

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-1367**

State of Minnesota,
Respondent,

vs.

Daniel Franklin Knoop,
Appellant.

**Filed August 10, 2026
Affirmed
Bentley, Judge**

Big Stone County District Court
File No. 06-CR-24-151

Keith Ellison, Attorney General, Thomas R. Ragatz, Assistant Attorney General, St. Paul, Minnesota; and

Rebecca Trapp, Big Stone County Attorney, Ortonville, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Laura G. Heinrich, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Bentley, Presiding Judge; Ross, Judge; and Segal, Judge.*

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

NONPRECEDENTIAL OPINION

BENTLEY, Judge

In this sentencing appeal, appellant argues that the district court abused its discretion by denying his motion for a downward dispositional departure. Appellant maintains that he is particularly amenable to probation and that the district court erroneously focused on the offense conduct rather than his personal characteristics when it imposed a guidelines sentence. We affirm.

FACTS

The following facts are drawn from the factual basis supporting appellant's guilty plea and from the record at sentencing.

On September 14, 2024, law enforcement responded to a reported sexual assault at a home in Ortonville. When officers arrived, appellant Daniel Franklin Knoop and the parents of the child victim were waiting for officers in the home. The victim's parents told officers that Knoop had sexually assaulted their five-year-old daughter several times, beginning months prior. Knoop is the victim's first cousin and the parents' nephew. He had been staying with the victim and her family in their home and confessed to the conduct when confronted by the victim's parents.

In an interview with police, Knoop disclosed that he committed the first assault when the victim was three years old. Knoop admitted to touching the victim's vaginal area, but he maintained that no penetration occurred. He further disclosed to officers that he remembered four or five similar incidents at family members' homes, but there may have been more. He told officers that he knew his actions were inappropriate.

The victim’s account of the assaults differed from Knoop’s description. The victim’s mother told police that the victim said Knoop “puts his pee hole in her pee hole sometimes and . . . pumps.” In a later forensic interview, the victim described being penetrated by Knoop both vaginally and anally on different occasions.

Respondent State of Minnesota initially charged Knoop with two counts of second-degree criminal sexual conduct, in violation of Minn. Stat. § 609.343, subd. 1a(e), (g) (2022). The charges were later amended after the forensic interview with the victim to add two more counts: first-degree criminal sexual conduct involving penetration or sexual contact with a victim under age 14 and actor greater than 36 months older, in violation of Minn. Stat. § 609.342, subd. 1a(e) (2022); and first-degree criminal sexual conduct involving penetration or sexual contact with a victim under 16 and with whom the defendant had a significant relationship, in violation of Minn. Stat. § 609.342, subd. 1a(g) (2022).

In a negotiated plea agreement, Knoop agreed to enter an *Alford* plea to the count of first-degree criminal sexual conduct, in violation of Minn. Stat. § 609.342, subd. 1a(g), in exchange for the state’s dismissal of the remaining counts.¹ The agreement also

¹ An *Alford* plea allows a defendant to “plead guilty while maintaining innocence.” *State v. Steichen*, 36 N.W.3d 393, 398 (Minn. 2026); *see also North Carolina v. Alford*, 400 U.S. 25, 37 (1970). An *Alford* plea must be supported by a strong factual basis including a description of “key evidence [the state] would have presented at trial to secure a . . . conviction.” *Steichen*, 36 N.W.3d at 402, 404 (involving a *Norgaard* plea but holding that a *Norgaard* plea requires the same strong factual basis as an *Alford* plea). The defendant must then agree that the state’s evidence would be sufficient to support a conviction. *Id.* at 400.

permitted Knoop to argue for a sentencing departure. The district court held a plea hearing in March 2025 during which the state summarized the evidence it would have presented against Knoop at trial. Knoop agreed that the evidence described by the state was substantially likely to result in a jury finding him guilty. Finding that Knoop had knowingly and intelligently waived his rights and that a strong factual basis supported the *Alford* plea, the district court accepted Knoop's plea and ordered a presentence investigation (PSI) and psychosexual evaluation.

