## Exhibit A

### IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

Disability Rights Tennessee,	)
Plaintiff,	)
v.	) No
	)
Middle Tennessee Juvenile	)
Detention Center LLC; Jason Crews,	
in his capacity as the Executive Director	)
of Middle Tennessee Juvenile	
Detention Center;	
Hollis Residential Treatment Center;	
Wayne Halfway House, INC	
• ,	)
Defendants.	)

## **Declaration of DRT Investigator Eric Allman**

- I, Eric Allman, declare, under the penalty of perjury, that the following is true and correct.
  - 1. I am over eighteen and competent to competent to testify.
  - 2. I am an employee of Disability Rights Tennessee and have been throughout the duration of incidents involved in this case.
  - 3. I have been an employee of DRT for one year.
  - As an investigator for DRT, I traveled to the Middle Tennessee Detention Center in Maury County, TN on March 15 and 16<sup>th</sup> to monitor the facility.
  - 5. During that monitoring I interviewed numerous juveniles detained there. Several of them stated that the juvenile that was housed in room 168 had been in that cell for nearly a month and that he had been chemically sprayed.

- 6. I was able to speak with the juvenile in room 168, S.H., and he confirmed that he had barely been out of his room in a month and that he had been chemically sprayed for flooding the room.
- 7. He also disclosed that he takes medication for ADHD but that he had not been given his medication since he came to MTJDC.
- 8. On that visit, I also met with E.H., who disclosed that he has a developmental disability and that he had been improperly chemically sprayed while at MTJDC.
- 9. On May 31, 2023, I traveled with fellow DRT Investigator Brittany Beasley to MTJDC to view footage of E.H. and C. P. being chemically sprayed while they were residents at MTJDC. We had brought a USB to save the video footage of both incidents, but were told by Attorney Matt Sexton that his client had directed him to not let DRT copy the footage, only observe it.
- 10. On, March 3, 2023, I was monitoring Mountain View Academy and a resident there, M.C., stated that he had been at MTJDC prior to his transfer to Mountain View, and that while he was there he was chemically sprayed because his roommate broke a fire sprinkler in their room.

Further the declarant sayeth not.

I declare under penalty of perjury, that the foregoing is true and correct.

Executed this 18th day of 2023 in Knoxville, Tennessee

Eric Allman

## Exhibit B

From: <u>Jeremiah Jones</u>

To: <a href="mailto:">"hrodgers@mtjdc.net"; "Matt Sexton"; "tirwin@waynehalfway.com"</a>

Cc: April Mancino-Rosete

Subject: RE: Preservation of Records and Video Date: Friday, March 17, 2023 4:19:00 PM

In addition to E H s and C P , we are requesting that the materials pertaining to Si B DOB DOB , be preserved as well. We are requesting that all records, logs, and videos be preserved. It is my understanding that he has been housed in the observation room which is equipped with video surveillance.

Thank you so much and have a great weekend.

From: Jeremiah Jones

Sent: Friday, March 17, 2023 12:52 PM

To: hrodgers@mtjdc.net; Matt Sexton <msexton@waynehalfway.com>; tirwin@waynehalfway.com

Cc: April Mancino-Rosete <aprilm@disabilityrightstn.org>

**Subject:** Preservation of Records and Video

I know we had discussed and agreed to this yesterday, I wanted to put this request in writing.

DRT is requesting Middle Tennessee Juvenile Detention Center preserve any and all materials, including any video footage, related to the incidents in which C was chemically sprayed within the last week, (believe date was March 13<sup>th</sup>), as well as the incident in which E was chemically sprayed within the last 30 days, juvenile could not remember exact date.

Thank you so much for your cooperation and it was great to meet you Helen and Tom, and good to see you again Matt.

Take care and I hope you all have a great weekend!

Jeremiah Jones Child and Youth Advocate Attorney 615-298-1080 | fax 615.298.2046 Cell- 303-378-9678 2 International Plaza, Suite 825 Nashville, TN 37217

www.disabilityrightstn.org |

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Disability Rights | Tennessee

DRT provides services to people with disabilities across the state with numerous issues, including employment discrimination, safety in schools, abuse and neglect, and access to community resources...

## Exhibit C

 From:
 Helen Rodgers

 To:
 Eric Allman

 Cc:
 Matt Sexton

 Subject:
 RE: [EXTERNAL]
 Image: Part of the pa

Attachments: <u>image002.png</u>

image003.png

Hi Eric,

I think this question may be most appropriately posed to the Department since they would have legal custody of the youth. However, if you think the information is best provided by us please just let me know your reasoning and I'll evaluate.

Thanks! Helen

?

#### **Helen Rodgers**

Executive Director of Policy, Quality Assurance, and Improvement

Wayne Halfway House, Inc.

423-645-0685-cell

hrodgers@waynehalfway.com

From: Eric Allman <erica@disabilityrightstn.org>

Sent: Thursday, May 4, 2023 9:16 AM

**To:** Helen Rodgers <a href="mailto:hrodgers@waynehalfway.com">hrodgers@waynehalfway.com</a>

Subject: [EXTERNAL] S H

Good morning, Helen,

When we were last out at MTJDC I spoke with a young man, Si He gave me a DOB of and contact information for his mother, and the number he gave me for her was a that was apparently a wrong number. Would it be possible to get parental contact information for him?

#### Eric Allman

Investigator/Advocate C&Y Program

erica@disabilityrightstn.org

Voice: 629-702-7732 | Fax: 615.298.2046 | 9050 Executive Park Drive Suite 101-B

Knoxville, TN 37923

Get Help: www.DisabilityRightsTN.org OR 1-800-342-1660

This communication contains in confidential and/or privileged. Tindividual(s) or entity(s) named please destroy this corresponder use of the contents of this informerror, please immediately notify	The information is intended to as recipients above. If you are note and be aware that any dis- nation is prohibited. If you re	be be for the use of the re not the intended recipient, sclosure, copying, distribution or
It is personal preference wheth	ner you have your cell phone lis	sted

## Exhibit D

From: Sherry Wilds

To: <u>Helen Rodgers</u>; <u>Helen Rodgers</u>
Cc: <u>"msexton@waynehalfway.com"</u>

**Subject:** Records including video still needed from MTJDC and Hollis

**Date:** Thursday, June 15, 2023 12:54:00 PM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png

#### Hello Helen,

I hope you both are doing well. I am following up on some records and videos still outstanding that DRT needs and is entitled to receive and/or copy for current investigations of complaints to our agency. Please respond to these requests within 3 business days of this email. Here is the list:

- 1. E MTJDC-we need a copy of the video we viewed when we went to the MTJDC. If you unwilling to send DRT a copy, please let us know when we can come back to the facility to make a copy of the video ourselves.
- 2. C P MTJDC--we need a copy sent or an opportunity to copy the video we previously requested and viewed and the incident reports that were not in the records you sent.
- 3. M Hollis-still need incident reports. We also need a copy of the updated handbook.
- 4. See Head (sic?)-Please provide name, correct DOB, and parent contact information as well as any correction to spelling that may occur. We are requesting that you make a good faith effort to help us locate this information.

In addition to the statutes I sent you yesterday, below is some language from cases that are applicable.

