

Testimony by the New York Legal Assistance Group (NYLAG)

Before the New York City Council Committee on Veterans regarding:

Needs of Veterans During COVID-19

October 19, 2020

Chair Deutsch, Council Members, and staff, good afternoon and thank you for the opportunity to speak to the Veterans Committee about the needs of veterans during COVID-19. My name is Ryan Foley, and I am the Supervising Attorney of the Veterans Practice at the New York Legal Assistance Group (NYLAG), a nonprofit law office dedicated to providing free legal services in civil matters to low-income New Yorkers. 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 military 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 survivors, persons with disabilities, patients with chronic illness or disease, low-wage workers, members of the LGBTQ community, Holocaust survivors, and others in need of free civil legal services.

Given the level of need in New York City's diverse veteran population, NYLAG operates two veteran-specific legal programs. Our LegalHealth Veterans Initiative operates legal clinics within the Bronx and Manhattan VA Medical Centers, including the nation's first legal clinic focused entirely on women veterans. Our Veterans Practice is a community-based

program with a large referral network that provides comprehensive services to veterans and their families, regardless of their discharge status and eligibility to use the VA Healthcare System.

NYLAG is grateful to the City of New York for its investments in legal services for veterans over the past several years. NYLAG has been the recipient of funding through the Legal Services for Veterans Initiative since its inception, and has assisted veterans with thousands of cases in the areas of veterans' benefits, public benefits, housing, consumer protection, advance planning, and more. Recently, NYLAG was granted funding from the NYC Department of Veterans' Services to assist veterans who require discharge upgrades due to receiving less than honorable discharges for issues such as their sexual orientation, sexual trauma, or traumatic injury. Still, services for veterans have not been spared from the budget cuts implemented during this difficult time. NYLAG's Legal Services for Veterans funding was slashed by 32% in the FY21 budget, which will allow us to serve fewer veterans this year despite the myriad obstacles they face every day, especially in the wake of the COVID-19 pandemic.

COVID-19 has certainly brought new challenges, but more so, it has compounded the already serious economic and mental health challenges that New York's 800,000 veterans faced prior to the pandemic. The suicide rate for New York veterans is estimated at more than 17 per day.¹ New York veterans have lower educational attainment than veterans in other states, and a lower income than the national average. A 2019 City Bar Report found that

¹ U.S. Department of Veterans Affairs. *New York Veteran Suicide Data Sheet, 2017*. https://www.mentalhealth.va.gov/docs/data-sheets/2017/New_York_Veteran_Suicide_Data_Sheet_2017.pdf

only 17% of New York veterans receive VA disability benefits, a significantly lower percentage than the national average of 23-24%.² This gap suggests that more than 50,000 additional New York veterans should be entitled to VA disability benefits, amounting to tens of millions of dollars of income lost for veterans and their families, income – and accompanying healthcare benefits – needed now more than ever.

NYLAG provides legal assistance to low-income veterans and their families because we know that, as a poverty-fighting tool, it works. Benefits and claims assistance is the top cited need for veteran and military households.³ Further, 71% of veteran and military households have experienced a civil or legal problem in the last year.⁴ The most common civil legal issues veterans face are eviction and foreclosure, benefits access, child support, and license restoration. Yet, despite the significant need, 88% of low-income veterans and military personnel reported receiving inadequate or no professional legal help for their civil legal problems.⁵

NYLAG and our legal service colleagues throughout the City attempt to fill this gap, though limited funding keeps us from fully closing it. Despite resource constrictions, we have made every effort to meet the additional challenges caused by the pandemic. At NYLAG, we established a COVID-19 Legal Resource Hotline to provide answers to pandemic-related legal

² New York City Bar, *Report by the Military and Veterans Affairs Committee, the Disability Law Committee, and the Social Welfare Committee Concerning Inadequate Financial Support from the City and State of New York for Legal Services to Obtain Benefits from U.S. Department of Veterans Services*, at 2 (2019), <https://s3.amazonaws.com/documents.nycbar.org/files/2019531-PublicInterestVeteransLawPractitioners.pdf>.