Knoop's counsel submitted a memorandum supporting a dispositional departure.² The memorandum described Knoop's tumultuous childhood in which he witnessed violence, drug use, and prostitution in his home. Knoop was removed from his home and placed into foster care, where he experienced sexual and physical abuse before being adopted by the Knoop family at age eight. The memorandum emphasized that Knoop was deeply affected by the trauma he experienced and that he needed therapeutic treatment. The memorandum went on to describe Knoop's traits that made him particularly amenable to probation, highlighting that Knoop was 19 years old, had no prior criminal record, expressed sincere remorse for his actions, was cooperative and polite throughout the proceedings, and would have a strong support network if he were sentenced to probation

² Some documents in the record are not accessible to the public. See Minn. R. Pub. Access to Recs. of Jud. Branch 4, subd. 1(f)(1). But “we are not precluded ‘from mentioning the contents’ of confidential or sealed documents when the information is ‘relevant to the particular issues or legal argument being addressed in the proceeding.’” *Life Time, Inc. v. Zurich Am. Ins. Co.*, 25 N.W.3d 901, 904 n.1 (Minn. App. 2025) (quoting Minn. R. Pub. Access to Recs. of Jud. Branch 4, subd. 4), *rev. denied* (Minn. Oct. 29, 2025). Any reference to confidential documents herein is based on public records or is relevant to our determination of the issues on appeal.

and allowed to attend a residential treatment program. Based on these factors, the memorandum argued that a probationary sentence was “not only appropriate but necessary” and that Knoop had “extraordinary potential for rehabilitation.”

A sentencing hearing was held on May 27, 2025. Prior to the hearing, the state submitted several victim-impact letters from the victim’s family members. At the hearing, the victim’s parents gave victim-impact statements, Knoop’s adoptive father and a corrections officer gave statements highlighting Knoop’s positive traits, and a sexual-offender treatment provider testified that the program was willing to accept Knoop for treatment.

The state “adamantly” objected to a dispositional departure based on the “horrific” facts of the case. Knoop’s counsel asked that he be sentenced to up to 30 years of probation. Knoop also gave a statement and apology at the hearing.

After a 15-minute recess, the district court gave the following oral explanation and decision:

I have weighed the arguments of the State and of defense, along with the statements that I’ve heard in court. I recognize . . . that you have expressed some remorse for your actions and that you are in need of therapy. However, factors weighing in favor of departure in this matter can’t outweigh the severity of these multiple acts to the point of creating a compelling reason for me to depart from the Sentencing Guidelines in this matter. Therefore, I am going to sentence according to the recommendations . . . of the State and of probation. You are therefore committed to the Commissioner of Corrections for a period of 144 months, with 96 months served in prison and 48 months served on supervised release, provided the subject commits no disciplinary acts in prison that result in the imposition of a disciplinary confinement period. . . . And there

is a mandatory 10-year conditional release period for this offense after your release.

This is the presumptive sentence under both Minnesota Statutes section 609.342, subdivision 2(b) (2022), and Minnesota Sentencing Guidelines 4.B (Supp. 2023).

Knoop appeals.

DECISION

Presumptive sentences are determined by the Minnesota Sentencing Guidelines. *State v. Solberg*, 882 N.W.2d 618, 623 (Minn. 2016). A district court “must pronounce a sentence within the applicable range” unless “identifiable, substantial, and compelling circumstances” exist that warrant a departure from the presumptive sentence. *State v. Soto*, 855 N.W.2d 303, 308 (Minn. 2014) (quotation omitted). A departure may be dispositional, meaning that the defendant is placed “in a different setting” than what the guidelines provide, or durational, which involves a change in the length of the sentence. *Solberg*, 882 N.W.2d at 623.

This case involves a request for a downward dispositional departure to a probationary sentence. When considering a dispositional departure, district courts focus on the “characteristics of the defendant.” *Id.* Specific to departures to a probationary sentence, district courts may consider the defendant’s “particular amenability” to probation. *Soto*, 855 N.W.2d at 309. A defendant’s particular amenability is assessed by applying the factors listed in *State v. Trog* (the *Trog* factors), which include the defendant’s age, prior record, remorse, cooperation, attitude in court, and community support. 323 N.W.2d 28, 31 (Minn. 1982). “But the mere fact that a mitigating factor is present in a particular case

does not obligate the court to place [a] defendant on probation[.]” *State v. Pegel*, 795 N.W.2d 251, 253 (Minn. App. 2011) (quotation omitted); *see also State v. Kindem*, 313 N.W.2d 6, 7 (Minn. 1981) (“[W]hen substantial and compelling circumstances are present, the judge *may* depart.” (quotation omitted) (emphasis added)). A district court is not required to discuss every *Trog* factor before imposing a presumptive sentence. *Pegel*, 795 N.W.2d at 254.