"We find persuasive the agencies' view that Congress intended a P & A system to be able to obtain the names and contact information for the parents or guardians of students at the Academy. By conditioning access on the consent of an individual or, if the individual cannot consent, his or her legal guardian or representative, the Acts require that P & A systems contact the guardians of individuals with disabilities or mental illness if they have the requisite prior cause to believe that abuse or neglect is occurring at the facility." Connecticut Off. of Prot. & Advoc. For Persons With Disabilities v. Hartford Bd. of Educ., 464 F.3d 229, 244–45 (2d Cir. 2006)

"However, the foregoing authority establishes that a P & A shall have access to records if it receives a complaint or has probable cause in order for certain information to be made available to a P & A. Plaintiff is thus entitled to obtain the names and addresses of legal guardians, conservators, and legal representatives from Defendants so that it may conduct its investigation." Hawaii Disability Rts. Ctr. v. Cheung, No. 06-00605 DAELEK, 2007 WL 2106584, at \*5 (D. Haw. July 13, 2007)

Thank you.

Sherry

Sherry A. Wilds, Assistant Legal Director and Director of Pro Bono Services & Legal Interns/voice 615.298.1080 ext. 141/ fax 615.298.2046
2 International Plaza, Suite 825 Nashville, TN 37217





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## Exhibit E

### IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

Disability Rights Tennessee,	)	
Plaintiff,	)	
v.	) No	
	) )	
Middle Tennessee Juvenile	)	
Detention Center LLC; Jason Crews,		
in his capacity as the Executive Director	)	
of Middle Tennessee Juvenile		
<b>Detention Center</b> ;		
Hollis Residential Treatment Center;		
Wayne Halfway House, INC	)	
Defendants.	<i>)</i> )	

## **Declaration of DRT Attorney Sherry Wilds**

- I, Sherry Wilds, declare, under the penalty of perjury, that the following is true and correct.
  - 1. I am over eighteen and competent to competent to testify.
  - 2. I am an employee of Disability Rights Tennessee and have been throughout the duration of incidents involved in this case.
  - 3. I have been an employee of DRT for over 17 years.
  - 4. On June 30<sup>th</sup>, 2023, I had a conversation on the phone with Attorney Matt Sexton concerning DRT's access authority and why MTJDC has to provide DRT with resident's names, their dates of birth, and the contact information of the resident's guardians even if DRT does not know the correct spelling of the resident's name.
  - 5. Attorney Matt Sexton told me he would get back to me by July 7<sup>th</sup>, 2023 regarding this issue.

 Attorney Matt Sexton has never responded or given me the information I had requested in our conversation and in my email dated June 15<sup>th</sup>, 2023 to both Matt Sexton and Helen Rodgers.

Further the declarant sayeth not.

I declare under penalty of perjury, that the foregoing is true and correct.

Executed this 18th day of 2023 in Nashville, Tennessee

Show a Wills

Sherry Wilds

## Exhibit F



800.342.1660 | www.disabilityrightstn.org | gethelp@disabilityrightstn.org

Middle Tennessee Regional Office Administration & Legal Department 2 International Plaza, Suite 825 Nashville, TN 37217 615.298.1080 phone 615.298.2046 fax

March 23, 2023

Helen Rodgers Middle Tennessee Juvenile Detention Center Emailed: hrodgers@wavnehalfwav.com

RE: P (DOB:

### Dear Helen Rodgers

Disability Rights Tennessee (DRT) is the protection and advocacy system (P&A) for the state of Tennessee. As the federally mandated P&A we have broad authority to advocate for the rights of individuals with disabilities in this state, to monitor certain facilities, and to investigate allegations of abuse and neglect when such incidents are reported to us or when we determine that there is probable cause to suspect that abuse or neglect may have occurred. The federal protection and advocacy statutes and regulations authorize DRT to obtain a broad array of records and information related to incidents involving individuals with disabilities. See 42 U.S.C. § 15043; 45 C.F.R. § 1326.25(a)(2); 42 U.S.C. § 10805; 42 C.F.R. § 51.41(b)(2); and 42 U.S.C. § 794e.

Pursuant to this mandate, Disability Rights Tennessee is investigating a complaint on behalf of C At this time, we request copies of the following records held by Middle Tennessee Juvenile Detention Center for C

Records for current admission All records including but not limited to:

- Documentation of communication with parent and DCS Case worker
- All incident reports.
- Grievances filed with responses.
- Point Sheet
- 15 min checks
- Documentation of any reports to staff by client regarding concerns with care and/or peers
- Most recent Video of Chemical Spray incident
- All Medical records obtained and held by the facility
- Medication Log

#### **Facility Policies**

- Resident Handbook
- Grievance process
- Incident reporting
- Level system



800.342.1660 | www.disabilityrightstn.org | gethelp@disabilityrightstn.org

Middle Tennessee Regional Office Administration & Legal Department 2 International Plaza, Suite 825 Nashville, TN 37217 615.298.1080 phone 615.298.2046 fax

Enclosed you will find a signed Release of Information form for your files. Please provide these documents to me by **March 27,2023**. Electronic files may be sent to <a href="mailto:brittanyb@disabilityrightstn.org">brittanyb@disabilityrightstn.org</a>. Should you have any questions or concerns regarding this request, please contact me at your earliest convenience. I can be reached at 615-732-6965 or by email at the address above.

Sincerely,

Brittany Beasley, Investigator/Advocate

Disability Rights TN

Bucket Say to Basey

## Exhibit G

From: Helen Rodgers

To: Brittany Beasley; Helen Rodgers
Cc: April Mancino-Rosete; Matt Sexton
Subject: RE: [EXTERNAL] C. Phill Records Request

**Date:** Friday, April 28, 2023 9:58:51 AM

Attachments: image002.png

image003.png

You asked for records to be provided yesterday, when reviewing your ROIs there was a discrepancy in signature with no explanation beyond "here are the updated ROIs". When the discrepancy was noted, I reached out as such records have not been prepared yet. I will be reviewing over the weekend as my day today is full and then producing.

Thanks, Helen



#### **Helen Rodgers**

Executive Director of Policy, Quality Assurance, and Improvement

Wayne Halfway House, Inc.

423-645-0685-cell

hrodgers@waynehalfway.com

From: Brittany Beasley <bri>disabilityrightstn.org>

**Sent:** Friday, April 28, 2023 8:56 AM

To: Helen Rodgers <a href="mailto:hrodgers@mtjdc.net">hrodgers@mtjdc.net</a>

**Cc:** April Mancino-Rosete <aprilm@disabilityrightstn.org>; Matt Sexton

<msexton@waynehalfway.com>

Subject: RE: [EXTERNAL] C. Phelps Records Request

Is there a reason they can't be provided today? Since it is outside of the 3day time frame?