³ New York State Health Foundation, *A Strategic Roadmap to Enhance the Role and Impact of the New York State Division of Veterans' Services*, at 18 (July 2019), <https://nyshealthfoundation.org/wp-content/uploads/2019/07/IVMF-strategic-roadmap-to-enhance-the-role-and-impact-of-ny-state-dvs.pdf>.

⁴ Legal Services Corporation, *The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-Income Americans*, at 7 (June 2017), <https://www.lsc.gov/sites/default/files/images/TheJusticeGap-FullReport.pdf>.

⁵ *Id.*

questions. Through this hotline, we have assisted more than 2,000 individuals and their families, including veterans, with advance planning, unemployment and public benefits issues, and housing concerns, among many others. On the national stage, in mid-March we led nationwide advocacy efforts to demand that the VA take quick and decisive action to preserve veterans' health and benefits rights during the pandemic. Although the VA met many of our initial demands by largely suspending debt collection and waiving claim and appeal deadlines missed due to the pandemic,⁶ veterans continue to fall through the cracks.

Housing remains the foremost critical issue for veterans. While some progress has been made towards ending veteran homelessness overall, shelters have experienced a surge of veterans during this national emergency. With estimates that nearly 25% of New York City renters are not current on rent,⁷ much of the burden of addressing eviction prevention, and preventing veteran homelessness from increasing, will fall on legal service providers.

Employment issues are another high area of concern. Approximately one-third of the callers to NYLAG's COVID-19 hotline came to us because they have lost their jobs or cannot safely return to their jobs due to the pandemic, and require assistance navigating unemployment benefits and paying rent and bills. Based on an analysis of industries hit hardest by COVID-19, it is estimated that 14% of all veterans employed before the pandemic have lost work.⁸ Since veterans begin their careers later and have an educational and career

⁶ Letter from New York Legal Assistance Group and Co-Signatories to Robert Wilkie, Secretary of the U.S. Department of Veterans Affairs (March 22, 2020), <https://www.nylag.org/wp-content/uploads/2020/03/Wilkie-Proposal-to-VA-in-Response-to-COVID-19-Sign-On-Letter.pdf>.

⁷ New York Times, *A Moratorium on Evictions Ends, Leaving Thousands of Tenants Fearful* (June 22, 2020), <https://www.nytimes.com/2020/06/22/nyregion/nyc-evictions-moratorium-coronavirus.html>

⁸ Bob Woodruff Foundation, *Veterans and COVID-19: Projecting the Economic, Social, and Mental Health Needs of America's Veterans*, at 3 (March 2020), https://bobwoodrufffoundation.org/wp-content/uploads/2020/04/BWF_WhitePaper-COVID19-5.0-Final.pdf.

background that does not always translate to civilian employment, on average, it often takes longer for them to find new work.⁹ These veterans will need legal advocates to help them navigate the unemployment system, and to access VA educational or job training, or monetary benefits until they can get back to work.

Assistance with VA benefits and healthcare access issues are the third prominent need, and these issues tend to be at the root of the majority of other legal issues we encounter. Our veterans needed more legal services resources with these two areas before the pandemic; that need has only grown as incomes drop and health outcomes worsen. Veterans who have been improperly denied these key benefits need attorneys who are versed in the complexities of the appeals process to help them put together well-documented claims that will result in them receiving their rightful benefits as quickly as possible.

To address these critical needs, it is essential that the City Council and the Administration continue funding that allows NYLAG, and other civil legal service providers, to help New York City veterans make it through this difficult time. While we recognize the extraordinarily challenging budget position that the City is in, it is essential that veterans have access to quality, free civil legal services. As New York works to recover from the impact of COVID-19, civil legal services will be a crucial component to helping veterans get back on their feet. And City support for civil legal services organizations will make the difference for veterans who need an advocate at their side. Now is not the time to cut legal services for veterans, but to increase the support that will allow veterans to succeed in the wake of COVID-19.

⁹ *Id.*

Thank you for the opportunity to testify today. We look forward to engaging in further discussions about serving our veteran communities and improving their access to critical legal services and other resources. I would be happy to answer any questions.

