You Decide

5.4 Cassandra Y. informed Lou Tong Saephanh, a California inmate, that she was pregnant with his child. Saephanh was excited to be a father, and they talked about the baby every week. Roughly six months later, Saephanh wrote a letter to fellow gang member Cheng Saechao: "By the way loc, could you & the homies do me a big favor & take care that white bitch, Cassie for me. ha, ha, ha!! Cuzz, it's too late to have abortion so I think a miss carrage would do just fine. I aint fista pay child sport for this bull-shit loc. You think you can get the homies or home girls do that for me before she have the baby on Aug. '98." Vicki Lawrence, a correctional officer, opened and read the letter. The letter was embargoed by prison authorities and was not sent to the addressee. Saephanh later explained that if Cassandra did not let him be a part of the baby's life, he wanted to "get rid of the baby" and did not want to pay child support. Is Saephanh guilty of solicitation? The California solicitation statute reads: "Every person who, with the intent that the crime be committed, solicits another to commit or join in the commission of murder shall be punished by imprisonment." See *People v. Saephanh*, 80 Cal. App. 4th 451 (Cal. Ct. App. 2000).

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