FILED
08/31/2023
Tina Henry
CLERK
Cascade County District Court
STATE OF MONTANA
By: Kristin Antonovich
DC-7-2023-0000618-IN
Parker, John W
1.00

KORY LARSEN
Chief Deputy County Attorney
JOSHUA A. RACKI
Cascade County Attorney
121 4th Street North, #2A
Great Falls, MT 59401
Telephone: (406) 454-6915

Attorneys for the State

MONTANA EIGHTH JUDICIAL DISTRICT COURT, CASCADE COUNTY

STATE OF MONTANA, Plaintiff, vs. WILLIAM JAMES HARNING, Defendant.	No. _____ **MOTION FOR LEAVE TO FILE INFORMATION DIRECT AND AFFIDAVIT IN SUPPORT**

STATE OF MONTANA)
: ss.
County of Cascade)

The undersigned Chief Deputy County Attorney of Cascade County, Montana, being first duly sworn, moves the Court for leave to File an Information charging the above-named defendant with:

COUNT I: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

COUNT II: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

COUNT III: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

COUNT IV: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

COUNT V: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

COUNT VI: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

Affiant has reviewed reports submitted by the Great Falls Police Department. These reports pertain to the events hereinafter described, and on the basis of the same, Affiant makes the allegations hereinafter set forth:

On December 14, 2021 the principal of Great Falls High School advised Det. Clint Houston about a teacher named William Harning sending an inappropriate picture of Harning's penis to a seventeen year old student student. Harning's face could be seen in the image. Det. Houston contacted Detective Scott Bambenek to assist as he is the Internet Crimes Against Children Detective.

On 12-14-21 after 1000 hours, Detectives contacted Harning in his unoccupied classroom (it was his prep period). He was using his cell phone when Detectives walked in, and Harning set his phone down on the table. Harning agreed to go to Det. Houston's office to speak with him, but left his cell phone on the table. Det. Houston told Detective Bambeneck where the phone was and Det. Bambenek seized the phone

for evidence. Harning chose not to make a statement and was released while the investigation went forward.

After getting further information from the juvenile student Det. Bamebenek obtained a search warrant for Harning's phone.

Due to a heavy backlog of devices, the phone could not be searched until May of 2023. At that time DCI Agent Brian Cassidy provided the cell phone extraction to Det. Bambenek.

Det. Bambenek reviewed the data from William Harning's cell phone extraction, and noted the following:

Numerous self-produced sexually explicit images of William Harning.

Numerous sexually explicit images of children between the approximate ages of 5 and 18.

To ensure the images were child sexual abuse material, on August 10th, 2023 Det. Bambenek had Certified Pediatric Nurse Practitioner Nicole White view the suspected CSAM that was located on William Harning's cell phone extraction. Nicole advised she noticed numerous images that appeared to be young children. Nicole said she would return the following day to further study the images and provide a written report.

On August 11th 2023 at approximately 1310 hours, Nicole returned to the GFPD and examined the suspected CSAM. Nicole provided a written report that included descriptions of the images. In reviewing Nicole's report, she determined six

images were sexually explicit images of children ranging in age from 5 to 16 years of age.

Those images are described as follows.

The descriptions contain graphic details of the image contents, proceed with caution.

Image one (5005_18) depicts a 12-15 year old male's anus. Close up view with a hand spreading the anus partially open.

Image two (5005_1) depicts an 11-13 year old male laying inside a black interior vehicle. Male is holding his penis with his right hand and exposing his anus, while covering his face with his left hand.

Image three (5005_6) depicts a 13-16 year old male laying on multiple blue bedding items, exposing his penis.

Image four (586940729913eec553f38afcfc20ddb9_thumb) depicts a 12-16 year old male laying on back exposing breasts and pubic area.

Image five (da114519b8de91b9feedbb5448d4b8ed) depicts an 11-14 year old male laying on a blue blanket, on his side, exposing his anus and scrotum.

Image six (IMG_6397) depicts a 3-5 year old child laying on a white sheet, on its side. Adult male with black ring around scrotum and penis, inserting his penis in between the child's legs.

On August 14th, 2023, Det. Bambenek requested The National Center for Missing and Exploited Children (NCMEC) review three hundred seventy (370) images recovered from the device for the purpose of identifying any child victims based on hash values of the files. That review is ongoing.

Given the foregoing, the undersigned has probable cause to believe that the Defendant has engaged in activity constituting the offenses of:

COUNT I: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

COUNT II: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

COUNT III: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

COUNT IV: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

COUNT V: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

COUNT VI: SEXUAL ABUSE OF CHILDREN, a Felony, in violation of M.C.A. § 45-5-625(1)(e).

DATED this 31st day of August, 2023.

JOSHUA A. RACKI
Cascade County Attorney



Kory Larsen
Chief Deputy County Attorney

SUBSCRIBED AND SWORN TO before me on the 31st day of August, 2023.



(NOTARY SEAL)

Notary Public for the State of Montana,
Residing at Great Falls, Cascade County,
Montana.

My commission expires May 21, 2025

cc: Chief Deputy County Attorney/Kory Larsen
Defense Counsel/Public Defender's Office
Defendant – c/o Counsel
GFPD/
CCSO/warrants