

STATE OF ILLINOIS
COUNTY OF COOK

SS

IN THE CIRCUIT COURT OF COOK COUNTY
CRIMINAL DIVISION

PEOPLE OF THE STATE OF ILLINOIS

v.

MICHAEL GUYTON

20CR7251

LEGAL MEMO ON THE QUESTION OF INSANITY

Legal Issue

As a result of mental disease or defect, did Michael Guyton lack substantial capacity to appreciate the criminality of his actions which resulted in the death of Marcus Felton (“Katt”)?

Insanity as an Affirmative Defense

A person is not criminally responsible for their conduct, if, at the time of such conduct, as a result of mental disease or defect, he/she lacks substantial capacity to appreciate the criminality of his/her conduct. 720 ILCS 5/6-2(a). When the defense of insanity has been presented during trial, the burden of proof is on the defendant to prove by clear and convincing evidence that the defendant is not guilty by reason of insanity. However, the burden of proof remains on the State to prove beyond a reasonable doubt each of the elements of each of the offenses charged. 720 ILCS 5/6-2(e).

Relevant Facts

Dr. Henry Conroe, a board-certified forensic psychiatrist since 1978, testified that Michael Guyton was suffering from untreated schizophrenia on July 18, 2020, when he killed his godbrother and roommate, Katt, in the basement of his mother’s home at 5411 West Quincy, Chicago, Illinois. Dr. Conroe opined that the symptoms of Michael’s schizophrenia not only led to his actions but also affected his ability to appreciate the criminality of those actions. It is his opinion to a reasonable degree of

psychiatric certainty that Michael was unable to appreciate the criminality of his actions because of his untreated schizophrenia and was thus, insane at the time of Katt's death. (3/31/22 Court Transcript, pg. 49)

In support of his schizophrenia diagnosis, Dr. Conroe refers to Michael's eight hospitalizations between August 2017 and July 19, 2020. (3/31/22 Court Transcript, pg. 15) Dr. Conroe stated that not only do half of people diagnosed with schizophrenia abuse a substance (often cannabis) as a means of self-medicating, but 25% of people diagnosed with substance-induced psychotic disorder, are later found to be schizophrenic. (3/31/22 Court Transcript, pg. 22) Dr. Conroe went further and explained that although the lengths of Michael's hospitalizations do not say anything about the severity of his mental illness, the frequency of those hospitalizations does. (3/31/22 Court Transcript, pgs. 19-20)

In ruling out cannabis use disorder, Dr. Conroe testified that the medical records ruled it out. (3/31/22 Court Transcript, pg. 51) The Court, however, clarified that, "the facts rule it out." (3/31/22 Court Transcript, pg. 52) The issue was further analyzed by Dr. James O'Donnell, board-certified in applied pharmacology since 1992 and an expert qualified in the field of pharmacology approximately 450 times over the past 40 years. Dr. O'Donnell testified that Michael's medical records show since 2017, he had consistently been diagnosed with some form of schizophrenia. (3/31/22 Court Transcript, pg. 111) Additionally, Michael had routinely been prescribed atypical anti-psychotics although he was not consistently taking them. (3/31/22 Court Transcript, pgs. 112-13) As a result of not taking his prescribed medication, Michael's schizophrenia was not controlled. (3/31/22 Court Transcript, pg. 124) Dr. O'Donnell described how Michael's "episodes" would increase when he was off his medication. (3/31/22 Court Transcript, pg. 113) Relying on his review of the records and his 40+ years of experience, Dr. O'Donnell opined, to a reasonable degree of pharmacological certainty, that substance abuse did not exacerbate or factor into Michael's behavior on July 18, 2020, as Michael had tested negative for any illicit substance while at Loretto Hospital on June 26, 2020, and then again at St. Anthony Hospital on July 21, 2020. (3/31/22 Court Transcript, pgs. 117-18) Although Dr. Echevarria, the State's expert, testified that THC would dissipate in two or three weeks (5/10/22 Court Transcript, pgs. 93-94), we

know, from Dr. O'Donnell that cannabis can be detected in the urine of a chronic user for up to 60-90 days after use. (3/31/22 Court Transcript, pg. 115)

In analyzing whether Michael's schizophrenia symptoms were so severe that he was unable to appreciate the criminality of his actions, Dr. Conroe said that "we're talking about someone whose mind is affected by a serious mental illness and who's seeing things through that focus." (3/31/22 Court Transcript, pg. 83) He went on to list the reasons why he concluded that Michael could not appreciate the criminality of his behavior on July 18, 2020:

