statute: Did the defendant know that he was consuming the intoxicant that caused his condition? No? Then the defense of involuntary intoxication is available and the defendant can present that to the trier of fact at trial.

The fact that the defense of involuntary intoxication would be available in these hypothetical situations does not, of course, necessarily mean that these defendants would automatically be acquitted at trial. The State could very well present evidence that disputes the defendants’ claims regarding whether the consumption was actually involuntary (someone could testify that the defendant saw the punch bowl being spiked and drank from it anyway) or whether their condition was actually caused by an unknown substance (the defendant could fail to provide expert testimony that their actions were atypical of cannabis intoxication alone). The trier of fact would then be tasked with making the determination about whether or not the defendant should be acquitted based on the defense of involuntary intoxication – based on testimony at trial by witnesses, including potential experts. Such an approach allows defendants to preserve the right to present their defense by preventing the trial judge from gate-keeping the presentation of evidence about the defense.

Brumfield is the only Illinois case directly on point. However, *People v. Mion*, which is pending in the Colorado Supreme Court, presents a very similar fact pattern to the present case. 2023 COA 110M, cert. granted, No. 24SC2, 2024 WL 3862473 (Colo. Aug. 19, 2024).¹ In that case, Mion’s friend offered him a joint of what he presumed was marijuana, something that he smoked “at least a couple hundred times” over the years, but he “felt differently” after smoking it and ended up committing acts resulting in charges of aggravated robbery, criminal mischief, and felony menacing. 2023 COA 110M at ¶¶ 11-12. The trial judge denied the defense request that the jury receive instructions on involuntary intoxication, stating that Mion admitted to the voluntary use of an intoxicant and there was “absolutely no credible evidence” of the joint containing anything other than marijuana.” *Id.* at ¶ at 21.

The Colorado Court of Appeals, vacating Mion’s conviction and remanding for a new trial, developed a workable standard for analyzing when the affirmative defense of involuntary intoxication would be available: (1) a defendant knowingly ingests what he believes to be a particular intoxicant; (2) in so doing, he unknowingly ingests a different intoxicant; and (3) it is the different intoxicant that deprives him of the capacity to conform his conduct to the requirements of the law. *Id.* at ¶ 2.

This analytical framework is compatible with the Illinois involuntary intoxication defense statute at issue here. It places culpability on a defendant only when he knows that he has consumed the substance that actually caused his intoxicated or drugged condition. This would preclude the defense from being raised

¹This case has been fully briefed and oral argument was held in the spring of 2025.

by a defendant who knows that his cannabis edible has been laced or saw the punch bowl being spiked with PCP. The defense would also not be available to any defendant who knowingly consumes cocaine, bath salts, or any other drug that results in the intoxicated or drugged condition that leads them to commit a crime. This standard is also helpful in ensuring that those defendants who are not blameworthy – who may have known they consumed an intoxicant, but not that they consumed a different intoxicant that actually led to their condition – to raise the defense.

The Trial Court's Error is Not Harmless

The error here in denying Matthew the opportunity to present a defense of involuntary intoxication was not harmless. Although Matthew was allowed to testify to his state of mind and Dr. Henry testified to some of his findings regarding Matthew's psychosis, the defense was barred from presenting the testimony of Dr. Dinwiddie and other critical evidence. Further, the trial judge made it clear prior to the start of trial that he would not entertain the possibility of the affirmative defense of involuntary intoxication, regardless of what evidence was presented at trial. The judge stated that so long as the consumption of the cannabis was voluntary, he would not consider a defense of involuntary intoxication. (R. 222)

Thus, although the judge found that Matthew's brain had been "adulterated" when he stabbed his father and that Matthew's testimony was "credible," he determined that an affirmative defense of involuntary intoxication was unavailable to someone who consumed an illegal substance. (R. 539) Had the judge not barred the affirmative defense prior to trial, Matthew would have presented detailed expert testimony about the nature of the adulterant that led to his temporary psychosis.

The defense had two expert forensic psychiatrists – medical professionals – prepared to testify at trial in detail about the effects of adulterants added to the

cannabis edible, which Matthew did not knowingly consume, and other findings to support the defense of involuntary intoxication. (R. 181)(SUP2 CI. 9-24; CI. 8-26) The defense proffered a detailed report from Dr. Henry, who testified at trial. (CI. 8-26) He indicated in his report that his opinion was “to a reasonable degree of medical and psychiatric certainty, that Mr. Luchins was unaware that the edible was adulterated and certainly, based on his frame of reference, did not and could not, have reasonably expected or anticipated the substance-induced, psychotically-driven behavior to manifest and emerge.” (CI. 24).

The defense also proffered the psychiatric examination report authored by Dr. Stephen Dinwiddie, a professor of psychiatry at of the Northwestern University Feinberg School of Medicine. (SUP2 CI 4-29) This report detailed Dr. Dinwiddie’s four hour in-person evaluation of Matthew, his hour-long interview with Matthew’s mother who was present during the offense, as well as the doctor’s extensive review of several other psychiatric reports, grand jury testimony in this case, as well as medical and psychiatric treatment records. (SUP2 CI 4) There were also detailed descriptions of the report written by the emergency room doctor that initially evaluated Matthew in the early morning hours, which would be highly relevant to the trier of fact to aid them with the determination of whether Matthew’s condition was involuntarily produced. (SUP2 CI 22-3)

Further, Dr. Dinwiddie’s report stated that while the blood work done on Matthew at the hospital showed the presence of cannabinoids, his vitals and “physical manifestations” were “inconsistent with” and “not typical” of cannabis intoxication, and diagnosed Matthew with “Substance/Medication-Induced Psychotic Disorder.” (SUP2 CI 22-3, 24) Dr. Dinwiddie also indicated in the report that at the time of the stabbing, Matthew “lacked substantial capacity to appreciate the criminality

of his conduct” and that his drugged condition was “involuntarily produced,” because he was not aware that the edible contained more than cannabis. (SUP2 CI. 25) The defense was barred from presenting this evidence at trial in support an involuntary intoxication defense.

Additional support for this defense came from Matthew’s mother, who testified that Matthew’s pupils were dilated and his pulse was “so fast” that she “didn’t count it. It was almost uncountable.” (R. 290). Matthew also felt hot to the touch and was thirsty. (R. 290) These symptoms, as well as his bizarre physical actions in the moments leading up to the stabbing, could have been compared and contrasted to the effects of other intoxicants, with evidence presented by both the State and the defense. It would have properly placed the ultimate decision of involuntariness on the trier of fact – after receiving all of the relevant evidence. Therefore, the trial court’s error was not harmless.

