

An Incarcerated Veterans Guidebook for New Jersey



(Map of The VA New Jersey Health Care System locations)

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Forward

This handbook can be an important tool. Review all of the programs thoroughly to understand the opportunities available. When these programs are used properly, the benefits will be a minimization of the outside pressures you may be confronted upon release - social acceptance, economics, and re-establishment as a productive member of society.

This booklet is a tool for Veterans Incarcerated and their families who wish access to services to support a new and better way of life. Be aware, this guidebook is designed to assist veterans incarcerated, in the State of New Jersey, and their families, laws do vary from state to state. Therefore, check your state laws and regulations against this guide.

Thank you,

***VA Homeless Services
Lyons, NJ***

Agency staff names and addresses, phone numbers and website addresses change. If you attempt to contact one of the resources in this guidebook and it is not current, do your best to obtain the current information through phone information or a Google web search. To perpetuate the value of this document, we respectfully request that if you discover any incorrect, conflicting, or out-of-date information in this Guidebook please send the discrepancies, and updated information if you have it, to:

John Kuhn
Chief, Homeless Services
VA New Jersey Health Care System
151 Knollcroft Rd, Bldg 57
Lyons, NJ 07939

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SECTION I

USING THIS GUIDE

This guide is for you to use to plan for your release and to keep as a reference after your release. It includes addresses, phone numbers, and web sites that you can use to find out about programs and other help available after your release. Because you may not have phone or internet access, you will need to get assistance from your assigned counselor or ask a friend or family member to help you find the information you need. Keep in mind that this guide does not include all of the services available. What is available in one area may be different from what is available in another, so be sure to check with local resources to learn about services in your area.

While incarcerated, find out which unit in your facility can help you plan for your release (often the education or transfer unit). Take advantage of the any classes that are offered, to work your on skills development and prepare your self for life after release. You don't want to be at risk of homelessness at release, so take advantage of the opportunities available to you.

Begin thinking about what specifically you will need upon release. Ask yourself these kinds of questions: Will I need housing? Will I need medical, substance abuse, or mental health services? Do I need to learn a job skill? Do I have any other legal issues, such as child support? How do I restart my VA checks or Supplemental Security Income (SSI)?

Make a list of your needs. Remember that this is just a tool to help you get organized. A sample list might look like this:

- I need a place to live.
- I need a job.
- I need work clothes and tools.
- I want to get addictions treatment / counseling.
- I owe child support.

Think about your list as you read this guide. Who do you think can help you with each of your needs? Is there one organization that may be able to work with you, on many different things, or do you need to contact several agencies? Keep track of the steps you take, including the dates and names of people you contact for information or assistance. Although this guide provides *national and state* addresses for many organizations, we recommend you check your phone book for local, county, and state agencies that know what help is available in your area.

When writing a letter to request information, be clear. Keep your letter short, to the point, and write legibly. Include the following information:

- Your name and contact information.
- A brief statement about your current situation.
- Your specific request.
- What you have done so far (*Example: I have written to the following organization and they suggested I contact you*).
- Any restrictions for mailings (*Example: Mail with staples or paper clips will not be accepted by my prison facility*).

When contacting an agency for help by mail, email or phone, be persistent and polite in order to get results. Ask questions if information is not clear to you. Remember that many organizations are staffed by volunteers who are eager to help, but may not have the answers you are looking for. If someone cannot help you, ask if they know who can.

The Internet can also be helpful to find information about VA benefits and community resources in your area. This guide includes web addresses, when available. If computer access is not available at your facility, you can visit the public library after release. Computer access may also be available at Department of Labor One-Career Centers and Affiliate sites, WorkForce Development Council member locations, and Employment Security Department offices (still referred to as Job Service Centers or Unemployment Offices).

SECTION II

HELP FOR VETERANS

This section includes resources that can help you get back on your feet. Remember to check the phone book for local, county, and state agencies that know what services are available in the area to assist you. Some organizations may have waiting lists, require an interview, or have specific rules about whom they serve. It is best if you start asking about services and requirements now, so that you will be prepared when released. You may even ask if your name could be put on a waiting list when you get closer to your release date.

GETTING STARTED

Check the local phone book yellow pages under "Homeless" or "Social Service Organizations" for a list of many local organizations that offer different services, which may include clothing, public transportation tokens, emergency shelter, and more. You may need to contact several agencies to find all the services you need. Services provided by *government* agencies are listed in the blue pages found near the front of the phone book. Check with your local Public Assistance Office to find out what programs are available and what their guidelines are. We have included some guidance below, but your local organizations are your best resources. **Remember, it never hurts to ask!**

General Resources for Medical Care, Benefits, and Residential Treatment

- Every **VA Medical Center** has a **Health Care for Homeless Veterans (HCHV) Coordinator** who is responsible for helping homeless veterans access VA and community-based care to end homelessness among veterans. The HCHV program provides outreach, clinical assessments and referrals for medical and mental health care, long-term transitional residential assistance, case management and employment assistance with linkage to permanent housing. To locate your nearest HCHV Coordinator call 1-877-222-8387 or go to <http://www1.va.gov/homeless/page.cfm?pg=21>.