### **Brittany Farrington-Beasley**

Investigator/Advocate

BrittanyB@DisabilityRightsTN.org<sup>1</sup>

Voice: 615.732.6965 ext.110 | Fax: 615.298.2046

2 International Plaza, Suite 825 Nasvhille, TN 37217

Get Help: www.DisabilityRightsTN.org OR 1-800-342-1660



From: Helen Rodgers < hrodgers@mtjdc.net > Sent: Thursday, April 27, 2023 7:49 PM

**To:** Brittany Beasley < brittanyb@disabilityrightstn.org>

Cc: April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a> ; Matt Sexton
<msexton@waynehalfway.com></msexton@waynehalfway.com>
Subject: RE: [EXTERNAL] C. P
Thank you.
It will likely be Monday before those specific records are produced.
Helen
Helen Rodgers
423-645-0685-cell
hrodgers@mtjdc.net
From: Brittany Beasley < <a href="mailto:brittanyb@disabilityrightstn.org">brittanyb@disabilityrightstn.org</a> Sent: Thursday, April 27, 2023 7:24 PM
<b>To:</b> Helen Rodgers < <a href="mailto:hrodgers@mtjdc.net">hrodgers@mtjdc.net</a> >
Cc: April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a> ; Matt Sexton
< <u>msexton@waynehalfway.com</u> >
Subject: Re: [EXTERNAL] C. Page Records Request
Helen, My apologies for any confusion my follow up email may have caused you. The last email with the attachment and the words "Updated ROI's" would be the one you should rely on. Those ROI's are signed by his mother, Ms. If you need any additional information regarding the youth that you may not have in his file just let me know.
Get <u>Outlook for iOS</u>
From: Helen Rodgers < hrodgers@mtjdc.net >
<b>Sent:</b> Thursday, April 27, 2023 7:15:22 PM
To: Brittany Beasley < brittanyb@disabilityrightstn.org>
Cc: April Mancino-Rosete <a prilm@disabilityrightstn.org="">; Matt Sexton</a>
<a href="mailto://www.nehalfway.com">msexton@waynehalfway.com"&gt;msexton@waynehalfway.com</a>
Subject: RE: [EXTERNAL] C. Parent Records Request
Brittany,
In reviewing the ROIs attached your email, they are signed by different individuals. One is signed by Ms. Part and one is signed by Ms. Part Each release notates the signatory as a parent or guardian. Can you please explain the relationship between Ms. Part and Ms. Part and Ms.

Thanks, Helen

Helen Rodgers 423-645-0685-cell hrodgers@mtjdc.net

**From:** Brittany Beasley < brittanyb@disabilityrightstn.org>

**Sent:** Thursday, April 20, 2023 11:36 AM

To: Helen Rodgers <a href="mailto:hrodgers@waynehalfway.com">hrodgers@waynehalfway.com</a>
Cc: April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a>
Subject: FW: [EXTERNAL] C. P

Here are the updated ROIs.

### **Brittany Farrington-Beasley**

Investigator/Advocate

BrittanyB@DisabilityRightsTN.org<sup>1</sup>

Voice: 615.732.6965 ext.110 | Fax: 615.298.2046

2 International Plaza, Suite 825 Nasvhille, TN 37217

Get Help: www.DisabilityRightsTN.org OR 1-800-342-1660



From: Brittany Beasley

Sent: Thursday, April 20, 2023 10:48 AM

To: Helen Rodgers <a href="mailto:hrodgers@waynehalfway.com">hrodgers@waynehalfway.com</a>
Cc: April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a>
Subject: RE: [EXTERNAL] C. Parent Records Request

I am following up on the status on these records. Can you provide a timeframe on when they will be sent since our time frame was noy honored?

### **Brittany Farrington-Beasley**

Investigator/Advocate

BrittanyB@DisabilityRightsTN.org<sup>1</sup>

Voice: 615.732.6965 ext.110 | Fax: 615.298.2046

2 International Plaza, Suite 825 Nasvhille, TN 37217

Get Help: www.DisabilityRightsTN.org OR 1-800-342-1660



**From:** Helen Rodgers < hrodgers@waynehalfway.com>

Sent: Thursday, March 23, 2023 10:08 AM

**To:** Brittany Beasley < brittanyb@disabilityrightstn.org>

**Cc:** April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a>; Matt Sexton <msexton@waynehalfway.com>; Tom Irwin <tirwin@waynehalfway.com>

**Subject:** RE: [EXTERNAL] C. P Records Request

Hi Brittany,

This has been received. Please note records will not be produced by the 27<sup>th</sup> as I have a prescheduled vacation which begins this afternoon. We'll produce as soon as we're able.

Thanks. Helen



### **Helen Rodgers**

Executive Director of Policy, Quality Assurance, and Improvement

Wayne Halfway House, Inc.

423-645-0685-cell

hrodgers@waynehalfway.com

**From:** Brittany Beasley < brittanyb@disabilityrightstn.org >

**Sent:** Thursday, March 23, 2023 6:09 AM

**To:** Helen Rodgers < <a href="mailto:hrodgers@waynehalfway.com">hrodgers@waynehalfway.com</a>> **Cc:** April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a>

**Subject:** [EXTERNAL] C. P Records Request

Good Morning,

All ROI's have been attached if you have any Please accept this records request for C questions feel free to contact me via email or phone at the number below.

### **Brittany Farrington-Beasley**

Investigator/Advocate

BrittanyB@DisabilityRightsTN.org<sup>1</sup>

Voice: 615.732.6965 ext.110 | Fax: 615.298.2046

2 International Plaza, Suite 825 Nasvhille, TN 37217

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## Exhibit H

### IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

Disability Rights Tennessee,	)	
Plaintiff,	)	
v.	) ) No	
	)	
Middle Tennessee Juvenile	)	
Detention Center LLC; Jason Crews,	)	
in his capacity as the Executive Director	)	
of Middle Tennessee Juvenile	)	
<b>Detention Center</b> ;	)	
Hollis Residential Treatment Center;		
Wayne Halfway House, INC	)	
	)	
Defendants.	)	

### **Declaration of DRT Investigator Brittany Beasley**

- I, Brittany Beasley, declare, under the penalty of perjury, that the following is true and correct.
  - 1. I am over eighteen and competent to competent to testify.
  - 2. I am an employee of Disability Rights Tennessee and have been throughout the duration of incidents involved in this case.
  - 3. I have been an employee of DRT for one year.
  - 4. As an investigator for DRT, I traveled to the Middle Tennessee Detention Center in Maury County, TN on March 15 and 16<sup>th</sup> to monitor the facility and to monitor the Hollis Residential Treatment Center.
  - 5. During that monitoring I interviewed numerous juveniles detained there.
  - 6. A week prior to the monitoring DRT had received a complaint regarding C.P. from his grandmother and when I met with him, he disclosed that he had been chemically sprayed

for breaking a television and that he was not receiving treatment for his bi-polar diagnosis.

7. I also interviewed female juveniles housed at the Hollis Residential Treatment Center on that visit.

8. I interviewed M.W. who disclosed that she had been chemically restrained by staff and that it got on her clothes, which burned her, so she took off her clothes, and was chemically restrained again while naked.

9. On May 31, 2023, I traveled with fellow DRT Investigator Eric Allman to MTJDC to view footage of E.H. and C. P. being chemically sprayed while they were residents at MTJDC. We had brought a USB to save the video footage of both incidents but were told by Attorney Matt Sexton that his client had directed him to not let DRT copy the footage, only observe it.

Further the declarant sayeth not.

I declare under penalty of perjury, that the foregoing is true and correct.

Executed this 18th day of 2023 in Nashville, Tennessee

Buch Tay tu Base

**Brittany Beasley** 

## Exhibit I



800.342.1660 | www.disabilityrightstn.org | gethelp@disabilityrightstn.org

Middle Tennessee Regional Office Administration & Legal Department 2 International Plaza, Suite 825 Nashville, TN 37217 615.298.1080 phone 615.298.2046 fax

April 21, 2023

Helen Rodgers Middle Tennessee Juvenile Detention Center Emailed: hrodgers@wavnehalfwav.com

RE: E

Dear Helen Rodgers

Disability Rights Tennessee (DRT) is the protection and advocacy system (P&A) for the state of Tennessee. As the federally mandated P&A we have broad authority to advocate for the rights of individuals with disabilities in this state, to monitor certain facilities, and to investigate allegations of abuse and neglect when such incidents are reported to us or when we determine that there is probable cause to suspect that abuse or neglect may have occurred. The federal protection and advocacy statutes and regulations authorize DRT to obtain a broad array of records and information related to incidents involving individuals with disabilities. See 42 U.S.C. § 15043; 45 C.F.R. § 1326.25(a)(2); 42 U.S.C. § 10805; 42 C.F.R. § 51.41(b)(2); and 42 U.S.C. § 794e.

