

Florida death row inmate commits suicide

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Gregory David Larkin, a 41-year-old death row inmate, was found dead in his cell at Florida State Prison in Bradford County on the morning of May 27. Prison officials listed the cause of death as asphyxiation but did not provide further details.

Larkin's trial was a travesty of justice, in which he was allowed to represent himself despite showing signs of serious mental illness, in what his lawyer later called a "state-assisted suicide."

Larkin was arrested and later convicted of the 2009 murders of his parents, Richard and Myra. Prosecutors allege that Larkin bludgeoned his parents to death in April of that year. Larkin was arrested weeks later at a hotel near the Jacksonville international airport. He claimed to have been in Mexico at the time of the murders.

His parents' stolen vehicle was also found at the hotel, and he was initially charged only with theft. Two weeks later, prosecutors charged him with murder after bloody clothes of Larkin's were found to match his parents' DNA.

The alleged motive for the crime was anger over his parents' decision to sell a dive and kayak business that they had owned in Costa Rica and that Larkin managed for them. The business had been doing poorly in recent years.

Over the course of the next two and a half years at various pre-trial hearings, Larkin repeatedly displayed paranoid, delusional behavior. At a hearing in November 2009 Larkin sought to discharge his public defender, Brian Morrissey, for ineffective assistance. Larkin alleged that his attorney had secretly recorded conversations with him to aid the prosecutors, concealed a secret "second indictment" made by another judge, and waived his right to a speedy trial without his consent. After refuting his client's claims under oath the judge in the case asked Larkin if he wished to represent himself, but the defendant chose to

continue to retain the attorney he had just accused of conspiring with the prosecution.

In July 2010, Larkin retained private counsel but subsequently dismissed it in September 2011. During a series of hearings throughout 2011 and 2012, Larkin sought to represent himself. Though his competency and understanding of the charges against him were repeatedly called into question, Larkin was eventually allowed to represent himself.

When his trial commenced in January 2012, Larkin refused to participate in jury selection. As a result, multiple jurors were struck from the pool by the state and the court who were in opposition to the death penalty. Larkin called only four witnesses in his defense—friends and neighbors of his parents who could not conclusively state when they last saw his parents alive. Larkin refused to testify on his own behalf and was convicted by the 12-member jury.

Larkin again refused representation for the sentencing phase of his trial. Morrissey, who had been appointed as Larkin's stand-by public defender, sought to have his clients' mental state evaluated, saying that the court's decision to allow him to represent himself could be considered state-assisted suicide. The state granted Morrissey's request.

Dr. William Meadows, a forensic psychologist, conducted a series of tests on Larkin. He stated that Larkin's "understanding of the adversarial nature of legal proceedings, his capacity to disclose pertinent facts to counsel, and his capacity to testify relevantly and coherently were unacceptable." Furthermore Dr. Meadows concluded that Larkin met the "provisional DSM-IV-TR [Diagnostic and Statistical Manual of Mental Disorders] diagnostic criteria for a delusional disorder" and was thus "incompetent to proceed," according to Florida state Supreme Court documents.

The trial judge attacked Dr. Meadows' conclusions and ordered a second evaluation. The subsequent

evaluation by Dr. Alan Waldman found Larkin “competent to proceed” but added that Larkin suffered from a “Personality Disorder Not Otherwise Specified.” A third doctor supported Waldmans’ conclusions.

During the sentencing phase of his trial, Larkin called no mitigating witnesses and did not make any statements or testify on his own behalf. The state allowed Morrissey to call Dr. Meadows to the stand where he repeated his previous diagnoses. On March 15, 2012, Larkin was sentenced to death. The Florida state Supreme Court subsequently upheld Larkin’s conviction.

Larkin is the fourth inmate on Florida’s death row to commit suicide since 2000. A study published in the *Journal of Forensic Sciences* in 2002 showed that the suicide rate of death row inmates between 1976 and 1999 was 113 per 100,000—10 times the rate of suicide in the United States as a whole and six times the rate of suicide in the general US prison population.



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