- **The VA New Jersey Health Care System** offers extensive medical and mental health services. These services include residential treatment at the Domiciliary for substance abuse and mental health disorders, employment assistance, and transitional housing. Call (888)725-3000 for a Domiciliary screening appointment. Information about VA Homeless Services in New Jersey can be found on the web at www.vetsinfo.com
- **VA Regional Office** in Newark offers VA benefits assistance and entitlements information. Call (800)827-1000 for information. Referrals for emergency shelter and emergency benefits assistance is also available at the VA's Homeless Outreach program based in Regional Office. Call (973)645-3769 for information.
- **New Jersey Resources for People Leaving Prison.** This website, www.njsuccess.org details a broad range of services including housing, vocational and treatment resources. This site will detail available resources by county.

Directory of Homeless & Housing Advocacy Coalitions.

The following is a list of Homeless and Housing Advocacy Coalitions for New Jersey. Not all of these coalitions provide direct services, but they may be able to tell you about local programs or services.

NJ Alliance for the Homeless
24 Grant Street
Newark, NJ 07104
(973)482-0625

Corporation for Supported Housing
162 West State Street
Trenton, NJ 08608
(609)392-7820
Email: nj@csh.org

The Supported Housing Association of NJ
15 Alden Street, Suite 12
Cranford, NJ 07016
(908)931-1131
Email: sha@shanj.org

- **United Way** - provides a variety of services through local organizations. Check the phone book for a local post or locate local organizations online at www.unitedway.org.
- **Local churches and faith-based organizations**, such as Catholic Charities, Salvation Army, and Volunteers of America, may have a variety of programs to assist you. Find these organizations by calling your county or city Department of Social Services. Check the blue pages of the phone book for the number.

WHAT YOU CAN DO WHILE YOU ARE INCARCERATED:

Success depends upon you working with the system. That means work with the Dept of Corrections counseling staff and your Community Corrections Officer. This resource book will not work unless you make an effort to work with the resources that are offered you by DOC.

You'll need some kind of permanent or semi-permanent housing arrangement in order to be paroled. This often means living with family or in transitional housing that can be arranged while you are incarcerated. Transitional housing can provide you with a place to live while you are finding employment and/or saving for your own apartment.

After you are released, your PO or CCO will be looking with you to establish some kind of stable permanent residence in your first three months after release; although this can include staying longer term in the transitional housing setting.

Do NOT move without notifying our parole officer, and DO NOT move outside the county without his advance permission. Moving out of State requires written permission in advance, usually from both your parole officer and from the State you are moving to.

HOUSING

It is important to know that you have a place to go when released. The first step in returning to the community is finding a place to stay. This section includes ways to locate emergency shelter, transitional programs, and permanent housing assistance.

Transitional or temporary housing can serve as a step toward full independence upon your release. However, there are often waiting lists for housing assistance programs, so you should ask about applying as soon as possible. If you are released and find yourself homeless, emergency assistance is available.

Emergency Housing and Shelter

The best idea is to never need emergency shelter and work closely with the DOC counseling staff as you make a community re-entry plan. If you need emergency shelter, you can find it several ways. One is to look in the local yellow pages under mission or shelter. Another source is to use the First Step web site. This web site not only helps with housing, but is a wealth of information on income assistance, food, employment services, child care, mental health and counseling services, health care assistance, alcohol and drug abuse treatment, life skills and HIV/AIDS services. The web site is aspe.hhs.gov/homeless/index.shtml.

- **National Coalition for the Homeless** has a directory of shelters and homeless assistance programs online. This does not list every program in the country, so be sure to check your phone book for local programs Call 1-800-838-4357 or go to www.nchv.org.
- To find out if there are homeless veteran service providers in your area, call 1-800-VET-HELP, write to NCHV, 333½ Pennsylvania Ave., SE Washington, DC 20003-1148, or go to www.nchv.org. Look in the phone book yellow pages under "Social Service Organizations" for local shelters or organizations that may be able to help.

Look in the front of the phone book under local, city, or county government Department of Social Services or "Human Services" or call the County Commissioner's Office for information about local low-income housing coalitions or homeless advocacy groups

who may know what is available.

- To find a list of emergency shelters for men, women and families in every state, check the **Department of Housing and Urban Development** online at www.hud.gov/homeless/hmlsagen.cfm.

County Social Services. Each county maintains a department of social services that can provide help securing emergency assistance, including shelter, public assistance, food stamps and other referrals. A partial listing for is included below.

