

Man given plea, sentencing break in child porn case

By Alex Wood

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A man accused of possessing at least 192 computer files containing child pornography when he lived in Manchester pleaded guilty Tuesday to a reduced charge and was sentenced to two years in prison.

Ian R.W. Gardner, 29, who had moved to Middletown before his arrest in August, pleaded guilty in Hartford Superior Court to second-degree possession of child pornography. That crime carries a mandatory minimum sentence of two years and a maximum of 10 years.

Gardner had originally been charged with first-degree possession, which carries a mandatory minimum of five years behind bars and a maximum of 20 years. Prosecutor Richard Rubino said he considered the reduction in the charge appropriate because Gardner has reached his current age with no other criminal record.

Defense lawyer Anthony Spinella confirmed that Gardner had no prior criminal record. The defense lawyer also said Gardner has had the support of his family throughout the case. He expressed the view that, with probation and counseling, Gardner can rehabilitate himself.

The mandatory minimum sentence means that Gardner will have to spend a full two years in the Correction Department's custody, although he will get credit for the time he has spent in jail, unable to post bond, since his Aug. 2 arrest. After he is released from prison, Gardner will be on probation for 10 years, facing up to eight more years in prison if he violates release conditions. He will also have to register as a sex offender for a decade.

Following a recommendation by the prosecutor, Judge Julia DiCocco Dewey ordered that Gardner be allowed to visit his nephews and his brother, but only with supervision.

The prosecutor said Gardner's arrest stemmed from a Manchester police investigation focusing on a peer-to-peer file sharing network.

When police arrived at Gardner's then-home on Hunniford Street in Manchester with a search warrant, the prosecutor said, Gardner wasn't read his constitutional rights but made "spontaneous admissions," saying investigators would find what they were looking for anyway.

In the April 14 search, Gardner gave officers his computer password and mentioned a specific icon on the desktop that would lead them to the files they were seeking, according to an affidavit by Manchester police Officer Jeffrey Kulhay.

Hunniford Street is a small, dead-end street running off Summit Street toward Manchester High School.

Although the officer's affidavit says investigators found 192 files containing child pornography, the second-degree possession charge to which Gardner pleaded guilty involves possession of only 20 to 50 pornographic images of children. The prosecutor said the computer contained more than 40 images of "sexually explicit conduct" involving girls from ages 8 to 14 and a single video, a little more than five minutes long, showing similar conduct.