



Testimony of Jeffrey Roth
Deputy Commissioner for the New York City Department of Veterans' Services (DVS)

New York City Council Committee on Veterans
14th Floor Committee Room, 250 Broadway
June 19, 2018

Good morning Chair Deutsch, members of the Committee on Veterans, and bill sponsors Councilmember Ulrich, Councilmember Brannan, and Councilmember Eugene. My name is Jeff Roth and I am Deputy Commissioner for the New York City Department of Veterans' Services (DVS). I am joined today by Assistant Commissioner Jamal Othman, who leads the City Employment, Education, Entrepreneurship, Events and Engagement (CE5) division at DVS.

On behalf of DVS, I would like to extend our appreciation for the Citywide enthusiasm and support which contributed to another successful set of New York City Fleet Week and Memorial Day events. Every day we see our City wrap its arms closer around our veteran community. By way of illustration, at a special ceremony held at City Hall in May with the Mayor, Admiral Paul Zukunft, Chair Deutsch, Staten Island Borough President James Oddo, veterans and Coast Guard service members, New York City was declared to be the latest, and largest, Coast Guard City in America. This is truly a testament to the strides our City has made to become more military friendly each and every day.

In the past two years, DVS has grown dramatically from a small four-person Mayoral office to an established City Charter agency, with several divisions dedicated to specific programmatic areas of outreach. In response to previous discussions with the City Council, as well as veteran advocates, the Department has put tremendous effort into evaluating the best possible practices for connecting with the veteran population, including the delivery of information and resources to that community. The legislative proposals that the sponsors have offered are important, and we are grateful for their input, but as we continue to grow it is vital that the agency maintain flexibility in how we connect veterans and their families to the services they seek.

I welcome this opportunity to tell you about some of the ways DVS currently conducts targeted outreach to the New York City veterans community, and how these efforts are aligned with the goals of today's package of bills.

DVS supports, in part, the goals of Intro. No. 391, which would require DVS to provide counseling services to veterans seeking assistance with federal, state, and City benefits that they may be entitled to based on their military service. However, the bill, as drafted, raises a potential legal concern that we believe presents a significant obstacle.

DVS currently provides extensive counseling services to the City's veteran community. In 2017, DVS established satellite sites co-located within the Borough President's offices in the Bronx, Manhattan, Staten Island and Queens, and at the Brooklyn Workforce1 Center on Bond Street, where veterans and their families are connected with resources and opportunities for school, jobs and business opportunities. Each site is staffed by a DVS Community Outreach Specialist (Outreach Specialist) who is trained to assist veterans with applying for health, disability, educational or pension benefits for which they may be eligible.

In addition, Outreach Specialists assist veterans in filing for City benefits such as Supplemental Nutritional Assistance Program (SNAP) and NYCERS pension benefits. They connect veterans in numerous ways: they help with referrals to local legal services providers; they identify connections for employment opportunities through a partnership with SBS' Workforce1 and the New York State Division of Veterans Affairs; they encourage entrepreneurship with Bunker Labs; and they connect veterans with educational services through CUNY and SUNY, to name just a few.

The requirement that would mandate that counseling services be provided by "agents or attorneys recognized by the United State department of veterans affairs," is problematic. We have identified potential liability concerns raised by having City employees assume power-of-attorney status for filing benefits claims on behalf of veterans. For this reason, it is more appropriate for Outreach Specialists to continue assisting in the preparation of veterans' benefits package submissions to the federal government, but not for them to assume the legal role suggested by the bill, referring formal accreditation by the VA. In this, we note that DVS is in an excellent position to partner with other entities to provide these types of services in connection with such package submissions.

DVS supports the goals, in part, of Intro. No. 394, which would require DVS to establish at least one Veterans Resource Center in each borough, providing veterans with free, current information on housing, public and private social services, financial assistance and tax exemptions available to veterans.

As I mentioned earlier, in 2017 DVS established a City-wide presence with satellite sites co-located within the Borough President's offices in the Bronx, Manhattan, Staten Island and Queens, and at the Brooklyn Workforce1 Center on Bond Street. We are grateful for the support that our host offices in the five boroughs have provided for these satellite sites, for they are a natural convening ground for the public and they increase DVS's exposure to the veteran community. Also, these sites are accessible by public transportation, and the Department's Outreach Specialists are trained to connect veterans and their families to trusted resources available to them from the City, State, and Federal governments. In this way, these sites serve as hubs where veterans can receive one-on-one support to navigate and apply for benefits, such as the GI Bill, New York State tuition, veteran property tax exemptions, and local housing support.

