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Court refuses Hale land dispute

REFUSAL: But justices reject review of most cases submitted.

By MARY PEMBERTON
The Associated Press

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The U.S. Supreme Court on Monday declined to hear the case of the Hale family and its feud with the federal government over access to their land inside the country's largest national park.

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The high court gave no reason for refusing to hear the case over the Hale family's in-holding in Wrangell-St. Elias National Park. However, the court hears only a tiny fraction of cases brought before it.

The Hale family, also known as the Pilgrims, claimed the right to use a bulldozer to reclaim an old trail to the mine site they own in the park. They never asked for permits, and the Park Service cited them for damage to stream crossings, among other things.

A legal feud ensued, with property rights activists aiding the Pilgrims. The federal agency argued the family needed to go through proper channels if it wanted to reopen the road, including doing an environmental assessment on the impact of the road.

The U.S. 9th Circuit Court of Appeals ruled against the family in February, rejecting their claim that the Park Service had violated their rights by requiring the environmental analysis.

While the land dispute case simmered, it was revealed that Robert Hale, the 66-year-old family patriarch known as Papa Pilgrim, was sexually abusing one of his children. Hale pleaded no contest to sexual assault, coercion and incest. He was sentenced last month to 14 years in prison.

During the sentencing, the Hale children told horrific stories of physical, mental and sexual abuse on the homestead in the park. Currently, the 15 Hale children and their mother live with friends or spouses near Anchorage.

The Pacific Legal Foundation, which helped the Pilgrims wage their property-rights lawsuit, said Monday it was too bad the Supreme Court would not hear the case. The federal government, however, can still do right by the family by giving them "full access" to their property to rebuild their home, the foundation said in a news release.

The Hale family argued that it needed the road to get building materials and equipment to the property after a fire destroyed their home.

The Park Service eventually granted the family a winter-only permit to travel the road.

Joseph Hale, the oldest child, said the road in winter is good only for snowmobile travel. While the family brought in a lot of supplies by snowmobile, it was hard to get the building materials needed to the site, he said.

The National Park Service said it is working on the issue of access to private lands within the park.

Joseph Hale, 30, said the family has no plans to move back to the property inside the park on a full-time basis because it isn't practical, given the access issue. If the access was better, he said, the family would definitely use the property more.

"We can't get supplies in and out of there," he said. "We can't really live there because of the road access."

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road access

They should have the right to rebuild the road the federal Gov has went to far in alaska taking the rights from alaskans, and also gave to much to the native corporations, our uncle Ted Stevens befriended the white people in the state of alaska and gave it to the natives.

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Unfortunate

Too bad this battle was waged by the Hale family since their personal troubles have clouded the issue. The Park Service deals in their own little world where they think all the land should be locked up so it remains untouched. They close an access that has been there for years and has caused no harm other than visibility and then refuse to allow its use without huge concessions. They want people ...

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boo hoo.

Couldn't happen to a nicer bunch o' dimwits. Why not take their fantasy vision of wilderness living and write up a screenplay because it does so smack of fiction. I see Donny and Marie and their clan fitting into the leading roles. Their activities cause the taxpayer untold amounts of expense and effort in order to defend their deluded claim to be living the way some imaginary beast in the cosmic ...