



STATE OF INDIANA
INDIANA PAROLE BOARD

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Honorable Mike Braun, Governor
State House, Room 206
200 W. Washington Street
Indianapolis, IN 46204

September 24, 2025

Dear Governor Braun,

On behalf of the Indiana Parole Board, acting in our capacity as Clemency Commission, we submit to you our recommendation regarding the Clemency Petition of Roy Lee Ward, received by this Board on September 5, 2025, in which Mr. Ward requests a commutation of his death sentence to a sentence of life in prison without parole.

The Board scheduled Clemency Hearings for Mr. Ward as follows: a personal interview was scheduled to be conducted with Mr. Ward at the Indiana State Prison on Friday, September 19, 2025, and public hearings were scheduled for Monday, September 22, 2025. On Monday, September 15, 2025, the Board received notice via email that Mr. Ward was declining to be interviewed by the Board but still wished to pursue clemency. That email was supplemented by an affidavit signed by Mr. Ward on Wednesday, September 17, 2025. The Board did conduct public hearings on September 22, 2025, where both counsel for Mr. Ward and the State presented argument and testimony to the Board. In addition to conducting public hearings, the Board reviewed documentation regarding the legal proceedings related to Mr. Ward's jury trials, appeals, and post-conviction relief proceedings. We received and reviewed an expanded Application for Executive Clemency with accompanying documentation from defense counsel which included reports of psychological evaluations, notable transcripts from the legal proceedings, as well as letters of support. Finally, we received and reviewed a statutorily required Community Investigation Report conducted by Evansville Parole District 4. We have now concluded our deliberation and recommend that you deny Roy Lee Ward's request for clemency.

In reviewing a petition of clemency, the Board considers: 1) the nature and circumstances of the offense, 2) the offender's criminal history, 3) history of institutional conduct, and 4) the best interest of society.

The nature and circumstances of Mr. Ward's offense were heavily considered by this Board in making our recommendation. The brutal nature of the rape and murder of Stacy Payne need not

be recounted in this letter. Also considered heavily by the Board was that Stacy was only a child, just 15 years old. One fact that was highlighted to the Board during public hearings was that Stacy was conscious and aware throughout her attack and her final hours living with the injuries that Roy Lee Ward inflicted on her. Candidly, this Board reviews thousands of cases a year, many with gruesome facts, but the victimization of Stacy Payne stood out to us. Without being able to discuss the facts and circumstances of the offense with Mr. Ward, as we often do in clemency proceedings, the Board was unable to gain any further information to understand what could have possibly led to these horrific actions.

Roy Lee Ward's criminal history includes both juvenile and adult criminal offenses. As a juvenile, Ward was arrested for Public Indecency and Harassment. At some point he was on probation as a juvenile but was unsuccessful. His adult criminal history is extremely lengthy, beginning in 1990 and spanning three states (Indiana, Kentucky, and Missouri). It includes but is not limited to crimes of Battery, Theft, Burglary, Forgery, Drug Offenses and countless crimes related to Indecent Exposure and Public Indecency. He was sentenced to the Department of Corrections multiple times. He was afforded the opportunity to be placed on various forms of community supervision and failed many of those placements. Particularly, his history of indecent exposure dated back to his childhood and his social history included sexual partners who were children when he was an older teen and adult, although he was not charged for those relationships.

Roy Lee Ward's institutional conduct reflects a continuation of many of the issues he had while in society. He received 14 conduct reports while incarcerated, including but not limited to Sexual Conduct, Use of a Controlled Substance, and Battery Against an Offender. This pattern of conduct mirrors his criminal history and tends to communicate that Mr. Ward is still struggling with whatever affliction is causing him to behave this way. Again, without speaking directly with Mr. Ward, it was difficult to understand or make any inferences as to his rehabilitation other than what is contained in the paperwork, which objectively shows a continuation of the same types of behavior.

Roy Lee Ward's legal team presented to the Board that Mr. Ward was misdiagnosed with Anti-Social Personality Disorder and should have been diagnosed with Autism Spectrum Disorder during his trial proceedings. In Mr. Ward's second trial, he was characterized by his trial counsel as a "severe psychopath" which was based on pre-trial psychiatric evaluations. During their presentation, counsel noted the significant difference between the two diagnoses is that those with Anti-Social Personality disorder do not feel remorse whereas those with Autism Spectrum Disorder do feel remorse. They recounted many personal instances of hearing Mr. Ward express remorse. The board gives little weight to either diagnosis, finding that the facts of the case more than supported the findings of the jurors. Additionally, the preferred diagnosis of Autism Spectrum Disorder still does not provide the Board with any information into *why* this crime occurred, something that would have been asked of Mr. Ward during his interview.

In weighing the factors provided to us by our statutory authority, we recommend unanimously that you deny Roy Lee Ward's request for commutation of his death sentence.

Sincerely,

Gwendolyn M. Horth

Gwendolyn M. Horth
Chair, Indiana Parole Board