ATLANTIC CITY: (609)347-5570

BERGEN: (201)368-4000

BURLINGTON: (609)261-1000

CAMDEN: (856)222-8382

CAPE MAY: (609)886-6200

CUMBERLAND: (856)691-4600

GLOUCHESTER: (856)582-9200

HUNTERDON: (908)788-1300

MERCER: (609)989-4491

MIDDLESEX: New Brunswick (732)745-3500, Perth Amboy (732)324-5500

MONMOUTH: Freehold (732)431-6000, Atlantic Highlands (732)872-3200

MORRIS: (800)792-8672

NEWARK: (800)696-7063

OCEAN: (732)349-1500

PASSAIC: (973)881-0100

SALEM: (856)299-7200

SOMERSET: Somerville (908)526-8800, North Plainfield (908)561-9400

SUSSEX: (973)383-3600

UNION: (908)756-6060

WARREN: (908)475-6301

Transitional Housing:

Oxford Houses: These non-profit organization started in 1975. Today there are over 950 Oxford Houses throughout the country. An Oxford house is a self-governed and self-supported recovery house for people who seek sobriety. The house members are responsible for all household expenses and any member who uses alcohol or drugs is immediately expelled. These are nice homes in nice neighborhoods. To locate an Oxford house, call the 24-hour helpline @ 1-800-562-1240. New Jersey Oxford Houses can be found on the web at www.oxfordhouse.org/newjersey.html

VA's Domiciliary Care for Homeless Veterans (DCHV) Program and VA Supported Transitional Housing.

In New Jersey, the Domiciliary is generally the entry point for VA transitional housing. The Domiciliary program provides medical care and rehabilitation in a residential setting on VA medical center grounds to eligible ambulatory veterans needing treatment for substance abuse and/or mental health disorders. A typical Domiciliary stay in New Jersey lasts for 4 months.

To locate DCHV's throughout the country call 1-877-222-8387 or go to the web @ www.va.gov/homeless. Information about VA New Jersey Homeless Services, including transitional housing, can be found at www.vetsinfo.com. Call (888)725-3000 to be screened at the VA New Jersey's 85-bed Domiciliary or to speak to the VA New Jersey Incarcerated Veterans Outreach Coordinator.

Long-term or Permanent Housing:

Public housing waiting lists can be long, but the length of time can vary from place to place. Even if you are not sure where you want to live yet, apply to get on the waiting list so that you have as many options as possible. To learn how to apply, contact the local housing authority listed in the phone book blue pages under "Local Government, Public Housing Authority".

- The **NJ Housing Resource Center (HRC)** maintains lists of affordable housing by county and municipality. Check the web at www.njhousing.gov or call (877)428-8844.

EMPLOYMENT ASSISTANCE

When released you may find that you are completely starting over. Its important to begin preparing for job opportunities as soon as you are able. You should ask for job counseling and training while incarcerated so you are prepared to go to work when released.

EMPLOYMENT SERVICES

The **Workforce New Jersey Public Information Network** (WNJPIN/Americas Job Bank) <http://www.wnjp.state.nj.us/> is the state's online One-Stop Career Center. It is provided in cooperation with the state of New Jersey and other states department's of labor, education, human services, commerce and economic development, community affairs and veterans affairs. The site provides a listing of all jobs available through the New Jersey Department of Labor. Jobs may be searched for by job category or by keyword. You may search for jobs statewide, nationwide or within a Zip code or within a geographic area. One-Stops can also be contacted by calling (877)872-5627.

The Department of Labor's (DOL) One-Stop Career Centers offer the convenience of one-stop shopping for your employment and training needs. One-Stop Career Centers offer a variety of job finding resources in one place. Services at One-Stop include:

- Internet access to thousands of job listings in NJ and nationwide.
- Computerized job matching and direct referral to job opportunities.
- Career counseling and job search workshops.
- Assistance writing and publicizing your resume.
- Assistance accessing training and retraining resources.

There are over 100 one-stop centers and affiliates located in New Jersey. A listing of NJ centers is available on the web at www.servicelocator.org The Newark One Stop Career

Center is co-located with the Mayor's Office of Employment and Training and the Division of Vocational Rehabilitation (DVR) at

990 Broad St

Newark, NJ 07102

Tel: (973)648-3370 for the One-Stop, (973)648-3494 for DVR

Local Veterans Employment Representatives (LVER) and Disabled Veterans Outreach Program (DVOP) specialist help veterans find and keep jobs. DVOP Specialists work under the supervision of the LVER to develop job and training opportunities for veterans with service-connected disabilities, linking veterans with employers and making sure follow-up services are provided.

Some New Jersey county telephone numbers for LVERs and DVOPs include

BERGEN: (201)996-8550

CAMDEN: (856)614-3177

ESSEX: (973)429-7988
Newark: (973)648-3706

HUDSON: (201)795-8800

MERCER: (609)292-6743
Trenton: (609)292-0656

MIDDLESEX: (732)937-6205

MONMOUTH: (732)775-1566

MORRIS: (973)361-9050

OCEAN: (732)286-5623

PASSAIC: (973)977-4144

SOMERSET: (908)704-3000

▪ **Work Opportunity Tax Credit**

The Work Opportunity Tax Credit (WOTC) can save an employer as much as \$2,400 in taxes when they hire a worker who historically has had a hard time landing a job.