In sum, this Court should find that the trial court committed reversible error when it denied Matthew the opportunity to raise the defense of involuntary intoxication. As such, this Court should vacate his conviction for second-degree murder and remand for a new trial for second-degree murder where he is permitted to raise the defense. *See, People v. Fort*, 2017 IL 118966, ¶ 34 (when a defendant is charged with first degree murder but convicted of second degree murder, the State is prohibited by collateral estoppel from later retrying the defendant for first degree murder)

CONCLUSION

For the foregoing reasons, Matthew Luchins, defendant-appellant, respectfully requests that this Court reverse Matthew's conviction and remand for a new trial for second-degree murder where he is permitted to raise the defense of involuntary intoxication.

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages or words contained in the Rule 341(d) cover, the Rule 341(h)(1) table of contents and statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342, is 31 pages.

/s/ Jessica Wynne Arizo
JESSICA WYNNE ARIZO
Supervisor

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FIRST JUDICIAL DISTRICT
FROM THE CIRCUIT COURT OF THE COOK JUDICIAL CIRCUIT
COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

Plaintiff/Petitioner

Reviewing Court No: 1-22-1604

Circuit Court/Agency No: 2018CR6018501

v.

Trial Judge/Hearing Officer: JAMES M OBBISH

MATTHEW LUCHINS

Defendant/Respondent

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COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

Plaintiff/Petitioner

Reviewing Court No: 1-22-1604

Circuit Court/Agency No: 2018CR6018501

v.

Trial Judge/Hearing Officer: JAMES M OBBISH

MATTHEW LUCHINS

Defendant/Respondent

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Defendant/Respondent

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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CRIMINAL DIVISION**

PEOPLE OF THE STATE OF ILLINOIS

v.

MATTHEW LUCHINS

Defendant

Case Number 18CR6018501Date of Birth 12/04/1991Date of Arrest 05/02/2018IR Number 2376107SID Number 035446231

**ORDER OF COMMITMENT AND SENTENCE TO
ILLINOIS DEPARTMENT OF CORRECTIONS**

The above named defendant having been adjudged guilty of the offense(s) enumerated below is hereby sentenced to the Illinois Department of Corrections as follows:

<u>Count</u>	<u>Statutory Citation</u>	<u>Offense</u>	<u>Years</u>	<u>Months</u>	<u>Class</u>	<u>Consecutive</u>	<u>Concurrent</u>
001	720 ILCS 5/9-2(a)(2)	2ND DEGREE MURDER/UNREASON	14		1		

On Count _____ defendant having been convicted of a class _____ offense is sentenced as a class _____ offender pursuant to 730 ILCS 5/5-4.5-95(b).

On Count _____ defendant is sentenced to an extended term pursuant to 730 ILCS 5/5-8-2.

The Court finds that the defendant is entitled to receive credit for time actually served in custody for a total credit of _____ years and 2061 days, as of the date of this order. Defendant is ordered to serve 1 years Mandatory Supervised Release.

IT IS FURTHER ORDERED that the above sentence(s) be concurrent with the sentence imposed in case number(s) _____

AND: consecutive to the sentence imposed under case number(s) _____

IT IS FURTHER ORDERED THAT _____ DNA sample Stay of Mitt 10.18.22

IT IS FURTHER ORDERED that the Clerk provide the Sheriff of Cook County with a copy of this Order and that the Sheriff take the defendant into custody and deliver him/her to the Illinois Department of Corrections and that the Department take him/her into custody and confine him/her in a manner provided by law until the above sentence is fulfilled.

Dated October 11, 2022

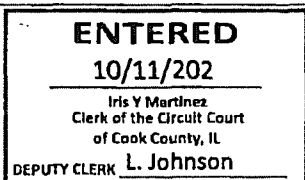
Certified by: _____

Deputy Clerk L. JohnsonJudge Obbish, James M.

1752

Judge's No.

Verified by: _____



IRIS Y MARTINEZ, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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2025 IL App (1st) 221604-U

No. 1-22-1604

Order filed April 10, 2025

Fourth Division

NOTICE: This order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

IN THE
APPELLATE COURT OF ILLINOIS
FIRST DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
	)	Circuit Court of
Plaintiff-Appellee,	)	Cook County.
	)	
v.	)	No. 18 CR 60185
	)	
MATTHEW LUCHINS,	)	Honorable
	)	James Michael Obbish,
Defendant-Appellant.	)	Judge Presiding.

JUSTICE LYLE delivered the judgment of the court.
Presiding Justice Rochford concurred in the judgement.
Justice Ocasio dissented.

ORDER

- ¶ 1 *Held:* Defendant's conviction is affirmed over his contentions that the trial court abused its discretion by barring him from asserting an affirmative defense of involuntary intoxication and failed to award him proper sentencing credit.
- ¶ 2 Following a bench trial, the defendant, Matthew Luchins, was found guilty of second-degree murder (720 ILCS 5/9-2(a) (West 2018)) and sentenced to 14 years' imprisonment. On appeal, Matthew contends the trial court erred in denying him the chance to present a defense of

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involuntary intoxication, where, although he knowingly consumed portions of a cannabis edible, he was unaware that it was laced with an adulterant that would cause him to enter a psychotic state. He also asserts the court erred in denying him sentencing credit for his participation in self-improvement programs while in pre-trial custody. For the following reasons, we affirm.

¶ 3

I. BACKGROUND

¶ 4 Matthew was charged with six counts of first-degree murder (720 ILCS 5/9-1(a) (West 2018)) in the stabbing death of his father, Daniel Luchins. Matthew filed an answer to discovery and notified the State of his intent to present two affirmative defenses: (1) intoxicated or drugged condition, or involuntary intoxication, under 720 ILCS 5/6-3 (West 2018); and (2) use of force in defense of self or others under 720 ILCS 5/7-1 (West 2018).

¶ 5 Specifically, Matthew intended to argue that (1) his intoxication was involuntarily produced because he unknowingly ingested an edible that contained an adulterant, and (2) he lacked substantial capacity to appreciate the criminality of his conduct at the time of the incident. Alternatively, he intended to argue that due to his intoxication, he believed that his actions were in self-defense and in defense of his mother, Catherine Luchins. He tendered copies of two forensic psychiatric examination reports to support his claim of involuntary intoxication.