The Department understands the necessity for staff to also be mobile in order to reach our veteran population. Outreach Specialists also provide one-on-one counseling and advice on benefits and resources at community board meetings, town halls and other special events. In addition, the department holds its monthly "DVS Office Hours" at Civic Hall on West 22nd

Street in Manhattan, where veterans and all members of the New York City community can learn more about the agency and provide feedback on what we can do better to support our service members. These office hours are held by DVS Press Secretary Alexis Wichowski, who advises on different topics and resources available to the veteran community, and we encourage everyone to stop by.

The current satellite site system functions well in light of the size limitations of the satellite sites and staffing limitations of the agency.

DVS supports the goals of Intro. No. 396, which would require DVS to maintain and update a resource guide for veterans containing information about eligibility and the process of applying for federal, state, and city veterans' benefits, special rights accorded to veterans under the law, health programs and services, legal and housing services, small business support, educational and employment opportunities, and other available resources for veterans.

In the early stages of DVS' establishment, the agency found that the content and resources included in printed resource guides changed with some regularity, and so the most versatile way to maintain this information would be online. To this end, the Department maintains all of the above-mentioned information on its website, where veterans can explore what benefits they may be eligible for through the "Get Help" section. There is a comprehensive range of information found on the site, with topics ranging from eligibility and the process of applying for federal, state, and city veterans' benefits; special rights accorded to veterans under the law; health programs and services; legal and housing services; small business support; educational and employment opportunities; and other available resources for veterans.

For those veterans who might not have access to a computer, they can call the DVS Main Office, where they are connected with an Outreach Specialist in their borough for individual, personal service in navigating resources within 24 hours. Printed materials on particular topics are also mailed by DVS to a veteran upon request.

DVS also issues a monthly newsletter that describes our work in the community, upcoming events, and resources available to veterans and their families. In addition, information on veteran resources is available through DVS social media, and we encourage all veterans and their families to take full advantage of the information currently available.

DVS supports the goals of Intro. No. 647, which would require DVS to establish and publicize a peer support hotline and other peer support services in partnership with veterans associations and organizations that serve veterans.

Peer mentorship and support are valuable tools for ensuring that both transitioning service members, and those who may be removed from the military for some time, are able to lead fulfilling and productive post-service lives. Towards that end, DVS maintains a strong partnership with ProVetus, which is a trained, peer mentoring program that helps veterans and service members successfully transition from the military to the civilian sector. ProVetus is also a part of our Mentor-A-Vet Initiative, and DVS conducts direct referrals for veterans who wish to be connected with peer support services, and at no charge. In addition, ProVetus is also a

member of the NYServes platform, where veterans and their families can be connected to a constellation of service providers across a myriad of needs.

The DVS Mentor-A-Vet Initiative includes a list of mentoring organizations on the DVS website with links that directly connect to each organization's page. The list also includes information about the different specialties and veteran subpopulations that each organization serves.

For veterans who are homeless, our Veteran Peer Coordinators from our Housing and Support Services team provide peer-to-peer engagement to better understand the veterans' housing needs and help them navigate the apartment search process. This peer engagement continues after our veterans are housed, with DVS' aftercare coordinator following up to ensure that all of our recently housed veterans transition successfully to their new home and community.

Additionally, any veteran or veteran family struggling with housing stability can call our main line or our aftercare hotline and receive extensive homeless prevention assistance. All of this is done in close coordination with our sister agencies such as HRA and the many VA-funded Support Services for Veteran Families (SSVF) providers in the City.

If veterans are experiencing a more complicated or dramatic need for support, such as particular mental health needs, the Whole Health and Community Resilience team connects them with institutional partners such as the Steven A. Cohen Family Clinic at NYU Langone, their local VA Vet Center, NYC Well, 311 or the VA Crisis Hotline.

DVS welcomes the opportunity to expand its established peer-to-peer support network and looks forward to partnering with more organizations which fill this need in the veterans community.