- a) Michael had no rational reason to kill his friend with whom he had never had a physical fight. (3/31/22 Court Transcript, pg. 68)
- b) Michael believed that demons could communicate with him through other people and that he had to defend himself against the demon acting through Katt. (3/31/22 Court Transcript, pgs. 68-69) Michael perceived Katt's sexual comment, in his psychotic framework, as a threat, not from Katt but from a demon communicating through Katt. (3/31/22 Court Transcript, pgs. 71-72)
- c) Michael's actions following Katt's death were not consistent with one who appreciated the criminality of those actions. For example, Michael did not want his mother and brother to know what happened to Katt because he did not want them to panic (3/31/22 Court Transcript, pg. 69), not because he was worried about what would happen to him. (3/31/22 Court Transcript, pg. 74) Michael did not attempt to flee the apartment or try to hide Katt's body. (3/31/22 Court Transcript, pg. 49) Finally, Michael attempted to cut out the bloody portions of the carpet, not to hide what he had done but rather, to prevent demonic forces from escaping. (3/31/22 Court Transcript, pgs. 69-70)

Dr. Echevarria, unlike Dr. Conroe and Dr. O'Donnell, opined that Michael Guyton was legally sane at the time he killed Katt because, although he thought it likely that Michael was suffering from an underlying psychotic illness, his symptoms were not severe enough to affect his ability to appreciate the criminality of his conduct. (5/10/22 Court Transcript, pg. 31) Despite his belief that Michael was

suffering from some psychotic illness at the time, he found that there was insufficient information, such as longitudinal observations of Michael, to make a formal diagnosis of schizoaffective disorder or schizophrenia. (5/10/22 Court Transcript, pg. 25) He was unable to rule out cannabis use disorder because Michael tested positive for cannabis during three of his seven hospitalizations between 2017 and 2020. (5/10/22 Court Transcript, pg. 25)

Dr. Echevarria did, however, concede that Michael was experiencing symptoms at the time of the offense, such as his belief that Katt was possessed. Dr. Echevarria acknowledged that other doctors documented these symptoms. Despite recognizing them, Dr. Echevarria believed that any symptoms suffered by Michael on July 18, 2020, did not reach the threshold where his ability to cognitively understand that his behavior was criminal was impaired. (5/10/22 Court Transcript, pg. 33) However, he also opined that Michael's statements about demonic possession "certainly can imply that a person's thinking is psychotic, that this could be part of their delusional thinking." (5/10/22 Court Transcript, pg. 38) In addition, Dr. Echevarria also recognized that Michael's refusal to submit to a urine or blood draw on the day of the incident was because of "some belief about his blood or urine and witchcraft and demonic possession," not a conscious act to avoid criminal responsibility. (5/10/22 Court Transcript, pg. 39)

As evidence that Michael appreciated the criminality of his behavior, Dr. Echevarria repeatedly refers to Michael's claim of self-defense. He states that his claim of self-defense "implies a cognitive appreciation that what he's dealing with is – is a problem." (5/10/22 Court Transcript, pg. 41) He rejects Michael's impaired, psychotic belief that he had to defend himself against Katt who was possessed by a demon. Dr. Echevarria sees Michael's attempt to cut out swatches of blood on the carpet as "an awareness at least of what's – what he's dealing with," (5/10/22 Court Transcript, pg. 41). He again rejects Michael's impaired, psychotic belief that he had to do this to prevent evil spirits from escaping.

Dr. Echevarria's attempt at questioning why board-certified forensic psychiatrist Dr. Conroe does not address Michael's claim of self-defense is without merit. (5/10/22 Court Transcript, pg. 43) In fact, he eventually concedes that Dr. Conroe did, in fact, address Michael's self-defense claim, at length, on

page three of his report. (5/10/22 *Court Transcript*, pg. 77) Unlike Dr. Conroe, Dr. Echevarria is not board-certified as either a psychiatrist or a forensic psychiatrist. Despite explaining that his decision to not seek board-certification was financial and because such certification was unnecessary, the Court pointed out that board-certification is “not just useless and not just a title” but that “they provide additional information for that person who is in that field.” (5/10/22 *Court Transcript*, pg. 50) Dr. Echevarria ultimately concedes that Dr. Conroe “knows the criteria for insanity as well as me, if not better.” (5/10/22 *Court Transcript*, pg. 43)

Dr. Echevarria testified that he “based his ultimate opinion to the Court on the fact that it appeared to me... that Defendant invoked that he was acting in self-defense.” (5/10/22 *Court Transcript*, pg. 45) He stated that it was his belief that Michael’s actions were the result of an unwanted sexual advance on the part of Katt (5/10/22 *Court Transcript*, pg. 46), that Michael attempted to cover up his actions (5/10/22 *Court Transcript*, pg. 79) and that “there’s enough indications that Defendant understood the criminality of what he’s accused of.” (5/10/22 *Court Transcript*, pg. 91) He further explained his understanding of the word “appreciate” to mean “an understanding that the behavior is criminal, and they made some effort to either remove themselves from the scene or hide or withhold something that would indicate that they are aware that he does not want others to be – know what he did.” (5/10/22 *Court Transcript*, pgs. 91-92) Dr. Echevarria’s vague assertions and conclusions ignore the fact that Michael neither ran nor attempted to hide Katt’s body.