Pursuant to this mandate, Disability Rights Tennessee is investigating a complaint on behalf of E At this time, we request copies of the following records held by Middle Tennessee Juvenile Detention Center for E

Records for current admission All records including but not limited to:

- Documentation of communication with parent and DCS Case worker
- All incident reports.
- Grievances filed with responses.
- Point Sheet
- 15 min checks
- Documentation of any reports to staff by client regarding concerns with care and/or peers
- Most recent Video of Chemical Spray incident
- All Medical records obtained and held by the facility
- **Medication Log**

#### **Facility Policies**

- Resident Handbook
- Grievance process
- Incident reporting
- Level system



800.342.1660 | www.disabilityrightstn.org | gethelp@disabilityrightstn.org

Middle Tennessee Regional Office Administration & Legal Department 2 International Plaza, Suite 825 Nashville, TN 37217 615.298.1080 phone 615.298.2046 fax

Enclosed you will find a signed Release of Information form for your files. Please provide these documents to me by **April 27,2023** Electronic files may be sent to <a href="mailto:brittanyb@disabilityrightstn.org">brittanyb@disabilityrightstn.org</a>. Should you have any questions or concerns regarding this request, please contact me at your earliest convenience. I can be reached at 615-732-6965 or by email at the address above.

Sincerely,

Brittany Beasley, Investigator/Advocate

Disability Rights TN

Bucket Say to Basey

## Exhibit J

Re: Secure: H Records

From: brittanyb@disabilityrightstn.org

To: hrodgers@mtjdc.net

Sent: May 2, 2023 5:10:17 PM, GMT+00:00

i am looking at my schedule. I will get back with you before the end of the week, hopefully tomorrow with a time frame.

From:hrodgers@mtjdc.net Fri, Apr 28 2023 16:23:01 EDT To:Brittany Beasley <br/>
sprittanyb@disabilityrightstn.org>
Brittany,

Please see attached for the records requested on H We can arrange a time for you to view the requested video. I believe you stated you live in the Clarksville area and we have a facility in Nashville where we can make the video available for viewing since that will be closer for you than Columbia. Please let me know if you have any questions.

Please confirm receipt of this email.

Thanks,

Helen

### **Helen Rodgers**

423-645-0685-cell

hrodgers@mtjdc.net

## Exhibit K

From: hrodgers@mtjdc.net To: **Brittany Beasley** Cc: Matt Sexton

Subject: Secure: Phelps and Hayes

Date: Monday, May 15, 2023 4:59:41 PM

**Attachments:** 

S Characteristics Records.pdf
MTJDC 2.21.23.pdf
MTJDC 4.14.23.pdf
MTJJDC 4.14.23.pdf

Brittany,

Please see attached for requested records.

Helen

Helen Rodgers 423-645-0685-cell hrodgers@mtjdc.net

# Exhibit L



800.342.1660 | www.disabilityrightstn.org | gethelp@disabilityrightstn.org

Middle Tennessee Regional Office Administration & Legal Department 2 International Plaza, Suite 825 Nashville, TN 37217 615.298.1080 phone 615.298.2046 fax

May 11, 2023

Helen Rodgers Hollis Academy

Emailed: <a href="mailed:">hrodgers@waynehalfway.com</a>

RE: M

Dear Helen Rodgers

Disability Rights Tennessee (DRT) is the protection and advocacy system (P&A) for the state of Tennessee. As the federally mandated P&A we have broad authority to advocate for the rights of individuals with disabilities in this state, to monitor certain facilities, and to investigate allegations of abuse and neglect when such incidents are reported to us or when we determine that there is probable cause to suspect that abuse or neglect may have occurred. The federal protection and advocacy statutes and regulations authorize DRT to obtain a broad array of records and information related to incidents involving individuals with disabilities. See 42 U.S.C. § 15043; 45 C.F.R. § 1326.25(a)(2); 42 U.S.C. § 10805; 42 C.F.R. § 51.41(b)(2); and 42 U.S.C. § 794e.

Pursuant to this mandate, Disability Rights Tennessee is investigating a complaint on behalf of **Manager**. At this time, we request copies of the following records held by **Wayne Halfway House/Hollis Residential Treatment Center** for **Manager**:

Records for current admission All records including but not limited to:

- Documentation of communication with parent and DCS Case worker
- All incident reports.
- Grievances filed with responses.
- Point Sheet
- 15 min checks
- Documentation of any reports to staff by client regarding concerns with care and/or peers
- Most recent Video of Chemical Spray incident
- All Medical records obtained and held by the facility
- Medication Log

#### **Facility Policies**

- Resident Handbook
- Grievance process
- Incident reporting
- Level system



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Middle Tennessee Regional Office Administration & Legal Department 2 International Plaza, Suite 825 Nashville, TN 37217 615.298.1080 phone 615.298.2046 fax

Enclosed you will find a signed Release of Information form for your files. Please provide these documents to me by **May 16,2023** Electronic files may be sent to <a href="mailto:brittanyb@disabilityrightstn.org">brittanyb@disabilityrightstn.org</a>. Should you have any questions or concerns regarding this request, please contact me at your earliest convenience. I can be reached at 615-732-6965 or by email at the address above.

Sincerely,

Brittany Beasley, Investigator/Advocate

Disability Rights TN

Bucket Say to Basey

# Exhibit M



### Master Control

Fri 9/16/2022 8:27 PM

To:brandon.bell@tn.gov <brandon.bell@tn.gov>;

Cc.Brandy Crumley <bcrumley@waynehalfway.com>; Constance Gilbreath <cgilbreath@mtjdc.net>; Tonya Webb <twebb@mtjdc.net>; Erica Ivey <eivey@waynehalfway.com>;

This email is to inform you that the above resident was physically restrained due to disruptive behavior such as threatening staff, refusing to go up when asked to and being combative with staff when asked to go to her room. Legal guardian was notified via phone. Nurse notified, no further medical attention needed.

Middle Tennessee Juvenile Detention Center 1272 Lawson White Drive Mailing Address: PMB #H - 1116 W. 7th Street Columbia, Tennessee 38401

Phone- 931-490-0030 x- 931-490-0036

Hours of operation- 24/7



Tennessee Department of Children's Services

# Health Services Confirmation and Follow-Up Notification

Youth Information (to be completed by DCS)

TFACTS Person ID: FSW Name:		- X		Date of Birth:	9/18/06
FSW Name:					
				FSW Phone:	
	on for Visit:  s, Coughing and vision  cally Sp  vrout 15 h  1510m 15	rand le Her-pa	days a	Healthcare Provi	B/R 100/10 B/R 100/10 DZ 97/1. Q 99 20/30 (R)
Follow-up appointmer is the service today an Return to clinic (date/t Referrals made:	nt needed: n ongoing service?	Yes No	Reason: If y	es, frequency of vis	its?
Healthcare Provider	Details		5	Y-1	
	nmuinity Quick Care	2			
	8-A Murfreesboro R				
City, State, Zip: Lav	ergne, Tn 37086		N L		
Telephone Number:	931-490-0030	11			
Date of Service: 1	0/4/22			Would like a conta	act from DCS? Yes 🕉 No
Healthcare Provider N	lame (Print)	helph	FHP		Date: 10 4127

Check the "Forms" Webpage for the current version and disregard previous versions. This form may not be altered without prior approval.

