



# **Justice-Involved Veterans: Health Care, Benefits, and VA Outreach Efforts**

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Sean Clark, National Coordinator  
Veterans Justice Outreach  
VA Office of Mental Health Services





# General Jail Population Characteristics

## Mental Health and Substance Use:

- 60% of all U.S. jail inmates have a mental health problem
  - 29% at least one of five disorders: depressive, bipolar, psychotic, PTSD, anxiety
  - As of 2005, one in six inmates with MH diagnosis had received treatment since incarceration
  - 65% screened positive for alcohol or drug dependency

## Homelessness:

- 18% homeless in year prior to incarceration

## Health risk (compared to general population):

- AIDS 5x
- Hepatitis C 9x
- Tuberculosis 4x





# Veterans in the Justice System

Among adult males, Veterans incarcerated at less than half the rate of non-Veterans (630 vs. 1390 per 100,000)

- age issue
- higher rate for violent offenses; lower for drugs

As of 2002:

- 9.3% of U.S. jail inmates are Veterans
- Of 9 million unique jail inmates released annually, at least 90,000 are Veterans
- Large majority (82%) likely eligible for VA services
  - 65% honorably discharged
  - 17% general with honorable conditions

**Sources: Bureau of Justice Statistics (DoJ), 1. Veterans in State and Federal Prisons, 2004; 2. Survey of Inmates in Local Jails, 2002**





# Veterans in the Justice System (cont.)

- **HCRV Form R Data**
- **Veterans contacted in prison by HCRV Specialists**
  - 37% homeless prior to incarceration
  - 42% needed housing upon release
  - 80% had at least one risk factor for homelessness
    - Substance abuse
    - Mental illness
    - Prior homelessness
    - Serious and chronic medical problems





# Benefits for Justice-Involved Veterans

- **1. Health Care (Veterans Health Administration)**
- **Title 38 CFR 17.38 does not allow VHA to provide:**
  - Hospital and outpatient care for a Veteran who is
    - Either a patient or inmate in an institution of another government agency
    - If that agency has a duty to give that care or services
- **Can provide:**
  - Outreach, assessment, referral and linkage to services
  - Treatment for justice-involved Veterans who are not incarcerated
- **Also: Veterans wanted on felony warrants (Fugitive Felon Program)**







# Benefits for Justice-Involved Veterans (cont.)

- **2. Benefits (Veterans Benefits Administration)**
- **Compensation** (Service-Connected)
- **Pension** (Non Service-Connected – income based)
- **Vocational Rehabilitation and Education**
- **Home Loan Guaranty** (Information and application by mail)
- **GI Bill** (Education Benefits)





# Benefits for Justice-Involved Veterans (cont.)

## VA benefits are affected if a Veteran is:

- Convicted of a felony and
- Incarcerated for more than 60 days
  
- Disability or death pension discontinued
- Disability compensation
  - 20% or more disabled = reduced to 10% rate
  - 10% disabled (or Dependency and Indemnity compensation for surviving spouse, child or dependant) = reduced to **half** the rate payable to Veteran rated 10%
  - Can be apportioned to eligible dependants
  - NOT reduced if Veteran in work release, halfway house, probation/parole





# Benefits for Justice-Involved Veterans (cont.)

- **Post-incarceration reinstatement**
  - VBA will not accept paperwork until Veteran is released
  - Work with HCRV Specialists, VSOs to prepare paperwork for submission on/near date of release
- **Notification and Overpayment**
  - Veterans must repay benefits provided while in ineligible status
  - VBA works with Bureau of Prisons, state Departments of Corrections, but there can be delays
  - Suggest notifying VBA upon felony conviction to avoid potential repayment obligation







# For Additional Information

- **VBA Homeless/Incarcerated Veteran Outreach Coordinators: VA Regional Offices**
  - [http://www2.va.gov/directory/guide/division\\_flash.asp?dnum=3](http://www2.va.gov/directory/guide/division_flash.asp?dnum=3)
- **Veterans Justice Outreach Specialists:**
  - <http://www1.va.gov/HOMELESS/VJO.asp>
- **Contact:**

Sean Clark, JD  
National Coordinator, Veterans Justice Outreach  
Office of Mental Health Services  
[Sean.Clark2@va.gov](mailto:Sean.Clark2@va.gov)  
202-461-7311