Respectfully submitted,

New York Legal Assistance Group

Good afternoon chair Deutsch and fellow City Council members.

Thank you for giving me the opportunity to testify today.

My name is Allison Messina and I am the Vice President for Workforce Development at Project Renewal, a New York City homeless services nonprofit agency.

For more than 53 years, Project Renewal has empowered individuals and families who are experiencing homelessness to renew their lives. Each year Project Renewal serves nearly 15,000 New Yorkers—including hundreds of veterans—through our wrap-around services focused on health, homes and jobs.

We are grateful to Speaker Johnson, Chair Deutsch, and the City Council for their generous support of Project Renewal's homeless prevention services for veterans—support that has been crucial for us to help veterans across all of our programs. We especially thank the City Council for its continued support during the COVID-19 pandemic, in the face of serious fiscal issues and across-the-board funding cuts.

Since the beginning of our fiscal year in July, we have served 60 veterans in our housing programs, 10 veterans in our vocational programs, and 86 veterans in our healthcare programs.

This year, our staff has met the unprecedented challenges of the COVID-19 pandemic with unyielding courage, compassion, and professionalism—keeping veterans and other vulnerable New Yorkers safe, healthy, housed, fed, and employed.

When the pandemic began, we immediately implemented new safety and sanitation protocols in our shelters and housing programs, and we launched on-site COVID testing with support from our mobile medical team.

To facilitate social distancing, at the City's direction we followed health experts' guidance by relocating more than 800 of our shelter clients to four hotels identified by the City. There, we have continued providing clients with the wide range of support services they had been receiving at our shelters.

As a result, fewer than 5% of our more-than-2,000 shelter clients and housing program residents have tested positive for COVID.

Furthermore, at the height of the pandemic, our mobile and shelter-based medical programs were on the front lines, providing quality care while easing the burden on our city's overwhelmed emergency rooms.

We also expanded our telehealth program—from three providers to 16—to provide uninterrupted medical, mental health, and substance use disorder care, remotely, for more than 1,100 clients.

We have not paused our workforce development programs during the pandemic, either. Since mid-March, we have placed 210 of our clients in essential jobs. These placements—in food delivery, package handling, security, and maintenance—have helped keep the city functioning and enabled our clients to progress toward economic stability.

Meanwhile, our social purpose catering company, City Beet Kitchens, which trains and employs formerly homeless New Yorkers, has doubled its reach. At a time of heightened food insecurity, we are now providing more than 5,000 daily meals to residents of shelters and transitional housing across the city.

As unemployment remains high and the City’s economy struggles to recover, the need for continued support for workforce development is especially critical.

Project Renewal strongly supports the Department of Veterans’ Services and values our role as a partner in its mission. We look forward to working more with the department and welcome suggestions for greater partnership in the future.

In addition, during this unprecedented time we call on all New Yorkers to show compassion for our neighbors experiencing homelessness, mental health concerns, substance use disorders, and unemployment. Each of these individuals is a human being with a story behind their complex challenges. They all deserve our support—especially the veterans who have sacrificed so much to help our country.

Thank you for this opportunity to testify.



Testimony to the Committee on Veterans of the New York City Council

Delivered virtually on October 19, 2020

by Ashton Stewart, SAGEVets Program Manager

Thank you, members of the New York City Council, for holding this important hearing focused on the needs of veterans, which have mounted during the COVID-19 pandemic. My name is Ashton Stewart, and I am the manager of SAGEVets, SAGE's statewide program for lesbian, gay, bisexual, and transgender (LGBT) veterans. Support from New York City has been instrumental to our SAGEVets program – allowing SAGE to engage older LGBT veterans across this great city and the entire Empire State and making a real difference in the lives of many older LGBT veterans.

SAGE is the country's first and largest organization dedicated to improving the lives of lesbian, gay, bisexual and transgender (LGBT) older people. Founded in New York City in 1978, SAGE has provided comprehensive social services and programs to LGBT older people for four decades. SAGEVets is one of SAGE's programs and, in fact, is the only program in New York City or New York State designed for older LGBT veterans.