In addition, it's easy. All an employer has to do is hire a qualified worker, fill out the Pre-Screening Notice (8850) and Individual Characteristics Form (9061) and drop them in the mail within 21 calendar days from the start date of employment. An ex-

felon who has a hiring date, which is not more than one year after the last date on which they were convicted or released from prison, and is a member of an economically disadvantaged family is qualified for WOTC.

An employer can get a tax break of 40 percent up to first \$6,000 of the wages paid to a qualified worker who worked at least 400 hours during the first year of employment. That adds up to a \$2,400 tax credit for filling a job they planned to fill anyway. However, if the new employee only works 120 to 399 hours an employer can still receive a credit of up to 25 percent of the qualified first year wages up to \$6,000. This allows a credit amount up to \$1,500.

If an employer wants more information and forms, they can call the Workforce Network Help Line at (877)872-5627. Information is also available on the web at www.doleta.gov

- **New Jersey State Bonding Program**

Purpose—Bonding is a unique and innovative tool for marketing an applicant to an employer. As an employer incentive, it conveys a businesslike approach. The employer gets the worker’s skills, abilities and knowledge without taking risk of potential employee dishonesty. There are no forms or other papers for the employer to sign, and no processing to delay matters – the insurance can be put into effect instantly. The bond insurance can apply to any job and covers any employee dishonesty that occurs on or away from the employer’s work facility. Full or part-time employees’ paid wages (with federal taxes automatically deducted from pay) can be bonded; these Fidelity Bonds cannot cover self-employment.

Why bonding is needed -Job seekers who have in the past committed a fraudulent or dishonest act, or who have demonstrated other past behavior that casts doubt upon their credibility or honesty, often experience a special barrier to gaining employment due to their personal backgrounds. Such persons are routinely classified as “at-risk” job applicants when their past life experience raises an obstacle to their future ability to secure employment. More specifically, *employers view these applicants as being potentially untrustworthy workers*. This fear is further heightened by the fact that Fidelity Bond insurance commercially purchased by

employers to protect against employee dishonesty usually will not cover those at risk – these persons are designated by insurance companies as being “NOT BONDABLE.” As a result, at risk job applicants are routinely denied employment. Ex-offenders, including anyone with a record of arrest, conviction, or imprisonment, and anyone who has ever been on probation or parole, are at-risk job applicants. Others, similarly at risk and NOT BONDABLE are ex-addicts (persons with a history of alcohol and drug abuse), persons having a poor credit record, or who have declared bankruptcy, economically disadvantaged persons who lack a work history, and individuals who were dishonorably discharged from the military. Other job seekers also can be classified as at-risk if bonding can eliminate the barrier to their employment.

What is a Fidelity Bond? -Fidelity bonding is a form of business insurance usually purchased to indemnify employers’ for loss of money or property sustained through the dishonest acts of their employees (i.e. theft, forgery, larceny, and embezzlement). This “employee dishonesty insurance” is generally considered a good business management practice, and is purchased by many employers. However, while other types of insurance set premiums that vary according to the degree of risk, Fidelity Bond premiums are always set based upon taking no risk. As a result, insurance companies usually will not cover at-risk persons under Fidelity Bonds, a practice that has created a special barrier to employment for the growing large number of persons (i.e. ex-addicts, credit risks, etc.) whose personal credibility is questionable due to other dishonest or deviant past acts.

To apply for the New Jersey State Bonding Program call the State Bonding Coordinator at (609)777-2569, or inquire at your nearest One-Stop Center.

- The **VA Vocational Rehabilitation and Employment** services help veterans with service-connected disabilities by providing job training and counseling to those who have an employment handicap. Services include help finding a job, on-the-job training, job development, and vocational training. If you are not eligible for these services, a VA counselor may help you find other options, goals, or programs. Contact your VA Regional Office (VARO) at 1-800-827-1000, or go to <http://www1.va.gov/directory/guide/division.asp?dnum=3>.

- The **VA Veterans Industries and Compensated Work Therapy programs**, offers structured work opportunities and supervised therapeutic housing for at-risk and homeless veterans with physical, mental health and addictions problems. VA contracts with private industry and the public sector for work by these veterans, who learn job skills, re-learn successful work habits, and regain a sense of self-esteem. Veterans are paid for their work and given assistance with employment in the community. In New Jersey, the VA currently has Veterans Industries Programs located throughout Central New Jersey. For further information go to www.vetsinfo.com.
- The State of New Jersey's **Vocational Rehabilitation** program helps people with disabilities find and keep jobs. Apply for these services immediately after your release. Look in the phone book blue pages under "Department of Social and Health Services (DSHS)," then "Vocational Rehabilitation," or search the internet for "Vocational Rehabilitation" in your state.