Distribution: SAT Coordinator, Child/Youth's Case File, Health Record

RDA 10116

CS- 0689 Rev 10/21





# SICK CALL SHEET

MTJDC \_\_\_\_\_ HRTC \_\_\_\_

NAME  $\omega$ ,  $m_{c}$ 

DATE 9-28-22 TIME 10:35pm
SUBJECTIVE - What illness or injury does the resident need to have checked by the
she sard he ursian is blurge. I day
OBJECTIVE - B/P P R T
Allergies
Medications Resident Takes On A Regular Basis
Nurse's Notes
Assessment Eye tritation
PLAN Refresson 1 gt on bod x 7 days
PHYSICIAN DATE 10 4 22 TIME





# SICK CALL SHEET

MTJDC \_\_\_\_\_ HRTC \_\_\_\_

	NAME M	4			-	
	DATE 9-29.	2022	TIME_	3:070,M.		
SUBJECTIVE -	- What illness or in	jury doe:	s the resid	lent need to h	ave checked by t	.he
nurse? How long	has this been a he	alth probl	em?			
STATIS SAZ	is having from	SIC SICA	e Comple	my of there	Autique.	
						_
UBJECTIVE - E	B/P P	_R	_т	_		
Allergies						
Medications Resi	ident Takes On A R	egular Ba	sis			
						_
						_
Nurse's Notes						
						_
ASSESSMENT	01000			1		
	Chemica	Spr	ay Ke	eaction		_
PLAN NO	1// 1/2 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	0	t. 1 c			
100	155 wes & con			Jac		_
RN	10 175W/J-C G	orl thr		oul.	TIME	
PHYSICIAN	Leigh Wallow	)	DATE	10/4/20	TIME	





# SICK CALL SHEET

MTJDC \_\_\_\_\_ HRTC \_\_\_\_

	DATE 9-30-2022	TIME	7:34 P.M.	
Subjective	- What illness or inju	ry does the res	ident need to hav	e checked by the
nurse? How Ion	ig has this been a healt	h problem?		
Compliance	wheat a brite b	ruise on	her left side	lower hip
,				· ·
			ir Fortherioli	
OBJECTIVE -	- B/PP	RT		
Allergies				
Medications Re	sident Takes On A Reg	ular Basis		
Nurse's Notes				
ASSESSMENT	Ты			
	Griss		of of add and other a	
P <sub>LAN</sub>	No F/n her	ded		
	344			
RN		DATE		TIME
PHYSICIAN _	eigh Halpy	DATE 1	25/4/22	TIME

# Exhibit N

From: Linda Nieles
To: April Mancino-Rosete
Cc: Linda Nieles

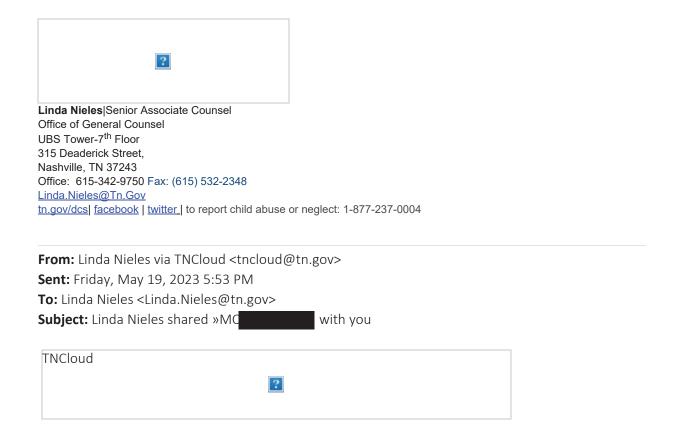
**Subject:** FW: Linda Nieles shared »MC with you

**Date:** Friday, May 19, 2023 6:58:56 PM

Attachments: <u>image001.png</u>

Ms. Mancino-Rosete, Below you will find a link to the documents in our possession we believe are responsive to your request for records for the above referenced youth. The password to access the documents is his full first and last name, no caps or spaces.

I want to point out that it was not until I inquired about an IEP that it was discovered he had one in the past, so he does not have a current IEP. Steps are being taken to expeditiously remedy the oversight. I am not sure how helpful it is to you, but I have included the last IEP we were able to locate for this youth. As soon as I am provided a copy of his updated IEP I will forward it to you.



Hey there,

just letting you know that Linda Nieles shared MC

with you.

View it!

The share will expire on June 18, 2023.

Cheers!

-
TNCloud 
https://tncloud.tn.gov/owncloud/

# Exhibit O



800.342.1660 | www.disabilityrightstn.org | gethelp@disabilityrightstn.org

Middle Tennessee Regional Office Administration & Legal Department 2 International Plaza, Suite 825 Nashville, TN 37217 615.298.1080 phone 615.298.2046 fax

May 23, 2023

Helen Rodgers
Middle Tennessee Juvenile

Middle Tennessee Juvenile Detention Center

Emailed: <a href="mailed:hrodgers@mtjdc.net">hrodgers@mtjdc.net</a>

RE: M

Dear Helen Rodgers

Disability Rights Tennessee (DRT) is the protection and advocacy system (P&A) for the state of Tennessee. As the federally mandated P&A we have broad authority to advocate for the rights of individuals with disabilities in this state, to monitor certain facilities, and to investigate allegations of abuse and neglect when such incidents are reported to us or when we determine that there is probable cause to suspect that abuse or neglect may have occurred. The federal protection and advocacy statutes and regulations authorize DRT to obtain a broad array of records and information related to incidents involving individuals with disabilities. When there is probable cause to believe the health or safety of an individual is in serious and immediate jeopardy, consent for release of such records to DRT is not required where the individual has a conservator or guardian; DRT has made a good faith effort to contact the conservator/guardian and resolve the situation; and the conservator/guardian has failed or refused to act on behalf of the individual. See 42 U.S.C. § 15043; 45 C.F.R. § 1326.25(a)(2); 42 U.S.C. § 10805; 42 C.F.R. § 51.41(b)(2); and 42 U.S.C. § 794e.

Pursuant to this mandate, Disability Rights Tennessee is investigating a complaint on behalf of Management Company At this time, we request copies of the following records held by Middle Tennessee Juvenile Detention Center for Management Company Company

All records including but not limited to:

- Intake/admission documentation at Middle TN Juvenile Detention Center
- Serious Incident Reports (to include use of physical, mechanical, and/or chemical restraint, including documentation of the duration of the restraints).
- Documentation of staff response, decontamination, and medical attention post-restraint.
- Disciplinary Reports (to include D-Board Incident Reports & Behavior Reduction Sheets).
- Supervisor Reviews of staff use of physical and/or chemical restraint (to include any disciplinary response, remanding for remedial training, and logs of the weight of the chemical agent canister before and after use).
- All grievances filed by Marvin Deshun Cunningham AND responses to those grievances.
- Medical Records (to include sick calls, nurse's notes, medical attention received in response to all restraints).
- Education Records
- Therapy notes





800.342.1660 | www.disabilityrightstn.org | gethelp@disabilityrightstn.org

Middle Tennessee Regional Office Administration & Legal Department 2 International Plaza, Suite 825 Nashville, TN 37217 615.298.1080 phone 615.298.2046 fax

Please provide these documents to me by 3days pursuant (42 CFR § 51.41(a) (45 CFR § 1326.25(c)(2). If there is some reason you are unable to meet this deadline, I will need a written response as to why and when you expect to comply.

