

LAMORINDA WEEKLY

[Home](#) | [Read Online](#) | [Archive](#) | [Links](#) | [Advertising](#) | [Contact](#)

[printer friendly](#)

[download pdf](#)

Published November 26th, 2008

Charges Dropped Against Vocal Coach

By Cathy Tyson

It was the second time around for the People versus James Toland at the Martinez Courthouse this past week. Back in March charges of ten counts of lewd acts with a child and one count each of furnishing marijuana to a minor and attempting to destroy evidence were filed against vocal coach, James Toland. The alleged victims are three Campolindo students who took music lessons from Toland, 64. The courtroom was even more packed with viewers on the second day of the two-day Preliminary Hearing - some with maroon supporter ribbons and some without.

At the end of a long day of testimony Judge John Sugiyama ruled that counts one through ten, lewd acts with a child are dismissed, count twelve destruction of evidence was dismissed, and count eleven, providing marijuana to a minor will have to be heard by a different court.

Sugiyama indicated that it seemed clear the students had been touched, but he was unwilling to find that the touching was done with a sexual intent. Former students of Toland had testified that they had been touched in similar ways, and that this was done in order to properly position their pelvises for singing.

Charges were dropped at the original Preliminary Hearing because Sugiyama ruled evidence obtained by the original search warrant was inadmissible, due to "material misstatements by the detective with a reckless disregard for the truth." Deputy District Attorney Satish Jallipalli filed a Motion to dismiss the charges.

Captain Daniel Terry of the Contra Costa County Sheriff's Department said he, "still remains confident of the investigative work that has been done," and sees, "no credibility issues on our part."

"It's a time to heal, for the boys to heal and for the community to come together," said supporter Marion Johnson.

Reach the reporter at: cathy@lamorindaweekly.com

[Home](#) | [Read Online](#) | [Archive](#) | [Links](#) | [Advertising](#) | [Contact](#)

[back to top](#)

Copyright © Lamorinda Weekly, Moraga CA