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Public Forum

Editor's note:

☐ In March of 2008, music teacher James Toland was charged with several counts of committing lewd acts with a minor. The charges were dropped after a preliminary hearing when Contra Costa County Superior Court Judge John Sugiyama ruled that evidence obtained under a search warrant was inadmissible. Charges were re-filed and Toland was back in court in November, 2008. Sugiyama dismissed the charges, stating that he found no evidence of lewd intent. The prosecutor moved to have a second judge review the complaint (as allowed under California Penal Code.) Superior Court Judge John Laettner reviewed the preliminary hearing transcript and, during a hearing in Martinez on March 12, reversed Sugiyama's ruling and reinstated nine of the original ten charges, sending the case back to Sugiyama's courtroom. Toland has pleaded not guilty to all charges.

☐ This case has been very controversial and has generated much concern among local parents and students with differing perspectives. The opinions expressed below are those of the writers and not necessarily those of the Lamorinda Weekly.

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☐ The following letter was mailed to the following members of the Town Hall Theatre Board on May 11th. It was signed by 32 members of the Lamorinda community. To date, the signers have received no response.

☐ To the Board of Directors and the Advisory Board, Town Hall Theater Company of Lafayette: Dennis Erokan, Clyde Long, Sven Ryge, Bett Mickels Tokar, Richard Dent, III, Joe Faber, Amy Goodheart, Dave Pinkham, Lynn Carey Zampa, Ray Bland, Judy Carney, Ed Stokes, Ron Tarica, Jeff Witt

☐ Ladies and Gentlemen:

☐ We are writing to bring to your attention a sensitive matter involving the theater and the Lamorinda community. The theater calendar published online indicates a rental for a "Choir Concert" at 7 PM on Sunday, June 14th. We want to make certain that you are aware of the purpose of this "Choir Concert" and the ramifications of allowing this event to take place at the Theater. This event is actually a fundraiser to solicit donations to pay the fees of private attorneys to defend James Toland, a vocal coach who has been charged with molesting three Campolindo high school boys during private lessons at his home and who is scheduled to appear in court on May 19th to set a date for trial on those charges. Attached to this letter is a copy of an email notice/invitation to supporters of Mr. Toland describing the details of the planned event which is hailed as a "wonderful way to cap a wonderful weekend" and as a "tribute" to Mr. Toland. Debating Mr. Toland's guilt or innocence is not the purpose of this letter. That is, and always has

been, the purview of the court. What we wish to impress on you is how traumatic this process has been for the three boys and their families. No one who listened to their testimony in court could fail to have been moved by their sincerity and their obvious suffering. These boys did exactly what responsible adults teach their children to do when they feel they have been touched inappropriately. They took a great risk in talking about the alleged assaults and showed extreme courage in describing and demonstrating the precise nature of the touching in open court. These boys have faced open and thinly-veiled hostility from supporters of Mr. Toland in that courtroom, in their classrooms and in choir rehearsals and now they are going to be faced with this 'benefit concert'. Their own classmates will be performing, and their classmates' families will be there contributing money and time-shares to pay tribute to the man that is about to stand trial for molesting them. Surely you can understand why we believe it would be extremely inappropriate for your worthy organization to host such a divisive event. Your mission statement envisions a theater company "that serves the community in a socially and educationally responsible manner." Allowing this event to take place in the theater would be socially and educationally irresponsible. Clearly this "benefit concert" will only add to the trauma already suffered by the boys, their families, friends and other community members who love and support them. But what may be worse is the message that would be sent to young people in our community. Does a theater group that provides so many great programs for local youths really want to appear to be supporting someone charged with molesting young people in our community? We truly hope that you will reconsider your decision to rent the theater facility for this purpose. It is not in keeping with your mission or your valued role in the community. In view of your upcoming fundraising event, it seems particularly inappropriate to make the theater, which is largely supported by the Lafayette/Moraga community, available for such an emotionally charged event that has divided this community. We recognize that the supporters of Mr. Toland have every right to choose to donate to his legal defense. However, a community theater, designed to serve the community and be supported by the community, is not an appropriate venue for a fundraiser for someone about to stand trial for molesting members of that community.

Trish Bare and Gordy Erspamer, Mike and Julie Wirth, Kelley L. Yanes, The Clemens Family, Jim and Dana Dawson, Lisa and Michael Monroe, Sabrina Majzoub, Jamie and Brad Ertola, Cindy and Will Cogswell, Cheryl and Joe Cushing, Jeff and Eldeen Shields, Patricia & Gary O'Neill, Gayle & Mike Leksan, Phil and Marybeth Henningsen, Shivaun Wraith, Leslie and Murray Kalish, Emily and Peter Markavage, Barbara and Rick Graziano, The Tringale Family, Moraga, Linda Wu.

Reach the reporter at: info@lamorindaweekly.com

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