New York is home to approximately one million men and women who served their country in the Armed Forces – many of whom are LGBT. New York City and State are among the top ten cities and states with the highest concentrations of gay and lesbian veterans, both in number and per capita. In fact, the Urban Institute estimates there are over 38,000 lesbian and gay veterans living in New York State, with 17,000 residing in New York City.

According to a survey by the LGBT Health and Human Services Network, 76% of people who identified as veterans were from Upstate New York, and 56% of LGBT veterans were over the age of 50. Many LGBT older veterans in New York State are struggling and yet, are not accessing the services they need. Also, according to the New York State LGBT Health and Human Services Network:

- 43% of lesbian, gay and bisexual vets live at under 200% of the Federal Poverty line; for transgender veterans, this number was nearly 60%
- 30% of lesbian, gay and bisexual veterans were homeless; 46% of transgender vets were homeless
- 34% of lesbian, gay and bisexual veterans were food insecure; over 61% of transgender vets struggle with food insecurity
- 30% of lesbian, gay and bisexual veterans and 48% of transgender vets fear discrimination from providers

SAGEVets was created to identify, support, and improve access to care among LGBT older veterans across the state and respond to their swelling needs. In fact, last year alone, SAGEVets outreach and program activities reached over 13,000 individuals, 3,185 of whom are veterans.

Support from the New York City Council has been crucial to reach and engage elder LGBT veterans residing in the five boroughs. This funding has helped fuel SAGE's work to implement the Restoration of Honor Act, legislation that is designed to help veterans who received Other Than Honorable Discharges for sexual orientation and gender identity to have the opportunity to have their case heard by the New York State Division of Veterans' Services and gain access to veteran services and programs offered by the State of New York, while having their honor restored.

Also, in recent months, as our city and state has struggled during the COVID-19 pandemic, our state's elders have been forced to endure unimaginable hardships. For LGBT elders and older LGBT veterans, many of whom were already struggling with financial insecurity, food insecurity, acute social isolation, and exacerbating health disparities, COVID-19 has presented mounting challenges. Many of the LGBT older veterans who need help with food, connection, healthcare, or financial security often do not turn to the VA providers who can help for fear of discrimination. This has created a chasm between the need and access to care – one that is especially dangerous in the middle of the COVID-19 public health crisis.

Throughout the pandemic, SAGEVets programming has continued to provide support, information, and referral to elder LGBT veterans.

Isolation is the underlying root of most challenges elder LGBT veterans are currently facing. While the issue of loneliness is something that older LGBT people have historically had to face, the current reality of sheltering-at-home has resulted in isolation issues that permeate the entire veteran service safety net. In response, SAGEVets has conducted vigorous wellness checks among our SAGEVets participants, offered telephonic one-on-one and group support, and launched virtual programming to continue to connect older LGBT veterans to the community. The team is making referrals to remote legal counsel, teletherapy, and health care. Still, unfortunately not all service providers, including the VA, can offer the full suite of services they offered prior to the pandemic. To work around these issues, we have encouraged veterans to keep up with their primary care doctors with virtual check-ins. The Home-Based Primary Care program at the VA has been suspended, leaving especially vulnerable veterans at risk; they can, however, still conduct telephone intakes and screenings.

SAGEVets' services are addressing many of these unmet needs. For example, we have conducted wellness checks with over 400 veterans. During these calls, our team assesses veterans' vulnerabilities around isolation, food security, and mental and physical health. For veterans experiencing food insecurity, in partnership with the New York City Department of Veterans' Services, SAGEVets participants were able to receive non-perishable meals and our SAGEVets team connected those in need to a long-term meal delivery program.

