

Unknown

From: Mason, Janice L (GOV) [/O=SOA/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=JLMASON]

Sent: Tuesday, April 22, 2008 9:24 AM

To: Sarah Palin

Cc: 'fek9wnr@yahoo.com'

Subject: FW: Congrats/DPS Issue

Governor and Todd – This is a congratulations but also an issue that we are having DPS check into. I will keep you abreast of the findings. Janice

From: Jeff King [mailto:jeffk@mtaonline.net]

Sent: Friday, April 18, 2008 3:45 PM

To: Governor Sarah Palin (GOV sponsored)

Subject: Re: Fish_and_Game

Honorable Governor (and new mother!) Sarah Palin,

Congratulations on the arrival of your son! I read the wonderful announcement just moments after I sent this message the first time. And as is usual with me, I move kind of fast, and I admit this letter was first written for the honorable Lisa Murkowski. While re-reading it as sent to you, I see I am the second musher to call you "Lisa". Anyway, please accept my apology, I most certainly do know the difference between the two of you. I am proud to say that you got my vote. All joking aside, please consider my request stated below.

Iditarod Champion,

Jeff King

-----Original Message-----

From: WebMail@gov.state.ak.us [mailto:WebMail@gov.state.ak.us]

Sent: Friday, April 18, 2008 1:37 PM

To: Governor Sarah Palin (GOV sponsored)

Subject: Fish_and_Game

Web mail from: Mr. Jeff King

address: PO Box 48 Denali AK 99755

907 388 2797

MESSAGE:

Governor Palin,

Wishing you all the best with this exciting and busy time of your life!

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And Thank You for the kudos you sent me after this years Iditarod.

Lady Luck has not been in my corner this year. The second place finish in the Iditarod after an unscheduled nap, as well as being passed in the last 20 miles of the All Alaska Sweepstakes race to finish a frustratingly close 9 minutes behind Mitch Seavey for the \$100K winner take all purse! What the heck, it's just a dog race.

No doubt you are following Alaska news and may well be aware that I have recently charged with a federal crime of taking a moose inside Denali National Park & Preserve. The case strikes me as crazy on many accounts, which is why I'm writing you. I can only imagine how busy you are, but I hope you will take the time to consider the following bullet points. Please be assured that the following is limited to items I feel I can easily document.

1. Cali and I were hunting an area North of the preserve that we have hunted for many years. 4-Wheeler ATV trails are obvious, and many hunters use the area.
2. I was served with a search warrant by a NPS Ranger at my home after we returned from our successful hunting trip. I fully cooperated and I was astonished they suspected the moose had been taken over the boundary of the preserve. It was at this time I was made aware by the same ranger that a Helicopter had been used for surveillance over my home of 30 year for some kind of reconnaissance. I was also notified at this time that a DNA crime lab in Oregon would be used to match a gut pile in the willows with the meat in my freezer. During this interview I openly agreed from their description of the location of the kill site, that it may well have been and likely was the moose we had shot.
3. I have since learned that a helicopter was used to find that gut pile and a Global Positioning Device was necessary to document the preserve boundary.
4. After years of hunting I know of only two physical national preserve markers within 10 miles this popular hunting area, and I believe they date back to the park expansion itself. The moose kill in question was over a half mile from the only marker I know of within miles.
5. When I asked the investigating officers how far they thought this moose was over the invisible boundary, the responded "about 600 feet." (I'm guessing they rounded up, and I'm in the process of trying to prove it.)
6. The area I am accused of illegally taking a moose and using an ATV is open to moose hunting with ATVs to qualified subsistence users. I know some of the qualified users who are retired NPS employees and in one case I can document they have handed down these hunting privileges to their grandchildren. If one happens to be a landowner in Cantwell, 20 miles south of my home of 30 years those residents can hunt legally in the Preserve, and I believe no long-term residency is required. (I am quite confident a recent addition to Cantwell moving from Missouri was legally hunting in the Preserve last fall.)
7. Just yesterday Denali Spokesperson Kris Fitser announced on APRN that they were going to begin marking the Preserve Boundary with large florescent markers and referenced my infraction as stimulus. However I

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continue to face federal charges for this incident, after having never faced more than a speeding ticket in my life.

8. Park Service will not tell my lawyer and I how far they think my moose was over the boundary, just the previous reference to "about 600 feet."

9. In the recent publication of my book, "Cold Hand Warm Heart," I dedicated a couple of chapters to the years I spent trapping and hunting during the late 70s in area that has since become Preserve. I have now been charged with crossing the boundary in this area by a distance clearly being measured in feet. (So small a distance they won't even tell me!)