¶ 6

A. Motion in *limine*

¶ 7 Prior to trial, the State filed a motion *in limine* to prevent Matthew from arguing the affirmative defense of intoxicated or drugged condition. The argument on the motion was held January 13, 2022. The State argued that the defense was not available to Matthew because his intoxication was the result of his voluntary ingestion of an illegal substance. The State also asserted that voluntary intoxication was not a valid legal defense in Illinois.

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¶ 8 In response, Matthew argued that the evidence would establish that his actions were the result of substance-induced psychotic behavior. He maintained that the cause of his behavior was “self-administered cannabis that was likely laced with ketamine or another adulterant.” During his state of “involuntary intoxication,” he believed that he had to kill his father to save himself and his mother. He argued that the involuntary act was “taking the substance as a whole not knowing what else [was] in there.” Though he was not tested for ketamine or another adulterant at the time of the incident, Matthew was prepared to present testimony of two psychiatrists at trial who would testify that his self-reported state of mind and behavior were consistent with the effects of a substance such as ketamine.

¶ 9 Additionally, Matthew argued that the State could not show that he consumed an illegal substance because, at the time of the offense, possession of less than 10 grams of marijuana was a “civil matter.” He asserted that 720 ILCS 5/6-3 did not specifically “address the legality or illegality of a substance,” and that he should not be prevented from arguing involuntary intoxication because he “ingested an allegedly illegal substance.”

¶ 10 On February 24, 2022, the trial court granted the State’s motion. The court stated that voluntary intoxication was not a defense in the State of Illinois and observed that, according to the proffer, Matthew voluntarily ingested cannabis prior to the murder. It noted that cannabis is taken to “alter” a person’s state of mind or to “get into an intoxicated state or some sort of euphoric state.” It further noted that the “most relevant factor” in this case was that Matthew “ingested that substance voluntarily.” It stated that when “intentionally consuming an intoxicating substance” a person is “assuming the risk of what that intoxicating substance is going to lead you to do,” especially when a person consumes substances that are bought off the street.

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¶ 11 The trial court then addressed the two expert opinions speculating that the cannabis cookie contained “ketamine or some other similar substance which caused [Matthew] to act in a way differently from when he normally ingests an intoxicating substance such as cannabis.” The court reasoned that the defense was attempting to argue that, because Matthew reacted differently this time to taking cannabis, he should be able to claim that his drugged condition was involuntary produced. It commented that, despite the expert opinions, without medical evidence that Matthew had ketamine in his system, the admissibility of the expert testimony would depend on whether the court allowed the affirmative defenses to be presented at all. It stated, “[e]ven if there was some ketamine, I cannot divorce myself from the fact that [Matthew] voluntarily ingested a substance designed to produce an intoxicating effect.”

¶ 12 The trial court ruled that the affirmative defense of involuntary intoxication was not available to Matthew. However, it did grant his request to present the affirmative defense of self-defense based on Matthew’s unreasonable belief that he had to kill his father to save himself and his mother.

¶ 13 B. Trial

¶ 14 At the bench trial, Catherine, Matthew’s mother, testified that at the time of the incident, she, Matthew, and her husband lived together. On the day of the incident, Matthew returned home around midnight and that she could hear him and Daniel talking. Daniel then came into their bedroom and told her that Matthew was in a “highly impaired state” and had something to tell them.

¶ 15 Catherine went into the dining room with Daniel and Matthew. She stated that Matthew was walking in a strange way, “like Frankenstein,” and was slapping himself. She and Daniel

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attempted to get Matthew to sit down because he was agitated and jittery. She testified that his pupils were dilated, and he was hot to the touch. He continued to walk around for "quite awhile."

¶ 16 Matthew then led his parents back into their room. He tucked them in and left the room. Catherine and Daniel talked for a few minutes, then Catherine went back into the living room "to keep an eye on" Matthew. She watched him from the living room as he continued to walk around the dining room, randomly hitting himself on the head. She went into the kitchen to get him a glass of water and he followed her.

¶ 17 Matthew then walked aimlessly around the kitchen. Catherine saw him look at a block of knives on the counter, which made her uncomfortable. She tried to get him to leave the kitchen, but he did not. He walked past the knife block several times then walked up to it, pulled one of the knives a few inches out of the block, then pushed it back in "rather rapidly," saying "no." Suddenly, he grabbed one of the knives with "tremendous force," and ran past her toward the bedroom.

¶ 18 Catherine followed Matthew into the bedroom and saw him stabbing Daniel. She attempted to stop him, but he pushed her away and continued to stab Daniel. She watched Daniel get up and go towards the kitchen. She followed into the kitchen where she saw Daniel lying on his back while Matthew repeatedly stabbed him. Believing Daniel was dead, Catherine ran into the hallway, screaming.

¶ 19 The Luchins' neighbors across the hall, Elizabeth Steiner and Ian Jackson, came out into the hallway. After speaking to Catherine, Ms. Steiner called 911 and went down to wait for the police and the paramedics. Mr. Jackson went to the Luchins' condo with Catherine. Mr. Jackson saw Daniel lying on the floor with Matthew standing over him, stabbing him. Mr. Jackson and Catherine yelled at Matthew to stop. Matthew then stood up, moved to the other side of Daniel, crouched down, and stabbed him in the abdomen. They watched him run the knife across Daniel's

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throat. Mr. Jackson went back into the hallway and heard Matthew say, "it's done," in a "matter of fact" way.

¶ 20 Sergeant Philip Hooper testified that at approximately 3 a.m. on May 2, 2018, he was the first officer on the scene in response to a call for a person with a knife. When he met Catherine in the hallway, she was upset and covered in blood. She told him that her son went "crazy" and stabbed her husband. Sergeant Hooper went to the door of the Luchins' condo and asked Matthew to come out into the hallway. Matthew walked into the hallway, placing his hands behind his back. Officers handcuffed and transported him to the hospital. Toxicology reports from the hospital were positive for cannabis, but negative for alcohol or other controlled substances.