Dr. Echevarria acknowledges the fact that rather than arrest Michael, Chicago police officers immediately took him to Loretto Hospital and that Michael’s refusal to have his blood drawn is consistent with someone suffering from paranoid schizophrenia. He admits that Michael was paranoid about witchcraft and that he was experiencing auditory hallucinations (5/10/22 *Court Transcript*, pg. 68) and that, when Michael was taken to St. Anthony Hospital on July 21, 2020, it was because he needed immediate hospitalization. (5/10/22 *Court Transcript*, pg. 69) Finally, Dr. Echevarria agreed that there is no cure for schizophrenia and that it is just a matter of symptom management. (5/10/22 *Court Transcript*, pg. 83) And although Dr. Echevarria was unable to provide a diagnosis, he was somehow able to opine

that Michael's symptoms from an unknown mental illness were not severe enough to affect his ability to appreciate the criminality of his actions at the time he killed Katt. (5/10/22 Court Transcript, pg. 90)

Legal Conclusion

Michael Guyton was suffering from untreated schizophrenia on July 18, 2020, which caused him to believe that a demon had possessed his best friend and godbrother, Katt, and that he had to defend himself from this demon by choking him to unconsciousness and ultimately, death. Furthermore, Michael's severe schizophrenic symptoms prevented him from appreciating the criminality of these actions.

In the early morning hours of July 19, 2020, Rochelle Johnson knew immediately that something was wrong with her son, Michael Guyton. (3/30/22 Court Transcript, pg. 41) For one, Michael was up much earlier than usual on a Sunday morning. He was up at 7:30am, rather than his typical late afternoon. He did not greet her the way he usually did and did not even respond when she spoke to him. (3/30/22 Court Transcript, pgs. 29-30) Instead, Michael paced from the front to the back of the apartment. (3/30/22 Court Transcript, pg. 44) Rochelle thought Michael was going to have another episode (3/30/22 Court Transcript, pg. 41) and told him that she was going to take him to get his shot the next day. (3/30/22 Court Transcript, pg. 30)

When he arrived home around noon, Michael's brother, Marcus Guyton, also thought that Michael was having an "episode." (3/30/22 Court Transcript, pg. 65) Marcus asked Michael if he had taken his medication because it was "like night and day" when Michael was off his medication. (3/30/22 Court Transcript, pg. 74) He described Michael as making strange motions and weird stretches and that he was "glassy-eyed" (3/30/22 Court Transcript, pg. 73) and seemed "zoned-out." (3/30/22 Court Transcript, pg. 77)

Both Rochelle and Marcus, the people who know Michael best, knew that Michael was having an "episode," that he was again suffering from the symptoms of schizophrenia with which he was diagnosed in August 2017. Symptoms so severe they caused him to think that Katt, who he lived with and who was like a brother to him, was possessed by a demon and that he had to do something to the demon that had

taken over Katt's body before it did something to him. Through the psychotic lens of his acute schizophrenia, Michael believed that he had to defend himself against the demon. Not only did these severe symptoms of untreated schizophrenia cause Michael to hit Katt and to choke him until he lost consciousness and eventually died, but these symptoms also prevented him from appreciating that what he was doing was wrong and criminal. Michael tried to keep his mother and brother away so they wouldn't panic. He tried to cut out portions of the bloody carpet to prevent the demon from escaping. What he didn't do was flee the apartment. He didn't try to hide, nor did he attempt to dispose of Katt's lifeless body.

Michael Guyton is schizophrenic. He was schizophrenic on July 18, 2020 and was suffering from severe symptoms of schizophrenia – acute psychosis, intense and paranoid delusions about gods and demons and witchcraft, bizarre, erratic, and aggressive behavior, and auditory hallucinations. Consequently, Michael was unable to appreciate the criminality of his actions, actions which resulted in Katt's death. The defense has proven that Michael Guyton is not criminally responsible for the death of Katt, because at the time of such conduct and as a result of his paranoid schizophrenia, he lacked substantial capacity to appreciate the criminality of his conduct. Michael Guyton was legally insane when he killed Katt and must be found Not Guilty by Reason of Insanity.

Respectfully submitted,

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