We thank the New York City Council for its continued support in pushing forward the needs of veterans and their families in New York City. We support the goals of these bills where they do not duplicate current processes in place at DVS. As we continue to grow, we will continue to implement innovative processes – such as the satellite site system – for connecting veterans and their families to the services they may need.

Thank you again for this opportunity to meet with you today. At this time, I would be happy to address your questions.



Testimony by the New York Legal Assistance Group (NYLAG)

Regarding Intros 0391-2018, 0394-2018, 0396-2018, and 0647-2018

Before the New York City Council Committee on Veterans

June 19, 2018

Chair Deutsch, Council Members, and staff, good morning and thank you for the opportunity to speak about the proposed bills on benefits counseling services for veterans and creating veterans resource centers and a resource guide. My name is David Titus, and I am an attorney in the LegalHealth division of the New York Legal Assistance Group (NYLAG), a nonprofit law office dedicated to providing free legal services in civil law matters to low-income New Yorkers. LegalHealth, which has legal clinics at 32 hospitals in New York City including several at VA Medical Centers, partners with medical professionals to address the nonmedical needs of low-income individuals with serious health problems. I am joined here by my colleague Melissa Molfetas, the Coordinating Attorney for NYLAG's Veterans Legal Assistance Program, which works with veterans outside the VA system.

NYLAG uses the power of the law to help New Yorkers in need combat social and economic injustice. We address emerging and urgent legal needs with comprehensive, free civil legal services, impact litigation, policy advocacy, and community education. NYLAG serves veterans, immigrants, seniors, the homebound, families facing foreclosure, renters facing eviction, low-income consumers, those in need of government assistance, children in need of special education, domestic violence victims, people with disabilities, patients with chronic

illness or disease, low-wage workers, low-income members of the LGBTQ community, Holocaust survivors, as well as others in need of free legal services.

Over the past year, NYLAG has served thousands of veterans in VA medical centers' behavioral health, geriatrics, women's health, and Transition & Care Management (for post-9/11 veterans) clinics, as well as through its work with community-based organizations serving veterans. Through both its LegalHealth medical-legal partnership clinics and its work with community-based organizations, NYLAG represents veterans on VA benefits claims and appeals, discharge upgrades, housing, consumer protection, advance planning, and other legal issues facing veterans with significant health needs.

NYLAG applauds the City Council, and this committee in particular, for its commitment to ensuring that New York City's veterans are provided with the resources and benefits they deserve. We strongly support Intro 0391-2018, which will increase benefits counseling services for veterans in the five boroughs, and encourage the Council to strongly consider making VA accredited attorneys available to veterans as part of the benefits counseling services.

Veterans' benefits include disability compensation and pension, vocational rehabilitation and employment, educational, home loans, life insurance and more. Eligibility for each of these varies and is predicated on a variety of factors. The VA requires that anyone who aids in preparing, presenting, or prosecuting a VA benefit claim be accredited by the VA. For a veteran trying to navigate the claim or appeal process alone, it can be overwhelming.

This is especially true when, as is often the case, the veteran has a mental health disability. Approximately 20% of veterans who served in either Iraq or Afghanistan suffer from

either major depression or post-traumatic stress disorder¹ and about 26% of Vietnam Era veterans experienced PTSD at some point in their life.² For these veterans, the complexities of getting benefits can be especially daunting and frustrating, and may also trigger the very disability underlying their benefits claim, causing further trauma.

In fact, the intricacies of the VA benefits system can be challenging for anyone. It is not surprising then that veterans who have an accredited representative on appeal have the highest rates of success in getting the VA benefits they earned.³ The 2017 Annual Report of the Board of Veterans Appeals (BVA) shows appeals brought by attorneys had a success rate 10% higher than all other representatives and advocacy groups combined, on average. Further, in FY2017, 81% of appeals claims with attorneys were either approved or remanded. Claims appeals with attorneys also had the lowest denial rate, at only 14%.

Even federal courts acknowledge the difference when veterans are represented by counsel.⁴ Moreover, VA statistics show that a veteran's *best chance* at winning on an appeal is to have an attorney as her or his representative. This makes sense, of course. Attorneys are accustomed to parsing complex laws and regulations, staying current on policy shifts, and navigating bureaucratic processes for the benefit of their clients.

In addition to assisting veterans in obtaining VA and other government benefits, attorneys are able to act to keep veterans in stabilized apartments and resolve other legal issues.

