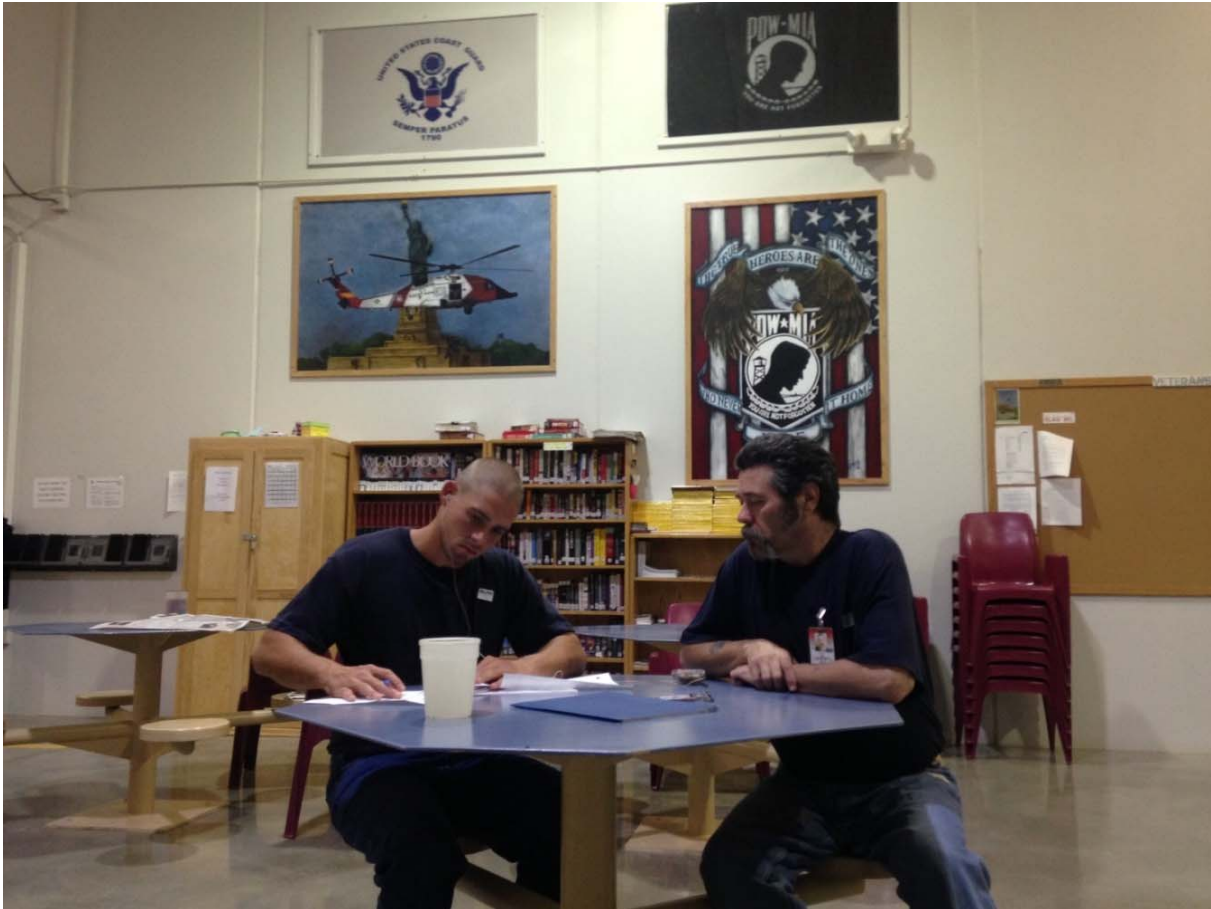


LEGISLATIVE TASK FORCE ON INCARCERATED VETERANS

FINAL REPORT



SEPTEMBER 2016



STATE LEGISLATORS | STAKEHOLDERS | CORRECTIONS | VETERANS' AFFAIRS

MEMBERS:

Sen. Alan Olsen
Sen. Brian Boquist
Rep. Paul Evans
Rep. Gene Whisnant



Heidi Steward, Chair, DOC
Joe Glover, ODVA
Sgt. Roy McGrath, DOC
Paul Solomon, Sponsors Inc.

Task Force on Incarcerated Veterans

September 15, 2016

Oregon Legislative Assembly
State Capitol
900 Court St. NE
Salem, OR 97301

Dear Members of the Legislative Assembly:

The Task Force on Incarcerated Veterans thanks the Legislative Assembly and the House and Senate Veterans and Emergency Preparedness Committees for the opportunity to share its work on improving services to incarcerated veterans.

The Task Force strongly believes that when incarcerated veterans are connected to the federal benefits they have earned, their chance of success post-release greatly increases. Consequently, this reduces potential costs to the state in eliminating the need for expensive safety-net services including housing, health care, and living expenses.

Through the commitment and dedication of Task Force members, recommendations on how to create a formalized veterans' program within the Department of Corrections were developed. In addition, several pilot programs begun out of partnerships established between Task Force members; these pilot programs support the recommendations developed by the Task Force.

