



## MARION COUNTY PROSECUTING ATTORNEY

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### **Diamond Miller sentenced in death of toddler Elijah Polk**

*Diamond Miller and Frank Larkins responsible for Miller's one-year-old child's death*

(Indianapolis, Ind.) Marion County Prosecutor Terry Curry announced today that Diamond Miller has been sentenced for her role in the death of her one-year-old child, Elijah Polk. The child's death was reported on October 29, 2014, after emergency responders were called to the family's home. Miller was sentenced today to serve 15 years in the Indiana Department of Correction and five years in Community Corrections. Miller was convicted by a jury in August of Neglect of a Dependent Resulting in Death (Level 1 Felony).

"The number of children who have died as a result of violence followed by the inexcusable absence of medical attention is a crisis in our community," Prosecutor Terry Curry stated. "It is unimaginable for one to see a child such as one-year-old Elijah Polk in medical distress and refuse to seek life-saving treatment. Parents and adult caretakers must be on notice that failing to seek medical treatment for a child, particularly if you believe it is hiding injuries you or someone else has caused, is criminal and may result in tragic consequences."

Miller's then-boyfriend Frank Larkins was also convicted in the child's death. Larkins was found guilty by a jury in August of Aggravated Battery (Level 1 Felony), Battery Resulting in Death to a Person Less than 14 Years of Age (Level 2 Felony), and two counts of Neglect of a Dependent Resulting in Death (Level 1 Felony). He is scheduled to be sentenced on October 7.

Larkins had been responsible for the care of the child and his siblings the evening when Elijah's symptoms of injury reportedly began. Neither Larkins nor Miller sought medical attention for the child for more than 24 hours while he exhibited symptoms of injury, including not eating, vomiting, sleeping and moaning in his sleep. Both of the defendants were charged with felony neglect counts for failing to seek medical treatment for the child.

According to the probable cause affidavit filed in the case, medics responded to a 911 call at approximately 7:51 a.m. on October 29, 2014, and found the child deceased at the home. A medical examination indicated the child sustained fatal blunt force trauma to his abdomen. Had the child been taken to receive medical attention immediately and information provided regarding what happened to him, it is likely that he would have survived.

*A charge of a crime is merely an accusation, and the defendant is presumed innocent until and unless proven guilty.*