Electronic files may be sent to <a href="mailto:erica@disabilityrightstn.org">erica@disabilityrightstn.org</a>. Should you have any questions or concerns regarding this request, please contact me at your earliest convenience. I can be reached at **629-702-7732** or by email at the address above.

Sincerely,

Eric Allman, Investigator/Advocate Children & Youth Program

# Exhibit P

 From:
 Sherry Wilds

 To:
 Helen Rodgers

 Cc:
 Matt Sexton

 Subject:
 RE: [EXTERNAL] M

 Date:
 Tuesday, June 13, 2023 3:23:00 PM

Attachments: image002.png

image003.png image004.png image005.png image006.png

Hello Helen and Matt,

I am sending you clarification in response to your email below regarding March Control of the request for access to the records for Mr. Control of the records for Mr. Control of the records for Mr. Control of the records we are not proceeding under the PAIMI statute you cited below. We are asserting DRT's access authority under PADD and PAIR to get records under CFR 45.1326.25(a)(3) which states:

- (3) In the case of an individual, who has a legal guardian, conservator, or other legal representative, about whom a complaint has been received by the system or, as a result of monitoring or other activities, the system has determined that there is probable cause to believe that the individual with developmental disability has been subject to abuse or neglect, whenever the following conditions exist:
- (i) The P&A system has made a good faith effort to contact the legal guardian, conservator, or other legal representative upon prompt receipt (within the timelines set forth in paragraph (c) of this section) of the contact information (which is required to include but not limited to name, address, telephone numbers, and email address) of the legal guardian, conservator, or other legal representative;
- (ii) The system has offered assistance to the legal guardian, conservator, or other legal representative to resolve the situation; and
- (iii) The legal guardian, conservator, or other legal representative has failed or refused to provide consent on behalf of the individual.

Our agency has received a complaint as required and therefore does not have to assert probable cause in this matter. PAIR (Protection & advocacy) for Individual Rights) defers to PADD regulations above for records access. DRT has met the requirements above by making a good faith effort to contact the parent, guardian, or other legal representative and offering assistance to them. The parent, legal guardian, conservator, or other legal representative has failed to provide consent on behalf of Mr. C

Therefore, DRT is requesting these records be provided to Eric Allman within 3 business days of this letter.

Thank you.

Sherry

Sherry A. Wilds, Assistant Legal Director and Director of Pro Bono Services & Legal Interns/voice 615.298.1080 ext. 141/ fax 615.298.2046
2 International Plaza, Suite 825 Nashville, TN 37217





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**From:** Helen Rodgers <a href="mailto:hrodgers@mtjdc.net">hrodgers@mtjdc.net</a>>

**Sent:** Friday, June 2, 2023 8:29 AM

**To:** Eric Allman <erica@disabilityrightstn.org>; Jeremiah Jones <jeremiahj@disabilityrightstn.org>; Sherry Wilds <sherryw@disabilityrightstn.org>; Jack Derryberry <jackd@disabilityrightstn.org>

Cc: Matt Sexton <msexton@waynehalfway.com>

Subject: RE: [EXTERNAL] M

Eric,

I've added Matt back in here. It appears our prior email chain is no longer viewable under this thread. In my previous email I provided what I believe is the relevant CFR and I'll re-include it here:

- (3) An individual who has a legal guardian, conservator, or other legal representative, with respect to whom a complaint or report has been received by the P&A system and with respect to whom the P&A system has determined that there is probable cause to believe **that the health or safety of the individual is in serious and immediate jeopardy**, whenever all of the following conditions exists:
  - (i) The P&A system has made a good faith effort to contact the representative upon prompt receipt of the representative's name and address;
  - (ii) The P&A system has made a good faith effort to offer assistance to the representative to resolve the situation; and
  - (iii) The representative has failed or refused to act on behalf of the individual.

See 42 CFR 51.41(b) (emphasis added).

As stated in initial requests, Mr. Communication is not currently placed at MTJDC so I'm not sure I understand how his health or safety is in serious and immediate jeopardy. If DRT is relying upon another legal basis please provide or please provide an explanation or rationale for how Mr.

Communication or rational o

Thanks, Helen

**Helen Rodgers** 

### 423-645-0685-cell

### hrodgers@mtidc.net

**From:** Eric Allman < erica@disabilityrightstn.org>

**Sent:** Friday, June 2, 2023 7:57 AM

**To:** Helen Rodgers < <a href="mailto:hrodgers@waynehalfway.com">hrodgers@waynehalfway.com</a>>

**Cc:** Jeremiah Jones < <u>jeremiahj@disabilityrightstn.org</u>>; Sherry Wilds

<sherryw@disabilityrightstn.org>; Jack Derryberry <jackd@disabilityrightstn.org>

Subject: [EXTERNAL] M Cu

Good morning,

We have made multiple attempts to contact his legal guardian. One attempt was successful, but each subsequent attempt was not. The subsequent attempts were to obtain consent for records. Since we were unable to make contact and obtain consent, we have determined probable cause and are using access authority as is outlined in the records request. Please let me know when we can expect receipt of the requested records. Thank you.

### Eric Allman

*Investigator/Advocate C&Y Program* erica@disabilityrightstn.org

Voice: 629-702-7732 | Fax: 615.298.2046 | 9050 Executive Park Drive Suite 101-B

Knoxville, TN 37923

Get Help: www.DisabilityRightsTN.org OR 1-800-342-1660



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It is personal preference whether you have your cell phone listed

# Exhibit Q

From: Sherry Wilds

To: <u>Helen Rodgers</u>; <u>Eric Allman</u>

Subject: Records M. C

**Date:** Monday, June 26, 2023 9:30:34 AM

### Hello Helen,

This is a follow up to the records request on M at MTJDC. Eric said he only received medical and dental records but nothing from MTJDC. Please send him those records immediately.

Thank you.

Sherry

### Sherry A. Wilds

Assistant Legal Director and Director of Pro Bono/Legal Interns

Sherryw@disabilityrightstn.org Voice: 615.298.1080 ext. 141

2 International Plaza Suite 825, Nashville TN 37217

Get Help: www.DisabilityRightsTN.org OR 1-800-342-1660



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# Exhibit R

From: Eric Allman

To: Helen Rodgers; Matt Sexton Sherry Wilds; Jeremiah Jones Cc:

Subject:

Thursday, July 6, 2023 12:54:00 PM Date:

Attachments: MTJDC records request probable Cause M

image001.png

### Good afternoon.

I have reviewed the records for M from MTJDC. There were four D-Board reports C in the records. One of the D-Board reports came about because he "popped his sprinkler in his room." Traditionally a Behavior Reduction Sheet has accompanied these D-Board reports, which indicates the start time, offense, ending time, and reporting staff. The Behavior Reduction Sheets were omitted in the records provided. Marvin alleges that he was criminally charged for the incident involving the sprinkler. There were not any reports indicating that law enforcement was called, he was criminally charged, or that he was ever transported to court. We would also like any records of medical treatment that he received while at MTJDC, including by nursing staff at the facility. Please note that the original request was for "All records including but not limited to:" The original request is attached. Thank you for looking into this matter.