¶ 21 Matthew testified that at approximately 8 p.m. on the night of the incident, he met with his friend, Issac Miller, at Soldier Field to attend a light show and Chinese cultural event. Earlier in the day, Mr. Miller told him not to drive to the event because he was "bringing one of his brownies," which Matthew believed meant brownies with cannabis in them. They previously discussed Mr. Miller's cannabis brownies, but Matthew never had one before the day of the incident. When they arrived, Mr. Miller offered him part of an edible that looked homemade. He took a "minuscule" piece, about the size of the top third of an index finger and ate it.

¶ 22 After some time passed, Matthew was only feeling the "teeniest effect" of what he was used to experiencing from cannabis. He took a second portion which was the size of a nickel and ate it. About 35 to 40 minutes later, he began to feel the effects from the edible. He stated that they were the common effects he previously experienced from cannabis. He testified that he previously eaten cannabis edibles and smoked cannabis over 150 times. During those instances, he experienced introspection, creative thoughts, and had unique perceptions. Later that night, he had

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a “bizarre unexplainable feeling of needing to kind of keep everyone together” and felt a compulsion to use his hands to keep everyone together.

¶ 23 Matthew took an Uber home and rode in the backseat of the vehicle, which was unusual for him. He stated that he knew he was not capable of having a conversation with the driver as he typically would. He blacked out during most of the ride and only remembered when the car picked him up and a few minutes before it dropped him off at home. When he walked into the lobby of his building at around 11 p.m., he tried to greet the security guard like he usually would, but “couldn’t get words out.” He began feeling “overwhelmed by this sense of having forgotten the most important thing in my life” and that the feeling would not go away. He testified that there was a physical aspect of this feeling, and he began pacing by the elevator in the lobby.

¶ 24 After pacing the lobby for 15 minutes, he went to the floor where the Luchins’ condo was located. He continued to “pace and move and gesture” in the hallway, trying to “figure out this thing that was just overwhelming.” After about 45 minutes, he went into the condo, straight to his parents’ bedroom. He continued desperately searching for what it was that he had forgotten, because he still had the feeling. He tried to explain the feeling to his father, but he was unable to.

¶ 25 Matthew attempted to go to sleep in his room, but was “extremely uncomfortable” and could not lay still. He got up and went back into the kitchen. He then saw a “ray of light shining on the big knife in the butcher block.” He had an “instantaneous realization” that he needed to take the knife and stab his father. He tried to stay away from the knife block, hoping the feeling would go away. He began to pace in front of the knife block then pulled one of the knives out. He looked toward Catherine for confirmation that it was what he was supposed to do. When she asked him what he was doing, he put the knife back and continued to pace. He felt a “blackness” come over

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him and that his field of vision started “shrinking.” He looked again at Catherine and thought she looked “skeletal.” He had another realization that if he did not stab Daniel, the “force” would be coming for him and Catherine. He believed that if he did not kill Daniel, he and Catherine would die.

¶ 26 Matthew grabbed the knife and ran into his parents’ bedroom. He met Daniel in the doorway and began to stab him. He looked at Daniel’s face but saw a “monstrous thing.” He continued to stab him, “trying to end it.” He explained that he felt energy leave Daniel and that something inside Matthew made him say “I love you.” Matthew then got up and had a realization that he needed to have sex with his mother. When he found her, Mr. Jackson attempted to keep her away from him. He heard Catherine scream, then “realized that everything [Matthew] thought was real” was not. When the police arrived, he went into the hall and placed his hands behind his back because he knew at that time what he had done was wrong.

¶ 27 Dr. Stafford Henry, an expert in the field of forensic psychiatry, testified on behalf of Matthew. Dr. Henry stated that he interviewed Matthew in Cook County Jail in January and May of 2019. Before interviewing Matthew, he reviewed the following: (1) reports of Matthew’s prior psychological treatment; (2) police reports related to the stabbing; (3) the postmortem examination report; (4) grand jury transcripts from Ms. Steinert and Mr. Jackson; (5) Sergeant Hooper’s body worn camera footage of the crime scene and the arrest; and (6) reports authored by Dr. Curran of Clinical Forensic Services and Dr. Dinwiddie, a psychiatrist at Northwestern Hospital.

¶ 28 During his evaluation, Matthew told Dr. Henry that he voluntarily consumed a “THC containing cookie,” after being told it was “really strong,” on the night of the incident. Dr. Henry

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acknowledged that Matthew never asked who made the cookie or what was in the cookie. Matthew described the cookie to Dr. Henry as “homemade” and told him that he was aware it was “strong.”

¶ 29 Dr. Henry opined, to a reasonable degree of medical and psychiatric certainty, that Matthew was in “a psychotic delusional state” at the time of the murder. He defined “psychotic” as a “compilation of symptoms” including “delusions, hallucinations, paranoia” that are a “function of either a mood-altering substance or a function of psychiatric illness.” He believed that Matthew’s psychotic behavior was a characteristic of an adulterant. On cross-examination, Dr. Henry stated that hallucinations, delusions, and paranoia could be caused by tetrahydrocannabinol, or THC.

¶ 30 The trial court found Matthew guilty of second-degree murder. The court noted that there was enough evidence to find Matthew guilty of first-degree murder. However, the court found that Matthew presented credible testimony and evidence that showed his belief that he was acting in self-defense. It stated that “all [Matthew’s] actions indicate someone who is not acting with their normal faculties.”

¶ 31 C. Sentencing

¶ 32 The trial court sentenced Matthew to 14 years’ imprisonment. It declared that Matthew would be “given credit for every day that he has served in custody or any other credits he has earned by virtue of the fact of being incarcerated and engaging in any other kind of programs.”

¶ 33 Matthew filed a motion arguing that he should receive credit for various programs he attended while incarcerated, including: (1) housing on “the program tier”; (2) classes through Northwestern University; (3) a weekly yoga and meditation program; (4) weekly chess games; (5) GED tutoring and volunteer literacy program; (6) poetry and writing workshops; (7) Colby House

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Positive psychology, and (8) working at the jail. He requested a total of 1332 days in “program credit” for his participation in programs that were geared toward “behavior modification” and had a positive impact on him and others.

¶ 34 The State agreed that under 730 ILCS 5/3-6-3(a)(4) (West 2024), Matthew was entitled to one day credit for each day engaged in full time substance abuse programs and correctional facility assignments. The State also conceded that Matthew was entitled to 84 days’ credit for working while incarcerated, but that the other credits he requested did not qualify as substance abuse or work release programs. Rather, it cited subsection 4.1(A), arguing that the credits qualify for a half day credit.