¹ https://www.rand.org/pubs/research_briefs/RB9336.html

² <https://www.ncbi.nlm.nih.gov/pubmed/26201054>

³ https://www.bva.va.gov/docs/Chairmans_Annual_Rpts/BVA2017AR.pdf

⁴ See *Szemraj v. Principi* 357 F.3d 1370 (Fed. Cir. 2004); *Roberson v. Principi*, 251 F.3d 1378 (Fed. Cir. 2001); *Moody v. Principi*, 360 F.3d 1306 (Fed. Cir. 2004).

According to a 2017 VA survey, four of the top ten unmet needs for homeless veterans involve legal problems. These legal problems often lead to further challenges for veterans. As an example of the importance of having attorneys screen veterans for all legal issues, NYLAG recently worked with Maria, who developed unexplained illnesses and intolerable pain after serving overseas in the Gulf War. In working with NYLAG, Maria was able to win a Social Security hearing for SSD benefits. When she became too ill to work, Maria fell behind on rent and her landlord sought to evict her in housing court. After an uphill battle, we were able to settle the court case with a significant decrease in rent and a court order that her apartment was rent stabilized. Through our work with her, we also found that Maria was eligible for VA benefits. We gathered evidence supporting her claims for Gulf War Illness and PTSD and VA awarded her a disability rating of 100%. Because she worked with NYLAG attorneys, Maria was able to increase her income by thousands of dollars per month, lower her rent, and avoid an eviction. Now she can focus on raising her children and improving her health.

NYLAG also strongly advocates for the passage of Intro 0394-2018, which would create veterans resource centers in New York City. While the work we do is primarily legal, we regularly meet with veterans who have additional issues that are not legal in nature. Thus, we routinely connect veterans with available New York City resources and with partner community-based organizations that serve veterans. Through this work it is apparent that many of these veterans are unaware of many City and other resources, and could miss out on valuable services without that information. Having VA accredited attorneys available at the resource centers would also provide a valuable benefit to veterans, who could be screened for myriad legal needs, including benefits eligibility, on-site.

Last, NYLAG supports Intro 0396-2018, which would create a veterans resource guide for the City of New York. With support from our funders, LegalHealth's Veterans Initiative currently publishes an annual guide covering a wide range of legal issues affecting veterans in New York City. These informational guides can be kept as a reference as legal issues may arise. They simplify complex legal issues into plain English, and are meant to empower, and put at ease, veterans facing unfamiliar legal situations. In our experience, veterans are eager to receive informational tools like this. NYLAG would be more than happy to work with the Council and the Department of Veterans Services on the resource guide. These efforts are essential for connecting veterans with services and raising awareness of legal rights and potentially life-saving benefits that may be available to them.

We appreciate the opportunity to speak to the Council about these issues, and we look forward to engaging in further discussions about assisting our veterans in improving their access to counseling services and other much needed resources.

Respectfully submitted,

Melissa Molfetas, Esq. and David Titus, Esq.

New York Legal Assistance Group



Statement of Hannah Sinoway
Before the New York City Council Committee on Veterans
Tuesday, June 19, 2018

Statement of Hannah Sinoway
Sr. Veteran Transition Manager, Operations & Outreach Lead
of
Iraq and Afghanistan Veterans Of America
before the
New York City Council Committee on Veterans

June 19, 2018

Chairman Deutsch and Distinguished Members of the Committee, on behalf of Iraq and Afghanistan Veterans of America (IAVA) and our more than 425,000 members, I would like to thank you for the opportunity to testify here today on the pending legislation before the New York City Council Committee on Veterans. My name is Hannah Sinoway, the Senior Veteran Transition Manager (VTM), Operations & Outreach Lead with IAVA's Rapid Response Referral Program, or "RRRP" for short. RRRP is IAVA's high-tech, high-touch referral service for veterans and their families with a complete and comprehensive case management component. To date, RRRP has served over 8,700 veterans and family members and nearly 1,000 veterans and family members in NYC alone, providing critical support and resources to ensure this city's veteran's needs are effectively met.

After fourteen years, IAVA has become the preferred empowerment organization for post-9/11 veterans. While our members are spread throughout the nation, we are proud to say that our national headquarters is located in New York City. Since its beginning IAVA has fought for and has been successful in advocating for policies that are able to meet the needs of our newest generation of veterans, which includes our advocacy towards the creation and proper funding of the DVS. We are pleased that DVS has an increased budget for Fiscal Year (FY) 2019 and an increase of \$1 million for the Council's Veterans Initiative, and an overall positive funding outlook to support New York City's veterans.