VA HEALTH CARE

If eligible for veteran's benefits:

- We encourage you to enroll in the VA Health Benefits System as soon as you are released. Every **VA Medical Center** has a **Health Care for Homeless Veterans Coordinator** who helps veterans and their families find resources inside and outside the VA Health Care system. Call 1-877-222-8387 or go to <http://www1.va.gov/visns/visn03/eorginfo.asp>, to find the medical center nearest you.

VA New Jersey Health Care System

Main Medical Center Campuses

Lyons
151 Knollcroft Rd
Lyons, NJ 07939
(206) 762-1010

East Orange
385 Tremont Ave
East Orange, NJ 07018
(973)676-1000

Community Based Outpatient Clinics

Brick
(732)206-8900
Ft. Monmouth
(732)532-4500
Jersey City
(201)435-3055
New Brunswick
(732)729-0646
Trenton
(609)989-2355

Elizabeth
(908)994-0120
Hackensack
(201)487-1390
Morristown
(973)539-9794
Newark
(973)645-1441

If ineligible for veteran's benefits, free or low-cost health care may be available from the following sources:

- **Department of Human Services (DHS)** can help you obtain health care if you are uninsured. Check the web at www.state.nj.us/humanservices/health_care.html for more information. You can call the Medical Hotline at (800)356-1561.
- **National Health Care for the Homeless Council** has a list of health care providers working with homeless people across the nation. For a list of providers in your state, go to www.nhchc.org.
- **Free clinics** are run by many local organizations and communities. Look in the phone book blue pages under "Public Health" to contact local government office for clinics in your area.

Special Health Information for Veterans:

- **National AIDS Hotline** - Talk to someone who knows about HIV / AIDS and can tell you about AIDS services in your city or state: 1-800-822-7422.
- If you think you may be at risk for AIDS and HIV infection after your release, contact the nearest VA Medical Center to be tested, and seek counseling. Those at highest risk for AIDS and HIV infection are:
 - people who share needles or syringes to inject drugs or steroids;
 - men who have sex with other men;
 - those born to mothers who have HIV
 - people who received blood transfusions before 1985;
 - anyone who has sex with anyone who is at risk for HIV / AIDS.
- Veterans, homeless, and incarcerated people are at high risk for Hepatitis C (HCV), a serious disease that can cause cirrhosis (scarring of the liver) and liver cancer. If you think you are at risk after your release, contact the nearest VA Medical Center to be tested and seek HCV counseling. You are at risk if:
 - you ever used a needle to inject drugs;
 - you had a blood transfusion or organ transplant before 1992;

- you were a health care worker and had contact with blood;
 - you were on long-term kidney dialysis;
 - your mother had Hepatitis C when she gave birth to you.
- The Veterans Health Administration also recommends testing if:
 - you are a Vietnam-era veteran;
 - you have had exposure to blood on your skin;
 - you have had multiple sex partners;
 - you have tattoos or body piercing;
 - you have ever snorted cocaine;
 - you have liver disease;
 - you have a history of drinking a lot of alcohol;
 - you have had an abnormal liver function test.

MENTAL HEALTH SERVICES

If eligible for veterans' benefits:

- Contact one of the VA New Jersey Health Care System sites listed on page 13 of this guidebook. If you plan to seek VA services outside of New Jersey ask for the Homeless Veteran Services Coordinator at the local **VA Medical Center** or **Vet Center**. Call (877)222-8387 to or go to www.va.gov, to find the medical center nearest you.

The following sources may be able to tell you where you can go to get help:

- **National Alliance for the Mentally Ill** lists community mental health services providers at: www.nami.org or call (800)950-6264.
- **National Mental Health Association** offers support groups, rehabilitation, socialization, and housing services through 340 community organizations located across the country. Call (800)969-NMHA, or find a local office online at www.nmha.org
- **National Suicide Support Number** - (888)784-2433 (1-888-SUICIDE)

SUBSTANCE ABUSE TREATMENT

If eligible for veterans' benefits:

- Contact the Addictions Treatment Center at the local **VA Medical Center**. Call (877)222-8387 to or go to www.va.gov, to find the medical center nearest you. If you are homeless and plan to seek treatment in New Jersey, call (888)725-3000 and ask for a screening. You can also call the same number and ask to speak to the incarcerated veterans outreach worker. If you have a place to stay after you are released and need treatment call (973)676-1000, extension 2591 and ask for a screening appointment.

If not eligible for veterans' benefits, the following sources may be able to tell you where you can go to get help:

- The Department of Human Services **Addictions Hotline of New Jersey** can refer you to local programs. Call 1-800-238-2333.
- **Focus On Recovery Helpline** - A 24-hour national alcohol and drug abuse addiction and treatment hotline: 1-800-888-9383.