¶ 35 The trial court ruled that Matthew would be given the credits he was seeking, apart from the requested credits for yoga, meditation and chess. The court granted him 1623 days credit for time actually served and 438 days of program credit, for a total of 2061 days. Matthew now appeals the trial court’s rulings.

¶ 36

II. ANALYSIS

¶ 37 We note that we have jurisdiction to consider this matter, as Matthew filed a timely notice of appeal. See Ill. S. Ct. R. 606 (eff. July 1, 2017); see also *People v. English*, 2023 IL 128077, ¶ 25.

¶ 38 Matthew argues that the trial court abused its discretion by granting the State’s motion *in limine* barring him from asserting an affirmative defense of involuntary intoxication to the first-degree murder count. He also contends that the court did not award him proper sentencing credit. We begin our analysis with the trial court’s decision regarding the State’s motion *in limine*.

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¶ 39 In reviewing a trial court's ruling on a motion *in limine*, our standard is abuse of discretion. *People v. Robinson*, 368 Ill. App. 3d 963, 974 (2006). An abuse of discretion occurs when a ruling is arbitrary, fanciful, or unreasonable or "where no reasonable man would take the view adopted by the trial court." *People v. Santos*, 211 Ill. 2d 395, 401 (2004).

¶ 40 Here, Matthew sought to present an affirmative defense of involuntary intoxication. When a trial court is faced with a motion *in limine*, the court must proceed with caution as to not deprive a defendant of a legally viable defense. *People v. Henderson*, 223 Ill. App. 3d 131, 135 (1991). However, the trial court is not required to admit evidence supporting that defense unless it is legally viable. *Id.* To raise an affirmative defense, the defense must disclose it to the prosecution within a reasonable time by filing a written motion before a hearing or trial. Ill. S. Ct. R. 413(d) (eff. July 1, 1982). The defendant must also present some evidence to support the alleged defense. 720 ILCS 5/3-2(a) (West 2002). Because a purported defense can exculpate a defendant, even very slight evidence would require an instruction to the jury. *Hari*, 218 Ill. 2d at 296.

¶ 41 Prior to trial, the court granted the State's motion *in limine*, barring Matthew from asserting involuntary intoxication as a defense to his first-degree murder charge. Matthew argues that the trial court abused its discretion because he presented some evidence to support such a defense. Though he admitted to voluntarily consuming an edible he believed contained cannabis, he maintains that he should have been able to argue that his drugged state was involuntarily produced by the unknown presence of an adulterant.

¶ 42 Prior to 1988, section 6-3 of the Criminal Code of 1961 (Criminal Code) provided that an intoxicated or drugged person was "criminally responsible for conduct unless such condition either: (a) negatives the existence of a mental state which is an element of the offense; or (b) is involuntarily produced and deprives him of substantial capacity either to appreciate the criminality

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of his conduct or to the requirements of law.” Ill. Rev. Stat. 1985, ch. 38, § 6-3. In 1988, section 6-3 was amended, providing that an intoxicated or drugged person was

“criminally responsible for conduct unless such condition either:

(a) Is so extreme as to suspend the power of reason and render him incapable of forming a specific intent which is an element of the offense; or

(b) Is involuntarily produced and deprives him of substantial capacity either to appreciate the criminality of his conduct or to conform his conduct to the requirements of the law.” 720 ILCS 5/6-3 (West 2000).

¶ 43 This court ruled on a series of cases regarding the issue of “involuntariness,” holding that for the intoxication to be “involuntarily produced” it must be accompanied by some outside influence operating on the will of the defendant through trick, artifice, or force. *People v. Larry*, 144 Ill. App. 3d 669, 677 (1986). The *Larry* court further held that the defendant who smoked marijuana after witnessing another person put white powder on it was voluntarily intoxicated. *Id.* at 679. This court in *People v. Walker*, 33 Ill. App. 3d 681, 687-88 (1975), held that the defendant who received pills containing Seconal, a tranquilizing drug from his brother who consumed alcohol while taking the pills acted voluntarily. In *People v. Downey*, 162 Ill. App. 3d 322, 335 (1987), this court held that the defendant’s admitted cocaine addiction did not render his actions involuntary. This court in *People v. Gerrior*, 155 Ill. App. 3d 949, 953 (1987), held that the defendant, who knew about the nature of prescribed medication he was taking and was told of the potential extreme reaction when taken with alcohol, was voluntarily intoxicated.

¶ 44 Section 6-3 was again amended, effective January 15, 2002, to provide that an intoxicated or drugged person “is criminally responsible for conduct unless such condition is involuntarily produced and deprives him of substantial capacity either to appreciate the criminality of his conduct or to conform his conduct to the requirements of the law. 720 ILCS 5/6-3 (West 2018);

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People v. Rutigliano, 2020 IL App (1st) 171729, ¶ 69. In *People v. Rutigliano*, this court held that the trial court correctly instructed the jury that voluntary intoxication was not a defense to a criminal charge. *Id.* at ¶ 72; see also *People v. Grayer*, 2022 IL App (1st) 210808, ¶ 41 (“section 6-3 provides that voluntary intoxication is not an excuse for criminal conduct”).

¶ 45 Matthew agrees that voluntary intoxication is not a legally viable defense. However, he argues that his drugged condition was involuntarily produced because he was unaware of the presence of an adulterant in the cannabis cookie. Further, he notes that section 6-3 does not make a distinction between legal and illegal drugs as to the cause of intoxication.

¶ 46 In *People v. Hari*, our supreme court revisited the issue of the involuntary intoxication defense. 218 Ill. 2d at 292. The defendant in *Hari* argued that his drugged condition was due to an unexpected adverse side effect of a prescription drug that was unwarned by the prescribing doctor. *Id.* at 291. At trial, evidence was presented that the defendant ingested his prescribed antidepressant medication, and a diphenhydramine, or Tylenol, which according to defendant’s expert witness, is officially used for allergies. *Id.* at 283. The expert witness opined that the defendant’s involuntary intoxication “deprived him of the substantial capacity to appreciate the criminality of his acts or conform his conduct to the requirements of the law at the time of the shooting.” *Id.* at 285.

