

TCADP Execution Alert: Support Clemency for Edward Busby

The State of Texas is scheduled to execute Edward Lee Busby, Jr. on May 14, 2026, despite unanimous expert findings-and even the State's own position-that he is intellectually disabled and ineligible for execution. Busby was sentenced to death in 2005 by a Tarrant County jury for the kidnapping and death of Laura Lee Crane. He has faced multiple execution dates in the last six years.

Most recently, Busby was scheduled for execution in 2021, but the Texas Court of Criminal Appeals (CCA) granted a stay to allow review of his intellectual disability claim. Two independent experts-one retained by the defense and one by the Tarrant County District Attorney's Office-reached the same conclusion: he meets the full diagnostic criteria for intellectual disability under current clinical standards. The State did not seek a third opinion and ultimately agreed that Busby is ineligible for the death penalty.

Despite this extraordinary consensus, the trial court rejected these findings based on the judge's own non-expert opinion. The court dismissed the trained psychologists' conclusions as "merely informative" and substituted its own judgment for that of trained medical professionals. The CCA then adopted this reasoning, disregarding both expert consensus and the State's own prior position.

This outcome directly defies U.S. Supreme Court precedent. In *Atkins v. Virginia*, the Court barred the execution of people with intellectual disability. In *Moore v. Texas*, it reinforced that courts must rely on current medical standards and expert clinical judgment- not lay intuition or judicial guesswork. Yet in Busby's case, the courts disregarded unanimous expert findings and substituted their own non-expert views, employing the very type of reasoning the Supreme Court has already condemned.

Since 2017, 19 people in Texas have been removed from death row after courts recognized they are intellectually disabled and therefore ineligible for execution. These decisions reflect a necessary course correction toward compliance with constitutional standards. Yet Edward Lee Busby, Jr. has been denied that same recognition and now faces execution, even though the experts in his case agree he meets the criteria for intellectual disability.

Busby has filed a clemency petition with the Texas Board of Pardons and Paroles requesting that his death sentence be commuted to a lesser penalty. In the alternative, he is seeking a 60-day reprieve to allow the U.S. Supreme Court to issue a forthcoming decision that could directly impact how courts evaluate intellectual disability claims-particularly in cases like his involving multiple IQ scores.

Take Action Today

We're asking you to email the members of the Texas Board and Pardons and Paroles directly at bpp_clemency@tdcj.texas.gov to urge them to **recommend clemency** for Edward Busby (include his TDCJ #999506 and DOB 07/25/1972 in your appeals). Share your concerns with Governor Greg Abbott.

Adapt our sample message below or craft your own email. Contact information for the Board and Governor is also below. Contact the Board by Monday, May 11, 2026. Sample email message to send to the Board of Pardons and Paroles

Dear Chair Moberley and Members of the Texas Board of Pardons and Paroles,

I am writing in support of the clemency application filed by Edward Busby (TDCJ #999506 and DOB 07/25/1972), who faces execution on May 14, 2026. I urge you to consider the overwhelming expert evidence establishing his intellectual disability and recommend the commutation of his sentence to life in prison or, at minimum, a 60-day reprieve from execution.

Mr. Busby is intellectually disabled. Both the defense expert who thoroughly evaluated him and the State's own expert who reviewed the case concluded that he meets the full clinical criteria for intellectual disability. In fact, no psychologist applying current diagnostic standards has found otherwise, and the State itself previously agreed that he is ineligible for the death penalty.

Despite this unanimous expert consensus, the courts rejected these findings based on a judge's personal, non-expert opinion. This directly contradicts U.S. Supreme Court precedent, including *Atkins v. Virginia* and *Moore v. Texas*, which prohibit the execution of people with intellectual disability and require that such determinations be grounded in current medical standards and expert judgment.

Since 2017, 19 people in Texas have been removed from death row after courts recognized evidence of intellectual disability. It is deeply troubling that Mr. Busby has not received the same consideration and instead faces execution, even though the evidence in his case is clear and undisputed.

Executing Mr. Busby under these circumstances would disregard expert consensus and risk violating constitutional protections.

I respectfully urge you to recommend the commutation of his sentence or a 60-day reprieve to allow full and fair consideration of this evidence.

Thank you for your time and consideration.

Respectfully,

Your Name, City & State

Contact information for the Texas Board of Pardons and Paroles and Governor Abbott

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Online Contact: <https://gov.texas.gov/contact/>