### Eric Allman

Investigator/Advocate C&Y Program erica@disabilityrightstn.org

Voice: 629-702-7732 | Fax: 615.298.2046 [1] 9050 Executive Park Drive Suite 101-B

Knoxville, TN 37923

Get Help: www.DisabilityRightsTN.org OR 1-800-342-1660



It is personal preference whether you have your cell phone listed

# Exhibit S

### IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

Disability Rights Tennessee,	)	
Plaintiff,	)	
v.	) No	
	)	
Middle Tennessee Juvenile	)	
Detention Center LLC; Jason Crews,	)	
in his capacity as the Executive Director	)	
of Middle Tennessee Juvenile	)	
<b>Detention Center</b> ;	)	
Hollis Residential Treatment Center;	)	
Wayne Halfway House, INC	)	
· ·	)	
Defendants.	)	

## **Declaration of DRT Investigator Johnnie Hatten**

- I, Johnnie Hatten, declare, under the penalty of perjury, that the following is true and correct.
  - 1. I am over eighteen and competent to competent to testify.
  - 2. I am an employee of Disability Rights Tennessee and have been throughout the duration of incidents involved in this case.
  - 3. I have been an employee of DRT for over five years.
  - 4. On April 6, 2023, I was monitoring at the Wilder Youth Development Center and interviewing juvenile residents. One, K.S., disclosed to me that he had been subjected to chemical spray numerous times while at MTJDC. These incidents occurred sometime between December 22, 2022 and his recent transfer to Wilder.

- 5. He also disclosed that he had a history of PTSD, Bi-Polar, and anxiety and that he was prescribed Lexapro, Adderall, Prazosin and Guanfacine but that he was not allowed to take Guanfacine while at MTJDC.
- 6. He stated that he had been chemically retrained at MTJDC on three separate occasions during his recent stay there: once after a fight, once for pounding on his door and yelling for his inhaler, and another time when the pipes in his room broke and he was accused of flooding his cell on purpose.

Further the declarant sayeth not.

Johns Harken

I declare under penalty of perjury, that the foregoing is true and correct.

Executed this 18th day of 2023 in Memphis, Tennessee

Johnnie Hatten

# Exhibit T



800.342.1660 | www.disabilityrightstn.org | gethelp@disabilityrightstn.org

Middle Tennessee Regional Office Administration & Legal Department 2 International Plaza, Suite 825 Nashville, TN 37217 615.298.1080 phone 615.298.2046 fax

May 30, 2023

Helen Rodgers Middle Tennessee Juvenile Detention Center Emailed: hrodgers@mtjdc.net

RE: K S (1

Dear Helen Rodgers

Disability Rights Tennessee (DRT) is the protection and advocacy system (P&A) for the state of Tennessee. As the federally mandated P&A we have broad authority to advocate for the rights of individuals with disabilities in this state, to monitor certain facilities, and to investigate allegations of abuse and neglect when such incidents are reported to us or when we determine that there is probable cause to suspect that abuse or neglect may have occurred. The federal protection and advocacy statutes and regulations authorize DRT to obtain a broad array of records and information related to incidents involving individuals with disabilities. See 42 U.S.C. § 15043; 45 C.F.R. § 1326.25(a)(2); 42 U.S.C. § 10805; 42 C.F.R. § 51.41(b)(2); and 42 U.S.C. § 794e.

Pursuant to this mandate, Disability Rights Tennessee is investigating a complaint on behalf of K At this time, we request copies of the following records held by **Middle Tennessee Juvenile Detention Center** for **K** 

### Records for most recent admission All records including but not limited to:

Incident reports, medical records, grievances filed with responses, daily notes, restraint/seclusion records (including 15 min checks), documentation of use of chemical agent, documentation of daily levels, documentation of education attendance, ect.

Enclosed you will find a signed Release of Information form for your files. Please provide these documents to me by 3days pursuant (42 CFR § 51.41(a) (45 CFR § 1326.25(c)(2). If there is some reason you are unable to meet this deadline. I will need a written response as to why and when you expect to comply.

Electronic files may be sent to johnnieh@disabilityrightstn.org. Should you have any questions or concerns regarding this request, please contact me at your earliest convenience. I can be reached at 901-302-1996 or by email at the address above.

Sincerely.

John Harden

Johnnie Hatten, Investigator/Advocate

# Exhibit U

From: Helen Rodgers

**To:** <u>April Mancino-Rosete</u>; <u>Johnnie Hatten</u>

Cc: Sherry Wilds; Matt Sexton

**Subject:** RE: [EXTERNAL] FW: Please find the attached records Request -Correction

**Date:** Monday, June 5, 2023 9:23:58 AM

Attachments: <u>image001.png</u>

April,

Johnnie will have the records early this week as that's who your records request indicates they should be sent to.

Thanks, Helen

### **Helen Rodgers**

423-645-0685-cell

hrodgers@mtidc.net

From: April Mancino-Rosete <aprilm@disabilityrightstn.org>

Sent: Sunday, June 4, 2023 4:32 PM

**To:** Helen Rodgers <a href="mailto:net">hrodgers@mtjdc.net</a>; Johnnie Hatten <johnnieh@disabilityrightstn.org</a> **Cc:** Sherry Wilds <a href="mailto:sherryw@disabilityrightstn.org">sherryw@disabilityrightstn.org</a>; Matt Sexton <a href="mailto:smexton@waynehalfway.com">smexton@waynehalfway.com</a>

Subject: RE: [EXTERNAL] FW: Please find the attached records Request -Correction

I have not received the requested records. Please le t me know when we can expect to have them.

### **April Mancino-Rosete**

Program Director, Adult/C&Y aprilm@DisabilityRightsTN.org

Voice: 615.732.6969| Fax: 615.298.20462

2 International Plaza Suite 825, Nashville TN 37217

Get Help: www.DisabilityRightsTN.org OR 1-800-342-1660



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From: April Mancino-Rosete

Sent: Wednesday, May 31, 2023 3:39 PM

**To:** Helen Rodgers < <a href="mailto:hrodgers@mtjdc.net">hrodgers@mtjdc.net</a>; Johnnie Hatten < <a href="mailto:johnnieh@disabilityrightstn.org">johnnieh@disabilityrightstn.org</a>; Matt Sexton < <a href="mailto:msexton@waynehalfway.com">msexton@waynehalfway.com</a>>

Subject: RE: [EXTERNAL] FW: Please find the attached records Request -Correction

I just spoke with mom she confirmed that at that time her last name was \_\_\_\_\_, however she is now S \_\_\_\_\_\_, Please let me know when we can expect to receive the requested records.

April Mancino-Rosete Program Director, Adult/C&Y aprilm@DisabilityRightsTN.org

Voice: 615.732.6969| Fax: 615.298.20462

2 International Plaza Suite 825, Nashville TN 37217 Get Help: <a href="https://www.DisabilityRightsTN.org">www.DisabilityRightsTN.org</a> OR 1-800-342-1660



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From: Helen Rodgers < hrodgers@mtjdc.net > Sent: Wednesday, May 31, 2023 1:39 PM

**To:** April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a>; Johnnie Hatten <a href="mailto:johnnieh@disabilityrightstn.org">johnnieh@disabilityrightstn.org</a>; Helen Rodgers <a href="mailto:hongers@mtjdc.net">hrodgers@mtjdc.net</a>

**Cc:** Sherry Wilds < <a href="mailto:sherryw@disabilityrightstn.org">sherry Wilds < <a href="mailto:sherryw@disabilityrightstn.org">sherryw@disabilityrightstn.org</a>>; Matt Sexton < <a href="mailto:msexton@waynehalfway.com">msexton@waynehalfway.com</a>>

Subject: RE: [EXTERNAL] FW: Please find the attached records Request -Correction

Our records indicate that the mother has, or at the time she interacted with MTJDC had, a different last name so we're seeking clarification from you all since you had the releases signed. While I understand you have the youth's name and DOB, if we're going to rely on the release I do need confirmation that this is the same woman referenced in our records.

