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LDF Files Amicus Brief in Texas Death Penalty Case

Late yesterday, the NAACP Legal Defense and Educational Fund, Inc. (LDF) filed an amicus brief in the Texas Court of Criminal Appeals in support of Bobby James Moore’s claim that his intellectual disability bars him from execution. The brief was filed in conjunction with LatinoJustice PRLDEF, the Right2Justice Coalition, and The Leadership Conference on Civil and Human Rights.

In 2002, the Supreme Court held that people with intellectual disabilities have diminished moral culpability and are protected from capital punishment. Based on obsolete medical criteria, the Texas Court of Criminal Appeals ruled in 2015 that Moore was not intellectually disabled. Using current and widely-accepted medical standards, however, clinicians have determined that Mr. Moore is, in fact, intellectually disabled.

Earlier this year, the Supreme Court held that Texas’ rejection of Moore’s intellectual disability claim based on outdated medical criteria was inconsistent with the Eighth Amendment. The Supreme Court sent Moore’s case back to the Texas Court of Criminal Appeals. Our brief contends that the Supreme Court’s decision requires the Texas Court of Criminal Appeals to recognize that Mr. Moore has an intellectual disability and is therefore protected from execution.

Read the full brief here.

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.