FINANCIAL ASSISTANCE

- The American Legion provides Temporary Financial Assistance, (TFA) from its national headquarters to help maintain a stable environment for children of veterans. To obtain an application, look in the phone book to contact a local post, or contact the National Headquarters to find the post nearest you.
- If you are unemployed with little or no income, you may be able to get food stamps. A person may normally qualify for \$85 to \$100 worth of food stamps per month. Call the toll-free information number at 1-800-687-9512, or find a list of food stamp hotlines for each state at www.fns.usda.gov/fsp/contact_info/hotlines.htm. You can also contact the local Department of Human Services, many drop-in shelters, or legal aid services to ask for an application.
- Supplemental Security Income (SSI) benefits can be applied for before your release, even though you won't receive the benefits until after you are released. Food Stamps can be applied for together with SSI. Normally, it takes about three months to review an

application, so apply well before your release date. It is best to get help filling out the application. For detailed information or assistance, call 1-800-772-1213, call or your local social security administration office listed in the phone book blue pages, or go to:

<http://www.ssa.gov/notices/supplemental-security-income/>.

- **Federal Emergency Management Agency (FEMA)** has a program called Emergency Food and Shelter Program to help prevent homelessness. Contact the local Office of the Mayor *or* United Way to ask who awards this money in your area and what the rules are.

LEGAL HELP

Veteran status issues:

- You should talk to a **Veterans Advocate Service Officer** for help with discharge upgrades, seeking benefits, and filing a VA claim (call 1-800-562-2308 for the nearest Service Officer).

Other legal issues:

- Most law is state-specific. Most common legal problems are governed by the law in the state where you live or where the problem occurred. When looking for legal help, make sure that information you find applies to your state, or that the lawyer or other service provider is qualified to work in your state.
- The **American Bar Association** has a web site with guidelines about free legal services and links to directories of legal aid offices and pro-bono programs. Go to: www.abanet.org
- **Legal Services or Legal Aid offices** have staff lawyers to provide free legal help to poor clients. The lawyers are usually experts in the types of problems that poor clients often have. Look in the yellow pages for a local Legal Aid office.
- **Pine Tree Legal Assistance** has an online list of organizations across the nation that provides free legal help to clients who qualify. Go to www.ptla.org/links/services.htm
- Lawyers in private practice sometimes volunteer in "pro-bono" programs to take cases for poor clients free of charge. Check the yellow pages to contact your **Local Bar Association** to learn if there is a pro-bono program in your community, or go to www.abanet.org/barserv/stlobar.html

- **Legal Services of New Jersey** has a toll-free hotline open Monday – Friday, 9 am to 4:30 pm. Call (888)576-5529. Legal Services of NJ can help you with civil, not criminal cases.
- From prison, you can write **Prisoner’s Self Help Legal Clinic** at PO Box 768; Newark, NJ 07101.

WOMEN VETERANS

- Most VA **Medical Centers** and readjustment offices have a designated Women Veterans Coordinator to assist women veterans in accessing VA benefit programs and healthcare services. Call 1-877-222-8387 or go to www.va.gov to find the medical center nearest you.
- **The VA New Jersey Health Care System** has a designated Women Veterans Coordinator to help women veterans. Call (973)395-7108 to talk to the Women Veterans Program Manager.
- Many women incarcerated had similar histories, problems, and personal issues before their arrest and conviction. Mentors with **Women in Community Service (WICS)** help women preparing to leave prison and those who are just getting back into society. WICS' prison programs help women think about their behavior, gain job skills, and build self-esteem. For the Northeast Region (this includes NJ) contact **the U.S. DOL, Job Corps** at 1-800-666-9427 or go to www.wics.org to find the nearest WICS program.

SECTION III

SEEKING FEDERAL BENEFITS

The Department of Veterans Affairs publishes a booklet called "**Federal Benefits for Veterans and Their Dependents**" that describes the types of benefits available and lists the addresses and phone numbers for VA facilities nationwide. Write the VA Regional Office (VARO) to request a copy.

U.S. Dept Of Veterans Affairs - Regional Office Newark

20 Washington Place

Newark, NJ 07102

Call 1-800-827-1000 or find information about benefits at www.vba.va.gov

ELIGIBILITY FOR VA BENEFITS DURING INCARCERATION

Veterans incarcerated and incarcerated dependents may apply for the same compensation, dependency and indemnity compensation (DIC) – service connected death benefits – and pension benefits as veterans who are not incarcerated. However, Congress has greatly restricted the amount of benefits that may be paid to a veteran or dependent while he or she is incarcerated. These benefits are institutionalized as part of law: *38 U.S.C Sec 5313 (a)*, *38 C.F.R., Sec. 3.665 (a), (d)*, which reads as follows:

If a veteran is incarcerated as the result of a "felony" conviction as defined by law: "Any offense punishable by death or imprisonment for a term exceeding one year, unless specifically categorized as a misdemeanor under the law of the prosecuting jurisdiction,"

Then, the amount paid to a veteran incarcerated for a service-connected disability is generally limited by law to the 10 percent disability rate, or half the amount of the ten percent rate if the veteran's disability rating is 10 percent. (If the veteran is rated before incarceration as 20 percent disabled or higher, he will receive only the amount payable to a 10 percent disabled veteran.)
Incarcerated DIC recipients will receive one-half the amount paid to a veteran receiving compensation payments for a 10 percent-rated disability.