Thanks, Helen

**Helen Rodgers** 

423-645-0685-cell

hrodgers@mtidc.net

**From:** April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a>

**Sent:** Wednesday, May 31, 2023 1:33 PM

To: Johnnie Hatten <johnnieh@disabilityrightstn.org>; Helen Rodgers <hrodgers@mtidc.net>

**Cc:** Sherry Wilds <<u>sherryw@disabilityrightstn.org</u>>

**Subject:** RE: [EXTERNAL] FW: Please find the attached records Request -Correction

Helen I am not sure if she has ever gone by another name, but we did just receive the requested DCS records using the ROI signed by his mother. I can confirm that the youths name is K

. Please let me know if you need anything else from us and when we can expect to receive the requested records. **April Mancino-Rosete** Program Director, Adult/C&Y aprilm@DisabilityRightsTN.org Voice: 615.732.6969| Fax: 615.298.20462 2 International Plaza Suite 825, Nashville TN 37217 Get Help: www.DisabilityRightsTN.org OR 1-800-342-1660 This communication contains information from Disability Rights Tennessee which may be confidential and/or privileged. The information is intended to be for the use of the individual(s) or entity(s) named as recipients above. If you are not the intended recipient, please destroy this correspondence and be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you received this communication in error, please immediately notify the sender. **From:** Johnnie Hatten < <u>iohnnieh@disabilityrightstn.org</u>> **Sent:** Wednesday, May 31, 2023 11:29 AM To: Helen Rodgers <a href="mailto:hrodgers@mtjdc.net">hrodgers@mtjdc.net</a>; April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a> Subject: RE: [EXTERNAL] FW: Please find the attached records Request -Correction Thanks Helen. I will reach out to the parent for that information. jh **From:** Helen Rodgers < <a href="mailto:hrodgers@mtidc.net">hrodgers@mtidc.net</a>> **Sent:** Wednesday, May 31, 2023 9:28 AM **To:** April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a> **Cc:** Johnnie Hatten < <u>iohnnieh@disabilityrightstn.org</u>> Subject: RE: [EXTERNAL] FW: Please find the attached records Request -Correction April and Johnnie, I saw the attached releases signed by Did mother have or go by a different last name in late 2022/early 2023? Thanks, Helen

Helen Rodgers

423-645-0685-cell hrodgers@mtjdc.net **From:** April Mancino-Rosete <a href="mailto:aprilm@disabilityrightstn.org">aprilm@disabilityrightstn.org</a>

**Sent:** Tuesday, May 30, 2023 7:08 AM **To:** Helen Rodgers <a href="mailto:hrodgers@mtjdc.net">hrodgers@mtjdc.net</a>

**Cc:** Johnnie Hatten < johnnieh@disabilityrightstn.org>

**Subject:** [EXTERNAL] FW: Please find the attached records Request -Correction

This youth's mom just emailed me to let me know that we have his DOB and name spelled incorrectly the correct name is K and DOB is Thank you hope this helps get us the correct records.

**April Mancino-Rosete** 

Program Director, Adult/C&Y aprilm@DisabilityRightsTN.org

Voice: 615.732.6969| Fax: 615.298.20462

2 International Plaza Suite 825, Nashville TN 37217

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From: April Mancino-Rosete

**Sent:** Monday, May 29, 2023 4:32 PM

To: <a href="mailto:hrodgers@mtjdc.net">hrodgers@mtjdc.net</a>

**Cc:** Johnnie Hatten < johnnieh@disabilityrightstn.org> **Subject:** Please find the attached records Request

April Mancino-Rosete Program Director, Adult/C&Y aprilm@DisabilityRightsTN.org

Voice: 615.732.6969| Fax: 615.298.20462

2 International Plaza Suite 825, Nashville TN 37217

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# Exhibit V

# Nurse's Notes



# Untitled



Thu 12/29/2022 3:33 PM

To:sonnia.davis@tn.gov <sonnia.davis@tn.gov>;

Cc Brandy Crumley <bcrumley@waynehalfway.com>; Tom Irwin <tirwin@waynehalfway.com>; Tonya Webb <twebb@mtjdc.net>;

Resident S was involved in a physical altercation with another resident that resulted in a physical, chemical and mechanical restraint. Nurse was contacted to check on resident, no injuries reported, no medical attention needed. Legal guardian notified via phone.

Middle Tennessee Juvenile Detention Center 1272 Lawson White Drive Mailing Address: PMB #H - 1116 W. 7th Street Columbia, Tennessee 38401

Phone- 931-490-0030 Fax- 931-490-0036 ours of operation- 24/7

# Exhibit W



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Middle Tennessee Regional Office Administration & Legal Department 2 International Plaza, Suite 825 Nashville, TN 37217 615.298.1080 phone 615.298.2046 fax

October 5, 2023

Helen Rodgers
Middle Tennessee Juvenile Detention Center
Emailed: hrodgers@mtjdc.net

RE: K

Dear Helen Rodgers

On May 30, 2023, Disability Rights Tennessee (DRT) made the following request regarding access to the records of Kemian Strawder.

Disability Rights Tennessee is investigating a complaint on behalf of **Karrent**. At this time, we request copies of the following records held by **Middle Tennessee Juvenile Detention Center** for **Karrent**.

### Records for most recent admission All records including but not limited to:

 Incident reports, medical records, grievances filed with responses, daily notes, restraint/seclusion records (including 15 min checks), documentation of use of chemical agent, documentation of daily levels, documentation of education attendance, ect.

Enclosed you will find a signed Release of Information form for your files. Please provide these documents to me by 3days pursuant (42 CFR § 51.41(a) (45 CFR § 1326.25(c)(2). If there is some reason you are unable to meet this deadline, I will need a written response as to why and when you expect to comply.

The records that DRT received from Middle Tennessee Juvenile Detention Center (MTJDC) in June 12, 2023 did not include some of the requested documents or information. In the file produced titled "Sweet +6.8.23 MTJDC Medical Records," there is a nurses note on Page 4, dated 12/29/2022 stating that Resident Sweet was involved in a physical altercation with another resident that resulted in physical, chemical, and mechanical restraint. However, this is the only reference to this incident in the materials DRT received from MTJDC. We are kindly requesting any and all information/records of this incident including but not limited to incident reports, 15 minute checks, documentation of use of chemical agent, narrative on what lead up to the use of chemical agent and any video footage.

Additionally, information provided by the Department of Children's Services to DRT states that Resident had another SIR on 12/30/2022 that involved property damage, restraint and chemical defense while at MTJDC. But there is no information in any of the materials that MTJDC provided to DRT that even mentions this incident. We are kindly requesting all information regarding that incident as well.

DRT is reasserting its request for *all records for K* during his time at MTJDC from the time of his admission in fall of 2022 to his transfer to Wilder Youth Detention Center. Additionally, DRT is requesting



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that all of Mr. Section is records, including video footage, be preserved. This preservation request is for the materials DRT had previously requested in May and also for all materials included in the more specific requests made today.

DRT has already provided a release of information for this client and will be expecting these records within 3 business days pursuant (42 CFR § 51.41(a) (45 CFR § 1326.25(c)(2). If there is some reason you are unable to meet this deadline, I will need a written response as to why and when you expect to comply.

Electronic files may be sent to <u>johnnieh@disabilityrightstn.org</u>. Should you have any questions or concerns regarding this request, please contact me at your earliest convenience. I can be reached at **303-378-9678** or at jeremiahj@disabilityrightstn.org

Sincerely,

Jeremiah Jones, Attorney