I am honored to have served as Chair for the Task Force on Incarcerated Veterans, and I look forward to improving services provided to incarcerated veterans.

Sincerely,

A handwritten signature in blue ink that reads "Heidi Steward". The signature is written in a cursive style.

Heidi Steward
Oregon Department of Corrections
Assistant Director of Offender Management and Rehabilitation Division
Task Force on Incarcerated Veterans Chair

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I. Executive Summary

The Task Force on Incarcerated Veterans was established through House Bill 2838 (Chapter 824, Oregon Laws 2015), which passed during the 2015 Oregon Legislative Session. The mission of the Task Force was to research, study, and make recommendations to the Legislature regarding outreach, information, and assistance to incarcerated veterans with respect to their earned federal and state veterans' benefits, as well as other available services and resources.

The Task Force found obtaining accurate data on the number of veterans in ODOC's custody was a significant challenge. On July 1, 2016, there were 14,721 inmates in ODOC facilities. ODOC and ODVA estimate 1,250 – or 8.5 percent – of these inmates are veterans.

Understanding Available Benefits

One of the most important aspects of working with incarcerated veterans is to assist them in understanding Federal VA disability compensation, education, and pension benefits. Veteran status is a lifetime designation and Federal VA benefits are available to eligible veterans throughout their lives.

During incarceration, disability compensation is reduced, pension and health care benefits are suspended, and educational/training benefits are limited. It is critical the Federal VA be notified immediately upon a veteran's incarceration so benefits are suspended or reduced and apportioned to family members when possible. If the Federal VA is not notified and payments continue, they are deemed overpayments and the veteran must repay the Federal VA upon release.

Pilot Projects

Through the commitment and dedication of Task Force members, and in collaboration with the Federal VA, pilot projects were developed. The pilot projects support the recommendations of the Task force. However, these projects are not sustainable without permanent funding and cannot meet the needs of all veterans without adequate staffing.

- Intake: ODOC and ODVA determine the accurate number of veterans entering ODOC's custody; assist the veteran in managing his/her Federal VA disability and pension claims; and provide information on education opportunities.
- Veterans Re-entry Search Service: New inmates sign a release of information allowing verification of veteran status using the National Veterans Re-entry Search Service (VRSS).
- Veterans Benefits: Re-establishes benefit payments within four days upon release from prison.
- Telehealth and Telejustice: Utilize video conferencing technology to connect Federal VA health care specialists with veterans to conduct physical health care and/or mental health care assessments and utilize video conferencing for telejustice appeals and pre-hearing meetings.

Summary of Recommendations

1. **Collecting accurate data**: Identifying veterans at ODOC Intake is essential to providing them with services and information regarding their benefits. Collecting data on veterans is critical to developing and implementing appropriate policies and programs.

Recommendation: ODOC and ODVA develop systems to accurately identify veterans and gather, maintain, and share data on incarcerated veterans including numbers of veterans, benefits claims, and veteran services provided.

- 2. Outreach:** It is critical veterans receive counseling on how to manage their Federal VA disability and pension claims, so veterans are not burdened with repaying overpayments upon their release from ODOC . In addition, it is important all veterans understand education and job training benefits for veterans during incarceration and post-release.

Recommendation: ODOC and ODVA establish a formalized process at Intake to counsel veterans on how to manage their Federal VA disability and pension claims and provide information and advocacy to veterans on benefits they have earned.

- 3. Re-entry Services:** Reinstating and/or connecting veterans to benefits and services so benefits and services are available upon release is critical to successful re-entry from prison to the community.

Recommendations: ODOC and ODVA establish a coordinated and formalized re-entry program that includes reinstating benefits, connecting veterans to a county Veteran Service Officer post-release, and facilitating the transition to Federal VA health care. To do this, ODOC and ODVA will need to develop partnerships with county Veteran Service Officers, non-profits, and transitional housing and employment organizations that focus on assisting incarcerated veterans post-release.

Resources Needed for Veterans' Program

A robust and formal program for incarcerated veterans provides the opportunity for success post-incarceration, reduces the veteran's risk to recidivate, and reduces potential costs to the state for expensive safety-net services including housing, health care, and living expenses. In order to fully implement the recommendations of the Task Force and operationalize the pilot projects, adequate staffing is necessary. The Task Force recommends the following positions:

Oregon Department of Veterans' Affairs

- One Veteran Service Officer to provide intake services, including screening, Federal VA claims management and filing, at the Intake Center at Coffee Creek Correctional Facility in Wilsonville. The position would also providing services to veterans in the four Salem institutions (Mill Creek Correctional Facility, Oregon State Correctional Institution, Oregon State Penitentiary, and Santiam Correctional Institution).
- One higher-level Veteran Service Officer to provide some of the same services as the Veteran Service Officer, coordinate the Incarcerated Veterans Project and liaise with ODOC. ODVA will train and certify ODOC coordinators as veteran service officers.

