

Tennessee Intellectual Disability Advocates & Service Providers Urge Governor Lee: Do Not Execute Byron Black

July 24, 2025

Governor Bill Lee
State Capitol, First Floor
600 Dr. Martin L. King, Jr. Blvd.
Nashville, TN 37243

Dear Governor Lee,

We are writing to you as Tennessee service providers and advocates who have dedicated our careers to valuing the lives of individuals with intellectual and developmental disabilities by working for their full and equal participation in every aspect of life in our state.

Executing those with intellectual disability (ID) is prohibited by both the Tennessee and U.S. Constitutions. In its 2002 *Atkins v. Virginia* decision, the Supreme Court of the United States (SCOTUS) recognized the special risk of wrongful execution faced by persons with ID (formerly termed “mental retardation”) and banned the execution of persons with ID as cruel and unusual punishment under the Eighth Amendment. In its 2014 *Hall v. Florida* decision, SCOTUS further clarified its decision that people with ID not be executed in violation of the Constitution, requiring that adaptive behavior evidence, beyond IQ test scores alone, be considered when determining whether an individual has ID. The more recent 2017 *Moore v. Texas* decision further confirms adaptive behavior criteria as necessary in determining whether someone meets diagnostic criteria for ID, and that such criteria must comport with modern clinical and scientific understanding of ID.

Through the years, the Tennessee General Assembly has repeatedly affirmed our state’s commitment to protecting individuals with ID from execution. Most recently in 2021, the Tennessee legislature updated its outdated framework for determining ID in order to ensure that state law comported with the constitutional requirements. Medical experts, including the state’s own medical experts, and the law establish that Mr. Black is unquestionably a person living with intellectual disability. It is beyond dispute that if Mr. Black was tried today, he would not be eligible for the death penalty. We extend our deepest sympathy to the family and friends of the victims of this crime, Angela Clay and her daughters, Latoya and Lakeisha. Mr. Black has served 35 years in prison for these crimes and would continue to be incarcerated even if his death sentence was commuted.

Governor Lee, we implore you to ensure that Tennessee lives up to its values and to the

law by commuting Byron Black's death sentence to life. Through this executive action, you have the power to uphold the Tennessee and U.S. Constitutions and to reaffirm that Tennessee does not execute those with intellectual disability. Thank you for your consideration.

With gratitude,

The Arc Tennessee
Disability Rights Tennessee
Tennessee Disability Coalition