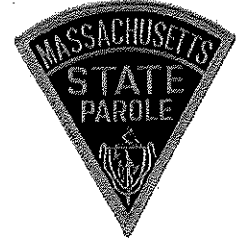


*The Commonwealth of Massachusetts
Executive Office of Public Safety and Security*



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RECORD OF DECISION

IN THE MATTER OF

**ROBERT LARKIN
W62133**

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: April 8, 2025

DATE OF DECISION: August 21, 2025

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, James Kelcourse, Rafael Ortiz¹

VOTE: Parole is denied with a review in three years from the date of hearing.

PROCEDURAL HISTORY: On February 12, 1997, following a jury trial in Norfolk Superior Court, Robert Larkin was convicted of murder in the first-degree, unarmed robbery, and aggravated rape. The court sentenced Mr. Larkin to life without the possibility of parole in connection with his murder conviction. He received a consecutive life sentence for the unarmed robbery. The aggravated rape conviction was filed. The Supreme Judicial Court declared in Commonwealth v. Mattis, 493 Mass. 216 (2024), that sentencing emerging adult (18-20 years old) offenders to life without the possibility of parole was unconstitutional. As a result, Mr. Larkin's first-degree murder mittimus was corrected to reflect that his life sentence carried the possibility of parole after serving 15 years. Additionally, the court ordered Mr. Larkin's consecutive life sentence for unarmed robbery to run concurrently with his life sentence for murder.

On April 8, 2025, Robert Larkin appeared before the Board for an initial hearing. He was represented by Attorney Yefim Luvish. The Board's decision fully incorporates by reference the entire video recording of Mr. Larkin's April 8, 2025, hearing.

¹ Board Member Bonner was not present for the hearing, but she reviewed the video recording of the hearing and the entirety of the file prior to vote. Former Chair Hurley participated in the hearing in this matter but departed the Board prior to this decision.

STATEMENT OF THE CASE:² On or about November 11, 1994, 20-year-old Robert Larkin and his two co-defendants, Kevin Lynch and Shawn Kane,³ raped, beat, and killed 17-year-old S.L.⁴ Police found the victim's body on November 20, 1994, on a submerged ledge at the Granite Rail Quarry in Quincy, wrapped in a blanket. Cinder blocks were used to weigh the body down. When the victim's body was recovered, her clothing was torn, and she was bound and gagged. The cause of death was asphyxiation, which the medical examiner opined was due to the gag or tape that was wrapped around her neck. The FBI analyzed the tape around the victim's mouth and identified Mr. Larkin's fingerprint on the tape.

Mr. Larkin further incriminated himself and his co-defendants in statements to investigators. Mr. Larkin described driving with Shawn Kane to the Combat Zone in Boston to pick up a sex worker. Mr. Kane hid in the back of the vehicle, and the woman got into the car with Mr. Larkin. She agreed to go home with Mr. Larkin in exchange for 100 dollars. Back at Mr. Larkin's home, he paid the woman 75 dollars and had sex with her. When the woman exited the bedroom, another man requested to have sex with her, but she refused due to his inability to pay. An argument ensued between the three men and the woman. The woman attempted to leave. However, Mr. Larkin took her purse, and the three men beat her until she lost consciousness. They tied her up with rope and covered her mouth with duct tape. She was dragged to a bedroom, where one of the men raped her. A second male returned to the bedroom and raped her again. When that male emerged from the bedroom, he stated that he thought the woman was not breathing. The men wrapped the victim's body in a blanket and spent the next day drinking. They disposed of the body in the quarry and weighed it down with cinder blocks.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior; their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board.

Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). Individuals who were emerging adults at the time of the offense must be afforded a "meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation" and the Board evaluates "the circumstances surrounding the

² The Statement of the Case was derived from Commonwealth vs. Larkin, 429 Mass. 426, 427-29 n. 2 (1999).

³ Co-Defendant Kevin Lynch was convicted of first-degree murder and aggravated rape. Shawn Kane was convicted of manslaughter (19-20 years) and unarmed robbery (3 years to 3 years and 1 day from and after his manslaughter sentence).

⁴ The identity of the victim is withheld pursuant to G.L. c. 265, §24C

commission of the crime, including the age of the offender, together with all relevant information pertaining to the offender's character and actions during the intervening years since conviction." *Id.* (citing *Diatchenko v. District Attorney for the Suffolk Dist.*, 466 Mass. 655, 674 (2013) (*Diatchenko I*); *Miller v. Alabama*, 567 U.S. 460, 471 (2012); *Graham v. Florida*, 560 U.S. 48, 75 (2010)). Since brain development in emerging adulthood is ongoing, the Board also considers the following factors when evaluating parole candidates who committed the underlying offenses as an emerging adult: 1) a lack of impulse control in emotionally arousing situations; 2) an increased likelihood to engage in risk taking behaviors in pursuit of reward; 3) increased susceptibility to peer influence which makes emerging adults more likely to engage in risky behavior; and 4) an emerging adult's greater capacity for change. *See Mattis*, 493 Mass. at 225-229.

DECISION OF THE BOARD: Mr. Larkin has been incarcerated for 29 years, but is still in need of additional rehabilitation and insight. He has not completed Sex Offender Treatment Program (SOTP). He only recently began involvement in programming, which he admitted was motivated by the possibility of the *Mattis* decision. He has a disciplinary report from 2018 for a fight. The Board considered the nature of the offense and Mr. Larkin's level of insight into his actions. The Board encourages Mr. Larkin to complete SOTP and to engage in programming to develop additional insight. The Board concludes by unanimous decision that Mr. Larkin has not demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above-referenced hearing. Pursuant to G.L. c. 127, § 130, I further certify that all voting Board Members have reviewed the applicant's entire criminal record. This signature does not indicate authorship of the decision.



Toromey A. Coleman, Acting Chair



Date