¶ 47 The court rejected its previous definition as being overly restrictive as it confined the definition of “involuntarily produced” to trick, artifice or force. *Id.* at 293. Instead, the court applied definitions given by Webster’s Third New International and Black’s Law Dictionaries. *Id.* at 292-93. Webster’s Third New International Dictionary defines “involuntary” as “springing from accident or impulse rather than conscious exercise of the will.” Webster’s Third International Dictionary 1191 (1993). Black’s Law Dictionary defines “involuntary” as “[n]ot resulting from a

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free and unrestrained choice; not subject to control by the will.” Black’s Law Dictionary 833 (7th ed. 1999).

¶ 48 In holding that the evidence presented warranted a jury instruction on a defense of involuntary intoxication in *Hari* the Court stated:

“The overly restrictive interpretation underlying those courts’ denial of an involuntary intoxication instruction may be due to their distinguishable facts. The cases did not determine whether the phrase ‘involuntarily produced’ encompassed, as here, a defendant’s adverse drugged condition resulting from the ingestion of drugs according to doctor’s orders. [Citations.] Each of those situations lacked the kind of ‘external influence’ on the cause of a defendant’s drugged condition that defendant’s evidence propounded here. In each of those cases, the defendant’s drugged condition was a result of the defendant’s conscious choice.” *Hari*, 218 Ill. 2d at 293-94.

The *Hari* court specifically distinguished that case from its progeny. *Hari*, 218 Ill. 2d at 294 (“To the extent that *Rogers*, *Downey*, *Gerrior*, *Walker*, and *Larry* can be read as excluding the unexpected and unwarned adverse side effects from medication taken on doctor’s orders from the plain meaning of ‘involuntarily produced,’ they are overruled”).

¶ 49 Acknowledging the expansion and exception created by *Hari*, this court in *People v. McMillen*, 2011 IL App (1st) 100366, ¶ 23, distinguished *Hari* stating:

“Defendant’s ingestion of prescription medication does not render his case distinguishable from the cases cited above because in all of those cases, the use of illegal drugs or consumption of alcohol was involved, as it was here. Defendant’s case, however, is distinguishable from *Hari* because the defendant there did not voluntarily ingest any illegal substance.”

In this case, Matthew asserts that section 6-3 does not differentiate between legal and illegal drugs as to the cause of intoxication. However, he concedes that there is no Illinois case law that allows the affirmative defense of involuntary intoxication where a defendant has voluntarily ingested an illegal substance. He also admits to voluntarily ingesting a homemade cannabis cookie, an illegal

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substance. Despite these concessions, Matthew maintains that possession and usage of cannabis was not illegal on the date of this incident but was decriminalized.

¶ 50 On the date of this crime, cannabis possession and usage, although decriminalized, remained illegal. According to the Merriam-Webster dictionary, the definition of “decriminalization” is to “remove or reduce the criminal classifications or status of,” or “to repeal a strict ban on, while keeping some form of regulation.” Merriam-Webster Online Dictionary, <https://www.merriam-webster.com/dictionary/decriminalize> (last visited Jan. 15, 2025). Thus, the state of the law was the possession and use of cannabis remained illegal, while maintaining restrictions or regulations permitting its use. Decriminalization did not legalize cannabis use and possession.

¶ 51 The statute governing intoxicated defenses has been amended several times. As society's attitudes towards cannabis changed, so too did the attitudes and laws regulating the possession and use of cannabis. The future may undoubtedly see further transformation in public attitudes and corresponding legal restrictions removing all regulations as to possession and usage. However, on the date of this crime, possession and usage, although decriminalized, remained illegal. That being the case, it is clear that Illinois case law differentiates between the involuntary intoxication defense where a person has unexpected psychotic incidences as a result of prescription medication, as per *Hari*, versus the use of the involuntary intoxication defense where an illegal substance is ingested. We, therefore, find that the court did not abuse its discretion in granting the State's motion in *limine* barring Matthew from asserting the defense of involuntary intoxication.

¶ 52 We further note that the trial court, having heard the testimony of the expert witnesses and reading their reports, properly received the evidence of Matthew's intoxication as mitigation on the second-degree murder charge. See *Rutigliano*, 2020 IL App (1st) 171729, ¶ 73 (intoxication

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can be a basis for mitigation, affecting the defendant's unreasonable belief in self-defense). Thus, we affirm the trial court's decision to bar Matthew from asserting the affirmative defense of involuntary intoxication.

¶ 53

B. Sentencing Credit

¶ 54 Matthew next claims that the trial court improperly denied him presentence custody credit for time spent practicing yoga and meditation and playing chess while awaiting trial. He contends that the programs he did not receive adequate credit for qualified as "self-improvement programs," thus eligible for a half day's credit. According to Matthew, the court erred refusing to grant 260 days of credit. This court reviews the calculation of the number of days a defendant served in presentence custody *de novo* because the resolution of that issue does not require deference to the trial court's reasoning. *People v. Dailey*, 2016 IL App (4th) 150588, ¶ 19.

¶ 55 Section 3-6-3(a) of the Unified Code of Corrections (Unified Code) provides that "The Department of Corrections shall prescribe rules and regulations for awarding and revoking sentence credit for persons committed to the Department which shall be subject to review by the Prisoner Review Board." 730 ILCS 5/3-6-3(a)(1) (West 2020). Section 5-4-5-100(c-5) states that, "[t]he trial court shall give the defendant credit for successfully completing county programming while in custody to imposition of sentence at the rate specified in Section 3-6-3 (730 ILCS 5/3-6-3)." 730 ILCS 5/5-4.5-100(c-5) (West 2020).

¶ 56 The Unified Code also provides that:

"The rules and regulations shall also provide that any prisoner engaged in self-improvement programs, volunteer work, or work assignments that are not otherwise eligible activities under paragraph (4), shall receive up to 0.5 days of sentence credit for each day in which the prisoner is engaged in activities described in this paragraph." 730 ILCS 5/3-6-3(a)(4.2).

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Activities such as educational programs, correctional industry assignments, work-release programs, full-time substance abuse programs, behavioral modification programs, life skills courses, or re-entry programs are listed under paragraph (4). 730 ILCS 5/3-6-3(a)(4).

¶ 57 Matthew insists that his participation in chess, yoga, and meditation activities should be considered self-improvement programs. While we acknowledge that the statute does not define “self-improvement programs,” we do not believe it was the legislature’s intention to award sentencing credit for personal activities. See *People v. Alexander*, 204 Ill. 2d 472, 485 (2003) (when interpreting a statute, the primary rule is to ascertain and effectuate the legislature’s intent).