Our testimony today is focused on four bills before the Committee. First, Int 391 to require the DVS to provide counseling services to veterans by VA-accredited counselors, and have locations located within all five boroughs. Int 394 Would, in addition to requiring DVS to establish accessible Veteran Resource Centers to provide veterans with free information on housing, social services, financial assistance, and tax exemptions that are available to them, the bill would also require DVS to submit a semi-annual report on the frequency of the services offered, and the number of veterans utilizing the service. Int 396 would mandate that the DVS create an online



and paper resource guide for veterans to cover eligibility and the application process for various veterans services at the federal, state, and local levels. Finally, Int 647 would establish a peer support hotline and provide other peer support services in partnership with veterans organizations. This number would be posted online alongside other peer-to-peer services offered.

IAVA is supportive of the intention behind these bills, however, after consulting New York City veteran advocates it appears that these bills are redundant with current DVS programs already in place. IAVA would like to hear the committee's concerns with the current programs in place and their reasoning for moving forward with the proposed legislation.

Additionally, IAVA would rather see the DVS budget of \$4.6 million for FY 2019 focused on a number of shortfalls that are not currently being addressed. Namely, the Brooklyn VA Hospitals repeated cutbacks, and affordable housing options for veterans through strengthening the VA home loan program. IAVA would encourage the committee to spend its time and resources on these pressing issues that do not currently have solutions, rather than reinforcing programs that already exist through both DVS and VSO programs.

Members of the Committee, thank you again for the opportunity to share IAVA's views on these issues today. I look forward to answering any questions you may have.

THE COUNCIL
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Appearance Card

I intend to appear and speak on Int. No. 0391, 0394, 0396, 0647 Res. No. _____

in favor in opposition

Date: 6/19/18

(PLEASE PRINT)

Name: Melissa Moltetas

Address: 7 Hanover Square New York NY 10004

I represent: New York Legal Assistance Group

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 391 Res. No. _____

in favor in opposition

Date: 6/19/2018

(PLEASE PRINT)

Name: ERIC HENRY

Address: 1 CENTRE ST #2208 NY NY 10007

I represent: NYC Dept of Veterans Services

Address: 1 CENTRE ST #2208 NY NY 10007

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 3911 Res. No. _____

in favor in opposition

Date: 6/19/2018

(PLEASE PRINT)

Name: JEFF ROTH

Address: 1 CENTRE ST #2208, NY NY 10007

I represent: NYC Dept of Veterans Services

Address: 1 CENTRE ST, #2208, NY NY 10007

Please complete this card and return to the Sergeant-at-Arms

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Appearance Card

I intend to appear and speak on Int. No. 391 Res. No. _____

in favor in opposition

Date: 6/19/2018

(PLEASE PRINT)

Name: JAMAL OTHMAN

Address: 1 CENTRE ST #2206, NY NY 10007

I represent: DEPARTMENT OF VETERANS' SERVICES (NYC)

Address: 1 CENTRE ST #2208, NY NY 10007

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/19/18

(PLEASE PRINT)

Name: EVANS WANG

Address: _____

I represent: SELF

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/19/18

(PLEASE PRINT)

Name: Hannah Sinoway

Address: Iran+Afghanistan Veterans of America

I represent: _____

Address: 85 Broad St.

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 6/19/2018

(PLEASE PRINT)
Name: Armando A. Crescenzi

Address: 2335 Yates Avenue

I represent: Bronx NY

Address: Veterans who Vend

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 6/19/18

(PLEASE PRINT)
Name: Reed M. Benedict

Address: _____

I represent: HeroHomes.com

Address: Veteran Future Lab, 87 35th Ave Brooklyn

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Appearance Card

I intend to appear and speak on Int. No. ^{0391-2018, 0394-2018, 0396-2018,} _____ Res. No. ⁰⁶⁴⁷⁻²⁰¹⁸ _____
 in favor in opposition

Date: 6/19/2018

(PLEASE PRINT)
Name: David Titus, NYLAG

Address: 7 Hanover Sq 18th Fl NY NY

I represent: New York Legal Assistance Group

Address: Same as above