Also, we have seen a rise in legal needs of elder LGBT veterans since the beginning of the pandemic. In the last year, we have made 44 referrals to legal providers, 26 of those occurred between March 13 and September 30. Given the reduction in staff among some of our legal partners, we have relied on legal counsel from the New York State Division of Veterans' Services (NYSDVS) to help us keep cases moving. For instance, in a guardianship case before the New York State Supreme Court, New York County, Benjamin Pomerance, Deputy Director for Program Development at NYSDVS, provided counsel to SAGEVets on preparing an Order to Show Cause for *a disabled* 73-year-old white gay cisgender male Vietnam War veteran who desperately needed a new guardian. The veteran suffered from a stroke in 2015 that left him paralyzed and NYSDVS helped us navigate this case to a successful outcome. In addition, NYSDVS is helping SAGEVets assist a veteran who was denied health care at the VA. This veteran was discharged for being gay just a few months shy of the required two-year active duty enlistment and therefore considered ineligible by the VA. This case has been escalated to the Network Director for the New York/New Jersey VA Health Care Network thanks to Mr. Pomerance. These are only two examples of cases that involve veterans whose circumstances have been deeply exasperated

by the pandemic. We are grateful for the support from our legal providers to help us assist elder LGBT veterans in need.

For veterans struggling with isolation, we connected these service members to SAGEConnect, a new SAGE initiative links volunteers with LGBT elders for phone support. And, we have continued to offer our weekly Veteran Support Group telephonically.

Our SAGEVets program also continued to create and offer inspiring virtual programs. That included a Pride month panel that featured The Steven A. Cohen Military Family Center and the Manhattan VA and was hosted by the Veterans Mental Health Coalition of NYC. The program focused on the evolution of mental health supportive services for LGBT veterans since the repeal of the *Don't Ask Don't Tell*. In another exciting development during Pride month, for the first time ever, SAGEVets was part of the [10th Mountain Division & Fort Drum's LGBT Pride Month Observance program](#), honoring the patriotism of the U.S. military from "LGBT members, past and present, who have fought bravely to protect our nation and ensure a quality for all who call America home."

To lift up the diverse and intersecting identities of our state's LGBT older veterans, SAGEVets was a featured presenter at the *Bedford Stuyvesant 9th Annual Memorial Day Parade*, hosted by Black Veterans for Social Justice. In July, our SAGEVets team delivered remarks at the [Veterans Rally, Because Black Lives Matter](#), also organized by BVSJ. In August, SAGEVets honored to receive the BVSJ Gallantry Award, the second award that our SAGEVets has received in the past year.

Even in the midst of the pandemic, SAGEVets continues to raise the profile and experiences of LGBT veterans. Earlier this year SAGEVets helped Senator Brad Hoylman nominate the first transgender veteran to the New York State Senate Veterans Hall of Fame. In [Collecting & Sharing LGBTQ Veteran Stories](#), SAGEVets collaborated with the *Intrepid Sea, Air & Space Museum*, to address the notable gap in military museums that lack objects and stories from the LGBT veteran experience.

We look forward to our continued partnership with the New York City Council and we deeply appreciate this continued support. Please feel share information about our programs and services with your partners and constituents. And, please reach out if you have further questions about SAGE's ongoing programs and services, including SAGEVets, during this pandemic and always.

Testimony to the Committee on Veterans of the New York City Council

Delivered virtually on October 19, 2020

by Ashton Stewart, SAGEVets Program Manager

Thank you, members of the New York City Council, for holding this important hearing focused on the needs of veterans, which have mounted during the COVID-19 pandemic. My name is Ashton Stewart, and I am the manager of SAGEVets, SAGE's statewide program for lesbian, gay, bisexual, and transgender (LGBT) veterans. Support from New York City has been instrumental to our SAGEVets program – allowing SAGE to engage older LGBT veterans across this great city and the entire Empire State and making a real difference in the lives of many older LGBT veterans.

SAGE is the country's first and largest organization dedicated to improving the lives of lesbian, gay, bisexual and transgender (LGBT) older people. Founded in New York City in 1978, SAGE has provided comprehensive social services and programs to LGBT older people for four decades. SAGEVets is one of SAGE's programs and, in fact, is the only program in New York City or New York State designed for older LGBT veterans.