A veteran may not receive non-service connected VA pension benefits, or any portion of these benefits, while incarcerated for a felony. However, his family may receive an apportionment of such benefits under the procedure described above. (See 38 C.F.R. Sec.3.666)

One important requirement for eligibility for VA benefits is that the veteran has to have been issued either an honorable or a general discharge, or would have received one if not for re-enlisting. If a veteran had two periods of service, one honorable and the other less than honorable, he may still be eligible for VA benefits based on the honorable period of service.

VA Medical Care is not provided to veterans incarcerated, but VA health facilities may provide care to you after your release. Contact 1-877-222-8387 or go to www.va.gov, to find the medical center nearest you. If you are seeking care in New Jersey, health care facilities are located on page 17 of this guide.

BENEFITS PAYMENTS WHILE INCARCERATED

There is a 60-day "**grace period**" following a conviction when you may still receive full benefits. **To avoid an overpayment**, it is important that you notify the VARO immediately when you go to prison if you are receiving payments. If you do not notify the VA and receive overpayment, you and your family will lose all financial payments until the debt is paid.

*For example, Joe is a veteran who receives a VA pension of \$807 per month. He commits a crime and is incarcerated, but doesn't tell the VA right away and keeps being paid for 6 months. **Joe is overpaid a total of \$4,842.** After serving his sentence of 18 months, he is released and applies to the VA to have his pension restarted. The new pension rate is \$830 per month, but the VA will use that amount to start repaying the \$4,842 debt. **Joe's first real check will start 7 months after release and will be for \$1380!** Joe has to go at least 7 months without that income.*

Your award for compensation or pension benefits should resume from the date you are released, as long as the VA receives notice of release within one year. This includes placement in a community treatment center or halfway house. **Remember, you must notify the VA when you are released to restart your payments.**

SERVICE CONNECTED DISABILITY PAYMENTS TO FAMILY MEMBERS

If you have a service connected VA benefit, a portion of your payment may go to dependent family members. This process is called “apportionment”. To apply for apportionment, send a letter to the VA Regional Office (VARO) that has jurisdiction over the case. VA regulations clearly specify this apportionment amount will only go to family members if they can show financial need for such amount. This applies to the spouse, children, or dependent parents who are involved in the application.

In deciding whether any apportionment is appropriate, the amount of the apportionment, and to whom it will go, the following factors are considered:

- The family member’s income and living expenses;
- The amount of compensation available to be apportioned;
- The needs and living expenses of other family members; and
- Special needs of any of the family members.

For example: a veteran incarcerated rated as 80 percent disability can only receive the amount he or she would get if he or she were 10 percent disabled. However, his or her family may be apportioned up to 70 percent, the difference of the 80 percent rating. (DIC may also be apportioned with similar restrictions.)

There is a 60-day “**grace period**” following conviction where the veteran, or DIC recipient, may still receive full benefits. If the veteran continues to receive benefits after the 60-day period, it will result in an “over-payment”. The VA considers it to be the recipient’s responsibility and fault if this occurs because the recipient failed to notify the VA of his or her incarceration. Attempts to obtain a waiver in these situations of overpayment are often unsuccessful. As a rule, the veteran loses most, if not all, financial benefits until the entire overpayment is recovered by the VA. It has also been a standard procedure that the family will not be entitled to receive an apportionment until the debt is completely recovered.

For more information concerning VA debt collection rules that may affect the veteran incarcerated, telephone: 1-800-827-1000 and request a Veterans Service Organization representative or, write to a Veterans Service Organization (attention SR list) at the address listed on page nineteen in this document.

It is important to remember that most VA decisions, including those on apportionment, can be appealed to the Board of Veterans Appeals and, if need be, to the Court of Appeal for Veterans Affairs.

HELP SEEKING BENEFITS

If you would like to get benefits or think you have a pending claim before the VA, it is best to get professional help to assist you.

- Many Veterans **Service Organizations** have trained staff who can help you with your VA claim, and can legally represent your claim before the VA. Some also help homeless and at-risk veterans find the support services they need. You can contact any VSO listed below to see if there is a service representative near you.

National & Department Service Officers are located on the 4th floor at the VARO-Newark. Address as follows:

*[Service Organization Name]
VA Regional Office
4th Floor
20 Washington Place
Newark, NJ 07102*

AMVETS	(973)645-3544
American Legion	(973)645-3614
Catholic War Veterans	(973)645-3744
Disabled American Veterans	(973)645-3797
Eastern Paralyzed Veterans of America	(973)645-6068
Jewish War Veterans	(973)645-3490
Military Order of the Purple Heart	(973)645-3973
New Jersey Department of Military and Veterans Affairs	(973)645 3596
Veterans of Foreign Wars	(973)645-3744
Vietnam Veterans of America	(973)645-3917

- Although we encourage you to seek the aid of a service representative, you may choose to apply for VA benefits on your own. Write the VARO or find the forms online at: www.va.gov/vaforms. You can also apply for certain benefits online at: <http://vabenefits.vba.va.gov/vonapp/main.asp>.