10. I have also been notified by my attorney (Myron Angstman of Bethel) that we will not qualify for a jury trial. What's with that?

Sarah, just moments ago I received MORE sympathy cards from those who are appalled by these charges. I just opened a card from Leroy and Vicki Lausen who operate the garbage disposal system for our community; they say, "When we think of you Jeff, we think of a man of honesty and integrity, this card is not meant to be trite. In difficult times, the character of a man comes out."

Helicopters? Global Positioning Devices to find the boundary? DNA testing? Personal property surveillance of the fire chief and his family of 30 years? NPS deciding to mark the boundary and claiming it is brought to their attention by my charges, but not dropping the charges?

It is hard to be anything but disillusioned and disgusted by what to me is a gross misuse of power and assets on the part of the Park Service when they still need porta-potties at Polychrome. This concern pales in comparison to the personal insult to my integrity.

Please spend a few moments to familiarize yourself to this situation and if you agree with me I would appreciate your public support.

Sincerely, Jeff King

PS. An interesting perspective from the News Miner:

E-mail scarbrgh@ptialaska.net

Opinion Editorial April 18, 2008

Fairbanks Daily News Miner

Community Perspective

Front page news on April, 11 was Jeff King killing a moose inside of Denali National Park. It appears this moose was taken in accordance with Alaska Department of F&G regulations. However, the National Park Service (NPS) did not like the location of where it was taken. It appears the moose was harvested in the northeastern portion of the Park

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as expanded by the D2 Lands act of 1980 (ANILA). Section 202(3)(a) allows local residents to subsistence hunt where this use was traditional, all in accordance with title VIII. Here in lies the problem. Who is a local resident and who is a qualified subsistence user?

Decisions by the Alaska Supreme Court have found that all Alaskan Residents qualify for subsistence. The NPS does not recognize this and selects only rural individuals with a certain address, therefore setting up a discriminatory allocation system. Jeff does not have an acceptable address. You must live south of MP 239 or north of MP 300 on Parks Highway to have a acceptable address. No other state has such a discriminatory management system.

Hunting in the Rock Creek area has been a traditional use long before Statehood and ANILA.

It appears what we have here is a criminal trespass issue, not a hunting violation. Had Jeff's address been acceptable to the NPS none of this would be a problem.

Here is how it works. The fish and wildlife in ALL of Alaska, in accordance with the Alaska State Constitution, belongs to the residents of Alaska collectively. This includes all NPS lands. Because all residents of Alaska are subsistence users, they have an equal opportunity under State Law to subsistence hunt and fish. This has been confirmed by the Alaska Supreme Court.

The Federal Government does not agree with the Alaska Supreme Court and have set up their own set of rules using Title VIII and Federal Court decrees. The Fed's then select by address the group they determine are qualified rural Federal subsistence users. Jeff fails to qualify.

In addition the Fed's then proceeded to set up their own Fish and Game Board (Federal Subsistence Board) to allocate fish and wildlife (which they do not own) to this select group based on address.

Since 1980 no Governor has had the fortitude to challenge the constitutionality of this thievery or the discriminatory allocation system set up by the Federal Government. Gov. Knowles had a chance and he refused to carry the Constitutional challenge forward.

This Jeff King issue could be resolved rather quickly if Gov. Palin would challenge the constitutionality of the Federal subsistence system. The Court of first jurisdiction is the U. S. Supreme Court. The Court would have to hear the case.

We will have to wait and see if Gov. Palin is true to her word and really believes in Article 1 - Declaration of Rights, Section 1. Inherent Rights of the Alaska Constitution where in it states "The constitution is dedicated to the principles that all persons have a

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natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities, and protection under the law; and that all persons have corresponding obligations to the people and the State".

The other route is for Jeff, as his defense, is to challenge the constitutionality of the NPS actions. This may take 20 years and hundreds of thousands of dollars. A study of past Federal cases would indicate Jeff will lose all the way through the 9th Circuit Court. It would then be subject to possible selection by the U.S. Supreme Court. The State could ask to be allowed to join the case on behalf of Jeff. To date the State has not taken this action to support others who have challenged the Fed's.

Thomas N. Scarborough is a 40 year Alaskan and a civil engineer and land surveyor. He is an active advocate for managing Alaska's wildlife for abundance and in accordance with the sustained yield principle set forth in the Constitution.

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