Appellate courts afford the district court “great discretion in the imposition of sentences,” reversing such decisions “only for an abuse of that discretion.” *Soto*, 855 N.W.2d at 307-08 (quotation omitted). An abuse of discretion occurs when a decision “is based on an erroneous view of the law or is against logic and the facts in the record.” *State v. Hallmark*, 927 N.W.2d 281, 291 (Minn. 2019) (quotation omitted). So long as “the record shows the [district] court carefully evaluated all the testimony and information presented before making a determination,” reviewing courts generally will not interfere with a sentencing decision, *State v. Van Ruler*, 378 N.W.2d 77, 80-81 (Minn. App. 1985), and will reverse a district court’s decision to impose a presumptive guidelines sentence only in “a rare case.” *Kindem*, 313 N.W.2d at 7.

Knoop challenges the district court’s alleged lack of engagement with the record and its “one sentence” discussion of Knoop’s mitigating characteristics at the sentencing hearing. However, “an explanation is not required when the court considers reasons for departure but elects to impose the presumptive sentence.” *Van Ruler*, 378 N.W.2d at 80. The district court acknowledged that it “received a number of documents—the Psychosexual Evaluation that was submitted, . . . a Disposition Advisory Memorandum,

and . . . the Pre-Sentence Investigation and Sentencing worksheet in this matter.” The district court also stated that it “weighed the arguments of the State and of defense, along with the statements . . . heard in court,” before briefly explaining its sentencing decision. Based on this record, we cannot conclude that the district court failed to carefully consider the testimony and information provided before making its decision. *See id.* at 80-81. The court weighed the arguments, as it must, and then provided an explanation, which it was not required to provide. We detect no abuse of discretion in this regard.

Knoop also challenges the district court’s lack of engagement with the *Trog* factors, arguing that, “[h]ad the court engaged with [the] record about Knoop’s characteristics, the only conclusion would have been that what was best for Knoop and public safety was a dispositional departure[.]” Again, we do not identify an abuse of discretion. The court noted that Knoop was remorseful—one of the *Trog* factors—and that he would benefit from treatment. *See Trog*, 323 N.W.2d at 31. The court was not obligated to discuss all the *Trog* factors, nor was it obligated to place Knoop on probation based on “the mere fact that a mitigating factor is present.” *Pegel*, 795 N.W.2d at 253-544. For example, in an analogous case, *State v. Bertsch*, the Minnesota Supreme Court identified no abuse of discretion in a district court’s rejection of a request for a dispositional departure, despite that the defendant was 22 years old, lacked a criminal history, took responsibility for the offenses, pleaded guilty, and expressed remorse. 707 N.W.2d 660, 668 n.7 (Minn. 2006). Knoop shares many of those same characteristics. Thus, we conclude that the district court acted within its discretion to reject Knoop’s request for a dispositional departure, even in light of several *Trog* factors suggesting his amenability to probation.

As a final matter, Knoop argues that the district court inappropriately focused on the offense conduct, which is typically the focus of a durational-departure analysis. *See Solberg*, 882 N.W.2d at 623 (noting that, when considering a durational departure, a district court focuses on the “seriousness of the *offense*, not the characteristics of the offender”). But our caselaw does not prohibit weighing both personal characteristics and the severity of the offense in the context of a dispositional departure request. *See id.* (“A dispositional departure *typically* focuses on characteristics of the defendant that show whether the defendant is particularly suitable for individualized treatment in a probationary setting.” (emphasis added) (quotation omitted)); *State v. Heywood*, 338 N.W.2d 243, 244 (Minn. 1983) (stating the mitigating factors in the sentencing guidelines “focus primarily on the degree of a defendant’s culpability,” but in the context of a dispositional departure, a district court “can focus more on the defendant as an individual and on whether the presumptive sentence would be best for him and for society”). We identify no abuse of discretion in the district court’s consideration of the severity of the offense in addition to its consideration of Knoop’s individual characteristics in denying the departure.

In sum, we conclude that the district court’s denial of Knoop’s request for a dispositional departure was not contrary to the law, facts, or logic. *See Hallmark*, 927 N.W.2d at 291. We therefore conclude that the district court did not abuse its discretion by imposing a presumptive guidelines sentence. *See Soto*, 855 N.W.2d at 307-08.

Affirmed.