Below are brief descriptions of forms needed to file for certain VA benefits. Be sure you use a return address where mail will get to you as quickly as possible. Make photocopies of all forms for your records before sending your packet to the VARO nearest you.

- **Standard Form-180 – Request Pertaining to Military Records** - is used to get copies of your Record of Discharge (DD-214), military personnel and medical records. You will need a copy of your DD-214 when applying for any benefits. Requests may also complete online at <http://vetrecs.archives.gov>.
- **VA Form 21-526 - Application for Compensation or Pension**- must be filed to apply for compensation -or pension. This form, along with your DD-214 and the following forms should be mailed directly to the VARO nearest your release destination 30 to 45 days before our release.
- **VA Form 21-4138 - Statement in Support of Claim** - lets you explain why you deserve the benefits you are asking for because of your disability or disorder. It is best to have an experienced service representative help you complete the form.
- **VA Form 21-4142 - Authorization for Release of Information** - If you have received medical or mental health care, that may be relevant to your claim, from anyone other than a VA Medical Facility, you need to fill out a **VAF 21-4142** giving permission for release of medical records to the VA.
- **VA Form 10-10EZ - Enrollment for Medical Benefits** - is used by the VA to determine if you can receive medical benefits. Complete the form and bring it with you to the VA medical facility where you will seek evaluation for treatment.
- **VA Form 28-1900 - Vocational Rehabilitation for Disabled Veterans** - is needed to apply for the vocational rehabilitation program to help veterans who were disabled during their service reach maximum independence in daily living, to learn the skills needed to get a job, and to find and keep a job. Send Form 28-1900 to the VARO in your area 10 to 15 days before your release.

- **VA Form 70-3288 - Request for and Consent to Release of Information from Claimant's Records** - is used to get records relevant to your claim from VA facilities (regional offices, medical centers, outpatient clinics, and vet centers). Request a fee waiver under section 38 C.F.R. Sec.1.526 (h), which requires the VARO to provide a veteran with one set of his or her records free of charge.

CHECKLIST

Using This Guide

- Ask about classes or resources to help plan for release.
- Make a list of your needs.
- Make a list of who may be able to help you.
- Write letters and/or contact organizations by phone or email.
- Write down the steps you take so that you do not repeat them.
- Know where to call toll-free for help.
- Contact organizations about what services they have to offer.
- Think about your housing needs and gather information about what is available locally.
- Learn about job resources and create a plan to find a job.
- Learn about health care programs, and what services are available to you.
- Learn about the resources available for substance abuse and mental health treatment in your area.
- Learn about your options to get financial assistance.
- Begin to take care of other legal issues.

Veterans

- Learn about homeless veterans services.
- Learn about resources for women veterans
- If you are not currently receiving benefits, find out if you can or should be.
- If you are receiving benefits, notify the VA when you go to prison to avoid an overpayment and notify the VA immediately when released to re-start receipt of benefits.
- Contact a veteran service representative to represent you and help you file a claim.
- Apply for apportionment so that some of the money withheld may be given to eligible family members.

Resource Addresses/Sites

US Dept of Veterans Affairs (USDVA) www.va.gov/

VA Benefits (VBA) www.vba.va.gov

VBA forms: <http://www.va.gov/vaforms/>

VBA online applications: <http://vabenefits.vba.va.gov/vonapp/main.asp>

Location of a VA Homeless Coordinator: <http://www1.va.gov/homeless/page.cfm?pg=21>

First step. A new web-based interactive tool helping the homeless access Federal benefit programs. <http://aspe.hhs.gov/homeless/index.shtml> or <http://www.hud.gov/homeless/index.cfm>

Food stamps: http://www.usda.gov/fsp/contact_info/hotlines.htm

SSI: <http://www.ssa.gov/notices/supplemental-security-income/>

HUD local homeless assistance: www.hud.gov/homeless/hmlsagen.cfm

VA New Jersey Health Care System www1.va.gov/visns/visn03/eorginfo.asp

VA New Jersey Health Care System Homeless Services www.vetsinfo.com

Veterans of Foreign Wars – Post Locations www.vfwkc.org/post_location/Department.asp

New Jersey Dept. of Human Services www.state.nj.us/humanservices/health_care.html

New Jersey Housing Resource Center www.njhousing.gov

New Jersey Resources for People Leaving Prison www.njsuccess.org

National Coalition for Homeless Veterans www.nchv.org/index.cfm

The Corporation for Supported Housing www.csh.org

The Supported Housing Association of New Jersey www.shanj.org

Oxford Houses www.oxfordhouse.org/newjersey.html

Workforce New Jersey Public Information Network www.wnjp.in.state.nj.us

New Jersey Institute for Social Justice www.njisj.org

US Department of Labor One-Stop Centers www.servicelocator.org

This publication is available in electronic format upon request.