

ESTABLISHED 1865

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## Woman with live-in boyfriend keeps day care open during inquiry

BY STEPHANIE A. CROCKETT  
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NORFOLK — Darlene K. Davis can continue to operate her home-based day care until state licensing officials decide whether to renew her license.

Davis, 61, was told last month that as long as she had a live-in boyfriend, she was in danger of losing her license to operate Davis Day Care. Virginia Department of Social Services officials told her about the extension through a letter she received Friday.

Davis is happy about the extension and no longer worried about losing her license. Her boyfriend, Cary L. Cohen, still

lives in her home, and they have no plans to get married.

"I haven't done anything to have my license taken from me," Davis said.

"All of my parents are behind me, all of my friends, and I just don't think they have the right to take away my license just because I live with someone."

The American Civil Liberties Union of Virginia has shown its support for Davis, who has been a day-care provider for 30 years.

The ACLU warned Social Services officials last month that they could be infringing on Davis' constitutional rights.



MARK P. MITCHELL/THE VIRGINIAN-PILOT FILE PHOTO

**Darlene K. Davis was told that as long as she lived with her boyfriend, Cary L. Cohen, she could lose her day-care license.**

The American Association for Single People, based in California, also warned Social Services of constitutional violations. The nonprofit sent a letter citing a 1979 Virginia Supreme Court decision which states "unmarried cohabitation should not preclude an otherwise competent and honest person from obtaining a professional license in Virginia."

Davis is a member of the nonpartisan group, which protects the human rights of single individuals, couples, parents and families.

Davis and Cohen, 63, have been living together for 17 years at her home on Crafford

Street in the Bromley neighborhood. Davis, a widow, does not want to get married because she will lose her military health benefits.

The state is continuing its investigation to determine whether Davis' living situation with Cohen violates a 1877 state law that prohibits unmarried couples to live together.

"I believe that the right thing will be done," Davis said. "I guess we'll just have to wait and see."

■ Reach Stephanie A. Crockett at 446-2949 or [scrocket@pilotonline.com](mailto:scrocket@pilotonline.com)