¶ 58 In addition to self-improvement programs, the statute lists “volunteer work, or work assignments” not named in paragraph (4) of the statute as eligible for sentencing credit. 730 ILCS 5/3-6-3(a)(4.2). When juxtaposed with volunteer work and work assignments, activities such as playing chess, meditation, and yoga cannot reasonably be included in the same class as “self-improvement” activities eligible for credit. See *Dynak v. Board of Education of Wood Dale School District 7*, 2020 IL 125062 ¶ 22 (“It is a general rule that words grouped in a list should be given related meaning, pursuant to the doctrine of *noscitur a sociis*”).

¶ 59 Moreover, programs listed in paragraph (4) include “educational programs, correctional industry assignments, work-release programs, full-time substance abuse programs, behavioral modification programs, life skills courses, or re-entry programs.” See 730 ILCS 5/3-6-3(a)(4). The listed programs are designed to give incarcerated individuals the tools to reintegrate into society and be productive citizens. We do not believe the legislature intended for participation in chess, yoga, and meditation, to be in the same category as the programs listed in the statute. We, therefore, affirm the judgment of the trial court.

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¶ 60

CONCLUSION

¶ 61 Accordingly, we affirm the judgment of the circuit court of Cook County.

¶ 62 Affirmed.

¶ 63 JUSTICE OCASIO, dissenting:

¶ 64 According to two different psychiatrists, when Matthew Luchins stabbed his father to death, he was in the midst of a psychotic episode caused not by the cannabis he had ingested several hours earlier but by a second, unidentified substance—perhaps ketamine or bath salts—that, unbeknownst to Matthew, had been mixed in with the cannabis. The question before us is whether the fact that Matthew was unaware that the edible he consumed contained that second substance meant that his subsequent state of psychosis was “involuntarily produced” so as to support a defense of involuntary intoxication. See 720 ILCS 5/6-3 (West 2018).

¶ 65 The majority holds that, even though Matthew did not know that he was consuming whatever substance it was that produced his psychosis, his knowing consumption of cannabis precludes an involuntary-intoxication defense because cannabis was, at the time, technically illegal in Illinois. It reaches that conclusion based on its analysis of a line of cases that, unlike this case, involved defendants who *knowingly* consumed the substances that caused their intoxication. In *People v. Walker*, 33 Ill. App. 3d 681 (1975), the defendant knew he was consuming both alcohol and whatever drug was in the pills his brother had given him for stomach pain. *Id.* at 687. In *People v. Larry*, 144 Ill. App. 3d 669 (1986), the defendant knew that the joint he was smoking contained both cannabis and some kind of white powder that turned out to be phencyclidine, commonly known as angel dust or PCP. *Id.* at 677. In *People v. Gerrior*, 155 Ill. App. 3d 949 (1987), the defendant knew he was consuming both alcohol and a prescription medication that his physician

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had specifically warned him could provoke an “extreme reaction” if mixed with alcohol. *Id.* at 953. And in *People v. McMillen*, 2011 IL App (1st) 100366, the defendant knew he was consuming cocaine and four other prescription drugs. *Id.* ¶ 28.

¶ 66 In stark contrast to these cases, Matthew knew he was consuming cannabis, but he did not know that he was also ingesting a second substance that, according to his expert witnesses, led to his psychotic episode. And the majority inexplicably overlooks the only published case the parties have brought to our attention involving that scenario. In *People v. Brumfield*, 72 Ill. App. 3d 107 (1979), the court held that it was reversible error for the trial court to bar, on the State’s pretrial motion *in limine*, evidence that the defendant had smoked cannabis that, unknown to him, had been laced with “angel dust.” *Id.* at 110-113. As far as I can tell, there are no legally significant differences between *Brumfield* and this case. Here, as in *Brumfield*, Matthew’s defense was based on the theory that, while knowingly consuming cannabis, he unknowingly ingested a different substance that produced the condition that, he alleges, made him substantially unable to appreciate the nature of his conduct or conform his actions to the law. Here, as in *Brumfield*, the trial court barred that defense based on a pretrial motion *in limine*, depriving Luchins of the opportunity to even present evidence at trial to support it. *Id.* at 112-13. Here, as in *Brumfield*, the trial court effectively granted summary judgment in favor of the State on an issue that, had Luchins sufficiently raised at trial, the State would have had to the burden of disproving beyond a reasonable doubt. See *People v. Tuduj*, 2014 IL App (1st) 092536, ¶ 75. Here, as in *Brumfield*, Matthew is entitled to a new trial so he can present that defense. *Brumfield*, 72 Ill. App. 3d at 113.

¶ 67 Even if *Brumfield* did not exist, moreover, the distinction the majority draws between legal and illegal substances is supported by neither the involuntary-intoxication statute nor *McMillen*. The statutory point is simple. Section 6-3 of the Criminal Code of 2012 provides: “A person who

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is in an intoxicated or drugged condition is criminally responsible for conduct unless such condition is involuntarily produced and deprives him of substantial capacity either to appreciate the criminality of his conduct or to conform his conduct to the requirements of law.” 720 ILCS 5/6-3 (West 2018). “The cardinal rule of statutory construction is to give effect to the intent of the legislature.” *People v. Hari*, 218 Ill. 2d 275, 292 (2006). That intent is best discerned from the plain and ordinary meaning of the language used in the statute. *Id.* “It is never proper for a court to depart from plain language by reading into the statute exceptions, limitations or conditions which conflict with the clearly expressed legislative intent.” *Id.* By the plain language of the statute, the availability of the defense turns on whether the “condition is involuntarily produced.” The legal status of the substance does not make a difference. The majority’s carve-out for defendants who unknowingly ingest a dangerous adulterant when consuming a different unlawful substance is entirely unsupported by the text of the statute.

