



## **Commerce Police Chief Cleared of Racial Allegations**

June 12, 2017

On May 20, 2017, the Commerce Police Department responded to a call about a dispute between two motorists entering the Walmart parking lot. Though not on duty and present only as a customer, Police Chief Kerry Crews became engaged in the incident after being approached by one of the parties. Chief Crews made contact with the other party, who was later arrested for evading arrest or detention when the responding officer arrived.

Following the arrest, the female party identified herself as Carmen Ponder, a student at Texas A&M University – Commerce and Miss Black Texas 2016. On social media, the Wednesday following her arrest, Ponder claimed that Chief Crews allowed his 14-year-old daughter to operate a motor vehicle illegally and made a racially-motivated and derogatory statement to Ms. Ponder. In a following statement, Ponder admitted that she may have mistaken Chief Crews for someone else.

In an effort to fully evaluate all of the claims made and the appropriateness of the actions taken, the City of Commerce retained Julia Gannaway with Lynn, Ross, & Gannaway, LLP to conduct an independent investigation of the incident. Gannaway presented her findings in a closed session of the Commerce City Council on Friday, June 9.

The investigation revealed that there was no evidence that Chief Crews made any racial statements to Ms. Ponder or to anyone else. There is also no evidence that the arrest was racially motivated. Additionally, it was determined that Chief Crews was not involved in the initial dispute between Ms. Ponder and the other driver. As such, there is no way that his daughter could have been operating a motor vehicle illegally.

Members of the City Council noted that Chief Crews has a long history of promoting positive race relations throughout the community. Earlier this year, the Hunt County African American Leadership Conference awarded Chief Crews with the Homeland Award and the MLK Lifetime Achievement Award during their annual Martin Luther King, Jr. Awards Ceremony.

Gannaway noted that although other aspects of this investigation should continue to be considered, it is conclusively established that Chief Crews is exonerated of any allegation of making any racial remarks to Ms. Ponder during the course of the incident on May 20. While there may be additional items for consideration and possible recommended action, race-based claims will not be a factor.

The City Council took no action following the closed meeting on June 9, as the Commerce City Charter states, "Neither the city council, nor any of its members, shall direct the appointment or removal of any person from office by the city manager or by any of his or her subordinates." However, at the request of the City Manager, the City Council did spend several hours reviewing the incident in its totality. The City



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Manager is now working with Lynn, Ross, and Gannaway to bring this issue to a resolution as quickly as possible.