New York is home to approximately one million men and women who served their country in the Armed Forces – many of whom are LGBT. New York City and State are among the top ten cities and states with the highest concentrations of gay and lesbian veterans, both in number and per capita. In fact, the Urban Institute estimates there are over 38,000 lesbian and gay veterans living in New York State, with 17,000 residing in New York City.

According to a survey by the LGBT Health and Human Services Network, 76% of people who identified as veterans were from Upstate New York, and 56% of LGBT veterans were over the age of 50. Many LGBT older veterans in New York State are struggling and yet, are not accessing the services they need. Also, according to the New York State LGBT Health and Human Services Network:

- 43% of lesbian, gay and bisexual vets live at under 200% of the Federal Poverty line; for transgender veterans, this number was nearly 60%
- 30% of lesbian, gay and bisexual veterans were homeless; 46% of transgender vets were homeless
- 34% of lesbian, gay and bisexual veterans were food insecure; over 61% of transgender vets struggle with food insecurity
- 30% of lesbian, gay and bisexual veterans and 48% of transgender vets fear discrimination from providers

SAGEVets was created to identify, support, and improve access to care among LGBT older veterans across the state and respond to their swelling needs. In fact, last year alone, SAGEVets outreach and program activities reached over 13,000 individuals, 3,185 of whom are veterans.

Support from the New York City Council has been crucial to reach and engage elder LGBT veterans residing in the five boroughs. This funding has helped fuel SAGE's work to implement the Restoration of Honor Act, legislation that is designed to help veterans who received Other Than Honorable Discharges for sexual orientation and gender identity to have the opportunity to have their case heard by the New York State Division of Veterans' Services and gain access to veteran services and programs offered by the State of New York, while having their honor restored.

Also, in recent months, as our city and state has struggled during the COVID-19 pandemic, our state's elders have been forced to endure unimaginable hardships. For LGBT elders and older LGBT veterans, many of whom were already struggling with financial insecurity, food insecurity, acute social isolation, and exacerbating health disparities, COVID-19 has presented mounting challenges. Many of the LGBT older veterans who need help with food, connection, healthcare, or financial security often do not turn to the VA providers who can help for fear of discrimination. This has created a chasm between the need and access to care – one that is especially dangerous in the middle of the COVID-19 public health crisis.

Throughout the pandemic, SAGEVets programming has continued to provide support, information, and referral to elder LGBT veterans.

Isolation is the underlying root of most challenges elder LGBT veterans are currently facing. While the issue of loneliness is something that older LGBT people have historically had to face, the current reality of sheltering-at-home has resulted in isolation issues that permeate the entire veteran service safety net. In response, SAGEVets has conducted vigorous wellness checks among our SAGEVets participants, offered telephonic one-on-one and group support, and launched virtual programming to continue to connect older LGBT veterans to the community. The team is making referrals to remote legal counsel, teletherapy, and health care. Still, unfortunately not all service providers, including the VA, can offer the full suite of services they offered prior to the pandemic. To work around these issues, we have encouraged veterans to keep up with their primary care doctors with virtual check-ins. The Home-Based Primary Care program at the VA has been suspended, leaving especially vulnerable veterans at risk; they can, however, still conduct telephone intakes and screenings.

SAGEVets' services are addressing many of these unmet needs. For example, we have conducted wellness checks with over 400 veterans. During these calls, our team assesses veterans' vulnerabilities around isolation, food security, and mental and physical health. For veterans experiencing food insecurity, in partnership with the New York City Department of Veterans' Services, SAGEVets participants were able to receive non-perishable meals and our SAGEVets team connected those in need to a long-term meal delivery program.

