Table 3.1 Involuntary Acts

Sample of Court Decisions on Involuntary Acts

Involuntary Act	*Court Decision*
Sleepwalking	The Kentucky Supreme Court ruled that a defendant, who claimed that he was a "sleepwalker," should not be convicted in the event that he was "unconscious when he killed the deceased." See *Fain v. Commonwealth,* 78 Ky. 183 (1879).
Reflex Action	A California court of appeals concluded that the evidence supported the "inference" that a defendant who had been wounded in the abdomen had shot and killed a police officer as a reflex action and was in a "state of unconsciousness." See *People v. Newton,* 87 Cal. Rptr. 394 (Cal. App. 1970).
Drugs in Jail	Eaton was arrested for driving with his headlights turned off and failed a field sobriety test. He was arrested for DUI and taken to the county jail where he was searched, the officers seized methamphetamine, and he was charged with possession of a controlled substance. The prosecutor sought a sentence enhancement because Eaton introduced the narcotics into the county jail. The Washington Supreme Court held that Eaton was "forcibly taken" to the county jail and that a sentence enhancement could not be lawfully imposed. See *State v. Eaton*, 229 P.3d 704 (Wash. 2010). An Arizona appellate court based on similar facts held that the defendant's possession of a controlled substance was "voluntary in that, after being advised of the consequences of bringing drugs into the jail, [he] consciously chose to ignore the officers' warnings, choosing instead to enter the jail in possession of cocaine. Under these circumstances, the [defendant] was the author of his own fate." See *State v. Alvarado*, 200 P.3d 1037 (Ariz. App. 2008).