

North Dakota judge blasts Biden for setting fraudsters free

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President Joe Biden delivers remarks on May 31, 2024, in Washington, D.C. A federal judge in North Dakota is questioning Biden's decision to commute sentences of more than a dozen North Dakota defendants. (Photo by Chip Somodevilla/Getty Images)

A federal judge is criticizing President Joe Biden's decision to set free more than a dozen North Dakota defendants, including two men sentenced to prison for high-profile fraud cases.

Biden last week [commuted the sentences of 1,499 criminals](#) including Hunter Hanson and David McMaster, convicted in separate North Dakota fraud cases, and 12 drug traffickers convicted in North Dakota.

U.S. District Court Judge Daniel Hovland this week sent an email to the Department of Justice seeking an explanation for those commutations.

Hovland in 2019 [sentenced Hanson](#) of Leeds to serve eight years for wire fraud and money laundering in a grain-dealing scheme. Hanson also was ordered to pay more than \$11 million in restitution after he defrauded more than 60 farmers, elevators and grain brokers.

Hovland in 2013 [sentenced McMaster](#) to more than 15 years and eight months for bank fraud and wire fraud in a case involving BNC National Bank in Bismarck. McMaster was ordered to pay \$28.5 million in restitution.

Hovland in the email described both cases as "very sophisticated fraud schemes in which countless numbers of innocent persons were victimized by their deceitful scams."

He said both defendants pleaded guilty and their convictions and sentences were upheld by the Eighth Circuit Court of Appeals.

"Neither defendant has ever presented any evidence to support a commutation of their federal sentences," Hovland wrote.

| [Biden commutes sentences of nearly 1,500 people, pardons 39 in historic clemency action](#)

The people selected for commutations were placed on home confinement during the COVID-19 pandemic, according to a [statement by Biden](#) announcing the decision.

McMaster is in the custody of the Residential Reentry Management field office for Phoenix, while Hanson is in custody of the Residential Reentry Management field office for Minneapolis, according to the federal Bureau of Prisons [website](#).

Emails seeking comment from attorneys for Hanson and McMaster listed in federal court records were not immediately returned Wednesday.

Hovland requested that the Office of the Pardon Attorney within the Justice Department provide an explanation for how those two cases and North Dakota drug cases were investigated and the decisions to commute the sentences were made.

He said he was never contacted by the Justice Department and neither were prosecutors and victims.

“I am certain the victims would be shocked and appalled to learn of the commutations, as are the prosecutors,” Hovland wrote. “To not seek any input from those persons who were directly involved in the criminal case at issue is alarming and troublesome at best.”

Biden issued the commutations on Dec. 12. His order says they are effective Dec. 22.

While the convicts are to be released from custody, the order says other sentencing conditions, such as restitution and supervised release, remain in effect.

Biden also pardoned 39 people. None of those pardoned were from North Dakota.

“I have the great privilege of extending mercy to people who have demonstrated remorse and rehabilitation, restoring opportunity for Americans to participate in daily life and contribute to their communities,” Biden said in the statement.

U.S. District Court Judge Daniel Traynor said Wednesday he didn’t have a position on the commutations, as he was not assigned to any of the affected cases. In a statement to the North Dakota Monitor, he called Hovland a “careful and fair-minded judge” who is “deeply concerned about fairness and the rule of law.”

The other North Dakota defendants with sentences commuted were each convicted of felony drug trafficking charges, court records indicate. They are:

- Fraenchot Deon Banks
- Kelli Lynn Caron
- Karin Ilene Condon
- Gary Ernest Eiseman
- Kristina Larae Erickson
- David Jeffrey Farnsworth
- Selica Jane Fender
- Joe Lenard Rodriguez

- Susana Serrato
- Kinzey Taylor Shaw
- Frank Anthony Villa
- Joshua Clarence Young

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