

## Electronic Solicitation of Child to Engage in Sexual Conduct: Sentenced 2019-2023

Minnesota Sentencing Guidelines Commission (MSGC) monitoring data are person-based, meaning cases represent persons rather than individual charges. Persons sentenced within the same county in a one-month period are generally counted only once, based on their most serious offense. This data request was prepared by the research staff of MSGC in fulfillment of the Commission's statutory role as a clearinghouse and information center for information on sentencing practices. This is not a policy document. Nothing in this request should be construed as a statement of existing policy or recommendation of future policy on behalf of the Commission itself, or as an authoritative interpretation of the Minnesota Sentencing Guidelines, Minnesota statutes, or case law.

**Information Requested:** Sentencing data for Electronic Solicitation of Child to Engage in Sexual Conduct, § 609.352 subd. 2a(1), by Criminal History Score (CHS).

### Analysis:

- Sentenced 2019-2023
- Electronic Solicitation of Child to Engage in Sexual Conduct, § 609.352 subd. 2a(1)
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175
- Departure rates by Criminal History Score

From 2019-2023, 57 cases were sentenced for Electronic Solicitation of Child to Engage in Sexual Conduct, § 609.352 subd. 2a(1). 54 (94.7%) had a presumptive stayed disposition and three (5.3%) had a presumptive disposition of commit. One (1.8%) case received a mitigated dispositional departure, and zero cases received an aggravated dispositional departure. Of the three people who received an executed prison sentence, zero received a mitigated durational departure, and zero received an aggravated durational departure.

**Table 1. Electronic Solicitation of Child to Engage in Sexual Conduct, § 609.352 subd. 2a(1): Sentenced 2019-2023**

CHS	Total	Presumptive Disposition		Dispositional Departure			Durational Departure (prison only)		
		Stay	Commit	None	Aggravated	Mitigated	None	Aggravated	Mitigated
0	45	45	0	45	0	0	1	0	0
	100.0%	100.0%	0.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%
1	3	3	0	3	0	0	0	0	0
	100.0%	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2	5	5	0	5	0	0	0	0	0
	100.0%	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
3	1	1	0	1	0	0	0	0	0
	100.0%	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
4	0	0	0	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
5	1	0	1	1	0	0	1	0	0
	100.0%	0.0%	100.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%
6+	2	0	2	1	0	1	1	0	0
	100.0%	0.0%	100.0%	50.0%	0.0%	50.0%	100.0%	0.0%	0.0%
Total	57	54	3	56	0	1	3	0	0
	100.0%	94.7%	5.3%	98.2%	0.0%	1.8%	100.0%	0.0%	0.0%

The reasons cited for the single mitigated dispositional departure were amenable to probation, amenable to treatment, and compliance with probation. The prosecutor agreed to/recommended/did not object to the departure in this case.