

Trail saboteur avoids house arrest

Tina Kraal gets 3 years' probation, trail ban

Jane Seyd / North Shore News

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Surveillance camera catches a trail vandal in the act. See video below. photo supplied

A North Vancouver woman who spent over two years getting up at 4 a.m. to deliberately place large obstacles on local mountain biking trails has been handed a suspended sentence – meaning she will be left with a criminal record – and has been banned from all mountain biking and multi-use trails for three years.

Judge John Milne of the North Vancouver provincial court sentenced 65-year-old Tineke (Tina) Kraal Thursday after Kraal pleaded guilty in September to a charge of mischief “that renders property dangerous” for her actions in sabotaging a popular mountain biking trail on Mount Fromme between January 2013 and January 2015.

Milne also ordered Kraal to perform 150 hours of community work service as part of her three-year probation.

In handing down his decision, Milne noted Kraal appeared to lack of insight into the effect her actions had on others, calling that “troubling,” but added he accepted that her apology and remorse for her actions are genuine.

In court Thursday, Crown prosecutor Mark Myhre described how beginning in 2013, Kraal began laying logs and rocks across trails on Mount Fromme during early-morning hikes with her dogs, typically between 4 a.m. and 6 a.m.

Kraal is an avid hiker, and believed mountain bikers were wrecking the trails, said Myhre. She later told police she placed the obstacles because she wanted to “slow the mountain bikers down” and preserve the trails for hikers. At the time, Kraal told police she didn’t think the Skull Trail – where she placed the obstacles – was designated for use by mountain bikers. Kraal was wrong about that, he added.

On any given day, Kraal would place between 10 and 40 logs across the trails, said Myhre. Some of the logs were wedged into place, he said, some were raised several inches off the trails and some were placed at the bottom of steep drops.

One discovered by mountain bikers was placed around a corner at the bottom of a drop with a branch pointed back up the trail.

The obstacles made the trails unusable for mountain bikers, said Myhre.

“The only reasonable conclusion is she intended to dissuade mountain bikers from using that trail either through fear or frustration,” he said.

Kraal also showed a careless disregard “for potential harm to members of her own community,” said Myhre. “There was a real possibility of injury,” he said, that “could easily have been catastrophic.”

Fear that someone would be injured or mountain bikers would start to seek their own vigilante justice motivated two of the mountain bikers – Shaun Rivers and Gordon Berg – to set up secret surveillance cameras on the trails where the sabotage was happening, said Myhre.

Those cameras ended up capturing video of Kraal placing the objects on the trails in the early morning hours. The pair of mountain bikers eventually turned their evidence over to the North Vancouver RCMP in December of 2014. Police arrested Kraal as she exited the trailhead on Jan. 4, 2015.

Myhre asked the judge to consider a conditional sentence with a term of three months’ house arrest, noting Kraal knew what she was doing and persisted over an extremely long period of time. Myhre also asked for a three-year term of probation with 240 hours of community work service and a term forbidding her to go on mountain biking trails.

Kraal’s defence lawyer Martin Peters asked the judge for a conditional discharge – meaning Kraal would not have a criminal record – saying Kraal “had no intent to endanger anyone” and has already been shamed by publicity around the case. Peters said her arrest by police in the middle of the night and subsequent questioning by police was very frightening for her.

Comments by angry mountain bikers published on social media and online forums have also “terrified” Kraal, he said, adding one commentator urged others to “just kill her.”

House arrest isn’t necessary to deter Kraal further, he said. “Mrs. Kraal has already been publicly denounced.”

He said Kraal acknowledges that putting obstacles on the trails was the “most stupid, immature and naïve thing she has ever done.”

“She will never be before the court again, nor will she ever put a stick across the trail,” he said.

Noting nobody was seriously injured by the obstacles, he added she should be sentenced for what happened, not what could have happened.

Kraal spoke directly to the judge at the end of the sentencing hearing, telling him, "I'm really sorry. I never intended to hurt anyone. I'll never do it again."

Following the judge's decision, Rivers, one of the mountain bikers who took the secret surveillance of Kraal, said he thought the sentence was fit and should provide a solid deterrence for anyone considering similar actions.

Myhre said he was also content with the decision. "A thoughtful intelligent judge imposed the sentence he believed was appropriate."

Kraal declined to comment on the sentence.

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