¶ 68 The majority’s misunderstanding of *McMillen* is somewhat more complicated. In a line of cases stemming from *Walker*, this court held that the defense of involuntary intoxication was only available when the defendant’s intoxicated condition had been procured through an outside influence such as force, fraud, or deceit. See, e.g., *Gerrior*, 155 Ill. App. 3d at 952-53 (“The appropriate inquiry *** is whether the intoxication was ‘involuntarily produced’ by an outside influence operating on the will of the intoxicated defendant which forced, tricked, or fraudulently induced intoxication.”). *People v. Hari*, 218 Ill. 2d 275 (2006), however, rejected that rule as too narrow in. *Id.* at 293-94. In *Hari*, our supreme court explained that an involuntarily produced condition is one that “is not a conscious effect of a defendant’s will, is not resulting from a defendant’s free and unrestrained choice, and is not subject to [the] control of [a] defendant’s will.” *Id.* at 293. Applying that broader interpretation—which, the court noted, would not have changed

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the result in the *Walker* line of cases (*id.* at 293-94)—the court held that “an unexpected adverse side effect of a prescription drug that was unwarned *** is ‘involuntarily produced.’ ” *Id.* at 292. Thus, the defendant in *Hari*, who had committed the charged murder while allegedly under the influence of an adverse interaction between a prescription medication and an over-the-counter medicine, could assert that the effect of that interaction was involuntary. *Id.* at 283, 295-96.

¶ 69 That brings us to *McMillen*. There, the defendant’s intoxicated condition had been caused by him “taking four prescription medications and ingesting an ‘eight ball’ of cocaine.” *Id.* ¶ 28. The defendant argued that, under *Hari*, his intoxication was involuntary because nobody had warned him that using cocaine and prescription drugs could have adverse side effects. *Id.* ¶ 16. The court rejected that argument, finding that the potential adverse side effects of using cocaine by itself were so well-known that the risks associated with mixing it with multiple prescription drugs were “so obvious that a warning need not be made by a physician.” *Id.* ¶ 28. In explaining its decision, however, the *McMillen* court spoke in broader terms; for instance, it asserted that “Illinois case law supports a conclusion that the knowing, or voluntary, ingestion of cocaine or other illegal drugs precludes the use of the involuntary intoxication defense.” *Id.* ¶ 23. “It is fundamental, however, that the precedential scope of a decision is limited to the facts before the court.” *People v. Palmer*, 104 Ill. 2d 340, 345-36 (1984). And the facts before the court in *McMillen*—and in the cases it followed—did not involve any substances that had been consumed unknowingly. When its broad statements are read in that context, *McMillen* simply stated the obvious: to knowingly use an intoxicating substance is to voluntarily bring about the intoxicated condition that substance produces. That is true even for legal intoxicants like alcohol. See *id.* ¶ 23 (distinguishing *Hari* from cases where “the use of illegal drugs or consumption of alcohol was involved”).

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¶ 70 Here, however, Matthew's defense is not based on his knowing use of cannabis but his unknowing consumption of the second substance that, according to his experts, was also cooked into the edible he ate. Under *McMillen*—and *Hari* and the *Walker* line of cases—there is no doubt that Matthew voluntarily brought about the condition of cannabis intoxication when he knowingly ingested a cannabis edible. But he cannot be deemed to have voluntarily submitted to the effects of a substance that he did not know was there. Because the majority's contrary holding departs from both precedent and the plain meaning of the involuntary-intoxication statute, I must respectfully dissent.

IN THE CIRCUIT COURT OF COOK COUNTY

CRIMINAL DIVISION

PEOPLE OF THE STATE OF	)	IND./INF. No. 18 CR 60185
ILLINOIS	)	
	)	
Plaintiff-Appellee,	)	Trial Judge: James Michael Obbish
	)	
-vs-	)	Trial Atty: Thomas M. Breen
	)	
MATTHEW LUCHINS,	)	Type of Trial: Trial
	)	
Defendant-Appellant.	)	

AMENDED NOTICE OF APPEAL

An appeal is taken to the Appellate Court, First District:

Appellant(s) Name:	Matthew Luchins
Appellant's Address:	Lincoln Correctional Center P.O. Box 549 Lincoln, IL 62656
Appellant(s) Attorney:	Office of the State Appellate Defender
Address:	203 N. LaSalle St., 24th Floor Chicago, IL 60601
Offense of which convicted:	second degree murder
Date of Judgment or Order:	October 11, 2022
Sentence:	14 years

If appeal is not from a conviction, nature of order appealed:

/s/ Douglas R. Hoff
 DOUGLAS R. HOFF
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 First Judicial District
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No. 1-22-1604

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

PEOPLE OF THE STATE OF
ILLINOIS.

Plaintiff-Appellee,

-vq-

MATTHEW LUCHINS.

Defendant-Appellant.

**Appeal from the Circuit Court of
Cook County, Illinois**

No. 18 CR 60185

Honorable
James Michael Obbish,
Judge Presiding.

ORDER

This matter coming to be heard on Motion to Amend the Notice of Appeal, all parties having been duly notified, and the Court being advised in the premises,

IT IS HEREBY ORDERED:

That the motion to amend the notice of appeal to reflect the correct judgment date of October 11, 2022, is hereby allowed denied.

ORDER ENTERED

James Fitzgerald Smith
PRESIDING JUSTICE

MAR 13 2023

JUSTICE

APPELLATE COURT FIRST DISTRICT

DATE: _____

JUSTICE

DOUGLAS R. HOFF
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COUNSEL FOR DEFENDANT-APPELLANT

No. 131820

IN THE

SUPREME COURT OF ILLINOIS

PEOPLE OF THE STATE OF	)	Appeal from the Appellate Court of
ILLINOIS,	)	Illinois, No. 1-22-1604.
	)	
Plaintiff-Appellee,	)	There on appeal from the Circuit
	)	Court of Cook County, Illinois , No.
-vs-	)	18 CR 60185.
	)	
	)	Honorable
MATTHEW LUCHINS,	)	James Michael Obbish,
	)	Judge Presiding.
Defendant-Appellant.	)	

NOTICE AND PROOF OF SERVICE

Mr. Kwame Raoul, Attorney General, 115 S. LaSalle St., Chicago, IL 60603,
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Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct. On December 3, 2025, the Brief and Argument was filed with the Clerk of the Supreme Court of Illinois using the court's electronic filing system in the above-entitled cause. Upon acceptance of the filing from this Court, persons named above with identified email addresses will be served using the court's electronic filing system and one copy is being mailed to the defendant-appellant in an envelope deposited in a U.S. mail box in Elgin, Illinois, with proper postage prepaid. Additionally, upon its acceptance by the court's electronic filing system, the undersigned will send 13 copies of the Brief and Argument to the Clerk of the above Court.

/s/Adriana Concha
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