Also, we have seen a rise in legal needs of elder LGBT veterans since the beginning of the pandemic. In the last year, we have made 44 referrals to legal providers, 26 of those occurred between March 13 and September 30. Given the reduction in staff among some of our legal partners, we have relied on legal counsel from the New York State Division of Veterans' Services (NYSDVS) to help us keep cases moving. For instance, in a guardianship case before the New York State Supreme Court, New York County, Benjamin Pomerance, Deputy Director for Program Development at NYSDVS, provided counsel to SAGEVets on preparing an Order to Show Cause for *a disabled 73-year-old white gay cisgender male Vietnam War veteran* who desperately needed a new guardian. The veteran suffered from a stroke in 2015 that left him paralyzed and NYSDVS helped us navigate this case to a successful outcome. In addition, NYSDVS is helping SAGEVets assist a veteran who was denied health care at the VA. This veteran was discharged for being gay just a few months shy of the required two-year active duty enlistment and therefore considered ineligible by the VA. This case has been escalated to the Network Director for the New York/New Jersey VA Health Care Network thanks to Mr. Pomerance. These are only two examples of cases that involve veterans whose circumstances have been deeply exasperated

by the pandemic. We are grateful for the support from our legal providers to help us assist elder LGBT veterans in need.

For veterans struggling with isolation, we connected these service members to SAGEConnect, a new SAGE initiative links volunteers with LGBT elders for phone support. And, we have continued to offer our weekly Veteran Support Group telephonically.

Our SAGEVets program also continued to create and offer inspiring virtual programs. That included a Pride month panel that featured The Steven A. Cohen Military Family Center and the Manhattan VA and was hosted by the Veterans Mental Health Coalition of NYC. The program focused on the evolution of mental health supportive services for LGBT veterans since the repeal of the *Don't Ask Don't Tell*. In another exciting development during Pride month, for the first time ever, SAGEVets was part of the [10th Mountain Division & Fort Drum's LGBT Pride Month Observance program](#), honoring the patriotism of the U.S. military from "LGBT members, past and present, who have fought bravely to protect our nation and ensure a quality for all who call America home."

To lift up the diverse and intersecting identities of our state's LGBT older veterans, SAGEVets was a featured presenter at the *Bedford Stuyvesant 9th Annual Memorial Day Parade*, hosted by Black Veterans for Social Justice. In July, our SAGEVets team delivered remarks at the [Veterans Rally, Because Black Lives Matter](#), also organized by BVSJ. In August, SAGEVets honored to receive the BVSJ Gallantry Award, the second award that our SAGEVets has received in the past year.

Even in the midst of the pandemic, SAGEVets continues to raise the profile and experiences of LGBT veterans. Earlier this year SAGEVets helped Senator Brad Hoylman nominate the first transgender veteran to the New York State Senate Veterans Hall of Fame. In [Collecting & Sharing LGBTQ Veteran Stories](#), SAGEVets collaborated with the *Intrepid Sea, Air & Space Museum*, to address the notable gap in military museums that lack objects and stories from the LGBT veteran experience.

We look forward to our continued partnership with the New York City Council and we deeply appreciate this continued support. Please feel share information about our programs and services with your partners and constituents. And, please reach out if you have further questions about SAGE's ongoing programs and services, including SAGEVets, during this pandemic and always.



NEW YORK CITY COUNCIL COMMITTEE ON VETERANS

Thursday, October 19, 2020 1:00 p.m.

SUBJECT: Oversight - Needs of Veterans During COVID-19

Good morning. My name is Peter Kempner. I am the Legal Director at Volunteers of Legal Service (VOLS). VOLS was established in 1984 and our purpose is to leverage private attorneys to provide free legal services to low income New Yorkers to help fill the justice gap.

In addition to my duties as Legal Director of VOLS, I founded and supervise the VOLS Veterans Initiative. I also created and teach the Veterans Justice Clinic at New York Law School; I sit on the New York City Bar Association's Committee on Military and Veterans Affairs; I am a member of the New York State Bar Association Veterans Committee; I co-chair the New York City Legal Services Veterans Working Group; I am a member of the veterans committee at the statewide New York Legal Services Coalition; and I have held many past positions focused on the civil legal needs of low income veterans.

We thank the New York City Council Committee on Veterans for holding this critical hearing to examine the needs of veterans during COVID-19. My testimony focuses on two legal issues faced by New York's veterans in the wake of the COVID-19 crisis and how it is more important than ever to ensure that veterans have access to free legal services in order to fend off potential devastation.

