

Jon M. Hopeman  
(612) [REDACTED]  
Fax: (612) [REDACTED]  
E-mail: [REDACTED]  
Reply to Minneapolis Office

February 14, 2022

[REDACTED], Esq.  
[REDACTED], P.A.  
[REDACTED]  
Minneapolis, MN 55402

Re: Shawn Q. [REDACTED]; License Application

Dear Mr. [REDACTED]:

You have asked me to send you this letter about your client Shawn Q. [REDACTED]. My understanding is that, in turn, you will submit this letter to the Minnesota Department of [REDACTED] in support of Mr. [REDACTED]'s application for a license as a [REDACTED].

In 1989, while working as an Assistant United States Attorney, I served as the lead prosecutor in a case against Ralph "Plookie" Duke and 20 other co-conspirers for 32 counts of drug trafficking and related crimes. The indictment, both in its caption and within the counts, uses the designation "a/k/a" to denote that Mr. [REDACTED], like seven of his co-defendants, was also known by another name. Specifically, Mr. [REDACTED] was also known as Shawn Duke. You have asked me to comment on whether Mr. [REDACTED] ever used, or went by, the name Shawn Duke as an alias or whether he was just sometimes known by or referred to as that name.

Mr. [REDACTED] himself never used the name Shawn Duke. By listening to hours of recordings of wiretapped conversations among the co-conspirers taken over many months, we would often observe that certain people were known by more than one name. Whenever that happened, we would add an a/k/a name to the indictment. Therefore, if a recording were played for a jury, we could explain which defendant the speakers were referring to.

The mere designation of Mr. [REDACTED] as having had an a/k/a in the 1989 indictment does not mean that he ever went by or used that name. Rather, it only means that, at least once during the recorded wiretapped conversations, someone used the name Shawn Duke when referring to Mr. [REDACTED].

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It is my understanding the Department of ██████████ has noted that Mr. ██████████ has five felony convictions. That is true, but Mr. ██████████ was not a serial or career criminal. All of his convictions were from the single case against him that I prosecuted.

Mr. ██████████ was very young at the time of these crimes. He went to trial. Many in that case did because they were afraid to cooperate against Ralph Duke. To Mr. ██████████'s credit, he did not take the stand at trial and lie by denying involvement.

There were two co-defendants, Serena Denise Nunn and Kim Allen Willis, who were the same age as Mr. ██████████, each received the same sentence as Mr. ██████████. They each petitioned the Department of Justice for a commutation of sentence. Their sentences were commuted by President Clinton and they were released early. Judge David S. Doty supported their requests for commutation, as did the FBI, as did the Minneapolis Police, as did I.

Had Mr. ██████████ asked to have his sentence commuted I would have supported his request. We all felt the sentences received by these youngsters were too long, but that is what the law required.

I would not know Mr. ██████████ if I saw him on the street. But I can say he behaved honorably at his trial and sentencing and he served every day of a long sentence without complaint.

I also note that Serena Denise Nunn was accepted to the University of Michigan Law School and graduated. I am told she is now practicing law. Her situation is the same as Mr. ██████████'s. If she gets a license, so should he.

I believe service of a sentence entitles the accused to redemption. I believe stacking consequences on an accused 24 years after a conviction only causes more crime.

If you or anyone at the Department of ██████████ has any questions about the matters addressed in this letter, please call me.

Sincerely,

Jon M. Hopeman

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