- Eviction and Homelessness Prevention
- Life Planning

Prior to the COVID-19 outbreak, the VOLS Veterans Initiative conducted free weekly legal clinics at the Manhattan Campus of the Department of Veterans Affairs' NY Harbor Health Care System where we provided free civil legal services to low income veterans aged 60 and over. After the crisis shut the VA Hospital to outside visitors, we moved our services online and launched a legal hotline for low income elderly veterans.

The number one legal issue faced by the veterans we serve is eviction and homelessness prevention. Over the past decade New York City, working alongside the New York legal services providers, the New York City Department of Veterans' Services, veteran services organizations, the VA and other community partners, has made tremendous strides in addressing veteran homelessness. Using federally funded programs like the VA's Supportive Services for Veterans Families (SSVF); HUD-VASH Section 8; and the Homeless Providers Grant and Per Diem Program; in combination with local initiatives like the Universal Access to Council program, New York City has cut its veteran homeless population significantly.

The COVID-19 crisis has the potential to undue much of the progress we have made and return us to the bad old days where veteran homelessness was much more pronounced and widespread. It is estimated that tens of thousands of New Yorkers may face homelessness when the current pauses on eviction filings and executions of warrants of eviction are lifted.

There is no doubt that there are scores of veterans amongst those facing homelessness and many of these veterans are those who are the most vulnerable. These are veterans who suffer from service-connected disabilities, veterans with histories of substance abuse, veterans with mental health disabilities and veterans who were formerly homeless. If evicted many of these veterans will end up in shelters or the streets. Homeless shelters have proven to be a hotbed of COVID-19 spread and may put these veterans at risk of death.

The best way to prevent a backslide on veteran homelessness is to ensure it does not happen in the first place. This means doing everything we can to prevent the eviction of veteran tenants, which must include making sure that these veterans have access to free legal services in the event they face an eviction filing. It has been proven that tenants who are represented by counsel in an eviction proceeding are much more likely to be able to remain in their homes. Having access to counsel will ensure that these veteran's will be able to take advantage of protections provided by the New York Tenant Safe Harbor Act, and that they will be able to better access grants and other programs to help pay off rent arrears, and will ensure their rights are protected.

The next legal issue I want to address is making sure that veterans who are most vulnerable to poor health outcomes if infected with COVID-19 can engage in proper life planning. A core part of our work is to provide free wills and advance directives to low income senior veterans. These critical documents ensure that the wishes of senior veterans are clear and are carried out by the people they love and trust the most.

Veterans infected with COVID-19 may find themselves in a medically induced coma and on a ventilator for weeks or months. During this time rent will go unpaid, bills will pile up and loved ones may be forced to file costly and unpleasant legal proceedings like guardianships if a veteran becomes incapacitated in the long term. A veteran who has the ability to put a proper plan in place by completing a Power of Attorney, a Health Care Proxy and other advanced directives can ensure that the negative collateral consequences of incapacity are minimized and potentially avoided. By empowering their loved ones with the proper tools to handle their affairs while they battle the virus, they can focus on healing instead of worrying about whether they will have a home to return to when they are released from the hospital.

The common thread that brings these issues together is how access to free legal counsel is transformative for veterans in need. From eviction prevention, to life planning, to accessing critical government benefits and on so many other fronts, having access to free legal services is an important tool in our toolbox to help abate the negative impact of the COVID-19 crisis on the New York veteran community.

Thank you for allowing us to submit this testimony and for holding this important hearing.

Peter Kempner, Esq.
Legal Director

Fleet: VTS FURBA C. LAMA From: 1/1/2020 To: 03/31/2020

TOTAL TRIPS REPORT

Cab	Fare	Extras	Tips	Tolls	Trip Count	MTA Tax Count	MTA Tax Amt.	Imp. Surch. Count	Imp. Surch. Amt.	Total	Cong. Surch. Count	Cong. Surch. Amt.
8D98	15684.50	416.00	2852.52	349.33	1304	1288	644.00	1294	388.20	23452.05	1247	3117.50
1	15684.50	416.00	2852.52	349.33	1304	1288	644.00	1294	388.20	23452.05	1247	3117.50