Oregon Department of Corrections

- Six Re-entry Benefits Coordinators trained and accredited as Veteran Service Officers by ODVA to work in all 14 ODOC institutions. These advocates for incarcerated veterans will educate and assist veterans in filing for Federal VA benefits. In addition, the Re-entry Benefits Coordinators will assist veterans with all other state and federal benefit applications; coordinate benefit acquisition efforts during release planning; assist in developing a viable release plan; coordinate institution veteran activities; and liaise with veteran community service providers and county veteran service officers.
- One mid-level manager to supervise the six Re-entry Benefits Coordinators and the researcher, ensure quality and consistency, and manage the overall veterans' program within ODOC.
- One research position to collect, evaluate, and manage the integrity of data collected on veterans and the programs and services provided.

II. Task Force on Incarcerated Veterans

Purpose

House Bill 2838 directed the Task Force on Incarcerated Veterans (Task Force) to research, study, and make recommendations, through a Legislative report, regarding the following:

1. Outreach that may be done to incarcerated veterans with information about veterans' benefits and other benefit projects that provide services and resources to incarcerated veterans.
2. Assistance that may be available for incarcerated veterans in applying for Federal VA and state veterans' benefits and aid to which incarcerated veterans may be entitled on account of the incarcerated veterans' military service.
3. Assistance that may be available to incarcerated veterans in appealing any denial of veterans' benefits or aid.
4. Informational materials that may be created for incarcerated veterans.
5. The process and recommendations for developing a comprehensive and coordinated statewide network of information and referral resources for incarcerated veterans.
6. Recommendations for how the Oregon Department of Veterans' Affairs (ODVA) may serve as a liaison for incarcerated veterans and incarcerated veterans issues with the Oregon Department of Corrections (ODOC), re-entry councils, the U.S. Department of Veterans Affairs (Federal VA), and others.

Task Force Members

Name	Affiliation	Veteran Status
Heidi Steward, Chair	Assistant Director Department of Corrections	
Senator Brian Boquist	Senate District 12	Veteran, U.S. Army
Representative Paul Evans	House District 20	Veteran, U.S. Air Force
Senator Alan Olsen	Senate District 20	Veteran, U.S. Army
Representative Gene Whisnant	House District 53	Veteran, U.S. Air Force
Paul Solomon	Executive Director Sponsors, Inc. (provides re-entry services)	
Sgt. Roy McGrath	Department of Corrections	Veteran, U.S. Air Force
Joe Glover	Oregon Dept. of Veterans' Affairs	Veteran, U.S. Navy

Individuals Providing Technical Information and Support to Task Force

Name	Affiliation	Veteran Status
Cindy Booth	Re-entry and Release Administrator Department of Corrections	
Teri Herold-Prayer, MA	Planning/Performance Consultant Washington Dept. of Corrections	
Belinda ("Linda") Maddy, LCSW	Federal VA Veterans' Justice Outreach (VJO) Specialist (former)	

Mitch Sparks	Statewide Services Director Oregon Dept. of Veterans' Affairs	Veteran, U.S. Navy
Laurie Skillman	Senior Policy Advisor Oregon Dept. of Veterans' Affairs	

Task Force Meetings

Date	Topics Addressed
November 19, 2015	<ul style="list-style-type: none"> • Task Force organization and election of Chair Heidi Steward • Overview of HB 2838 and Rules of Order • Review of the charges of the Task Force • Strategy to accomplish tasks, timeline, and work plan
December 22, 2015	<ul style="list-style-type: none"> • Department of Corrections Intake process • Military service, impact of incarceration on Federal VA benefits, benefits assistance, and re-entry planning
January 11, 2016	<ul style="list-style-type: none"> • ODVA report on information gathered from Ohio and Minnesota • ODOC report on feasibility of identifying veterans through Oregon State Police • ODVA status on developing staff costs for ODVA staff at Intake • ODOC overview on ODOC Re-entry Benefits Coordinators and costs • ODVA report on appealing denial of veterans' benefits or aid
March 14, 2016	<ul style="list-style-type: none"> • Rep. Evans' report on House Joint Resolution 202 • ODVA/ODOC progress on Intake processes at Coffee Creek • ODVA progress expediting USDVA compensation benefits on release • ODOC future initiative: telehealth portal within ODOC • Belinda ("Linda") Maddy on the Veterans Justice Outreach Initiative
April 4, 2016	<ul style="list-style-type: none"> • Teri Herold-Prayer on the Stafford Creek Veterans POD Project • ODOC Alternative Incarceration Program and Short-term Transitional Leave • GI Bill and Federal VA Vocational Rehabilitation
July 28, 2016	<ul style="list-style-type: none"> • ODVA/ODOC progress on Intake processes at Coffee Creek • ODVA update on progress expediting USDVA compensation benefits on release • ODVA/ODOC connecting releasing veterans to county Veteran Service Officer • Draft concepts for Task Force report to Legislature
August 22, 2016	<ul style="list-style-type: none"> • Review final report

III. Background Information Provided to the Task Force

ODVA briefed the Task Force on Oregon veterans, Federal VA benefits, eligibility for benefits during incarceration and post-release, termination of benefits during incarceration and resumption post-release, and the Statewide Veteran Services division within ODVA.

ODOC briefed the Task Force on the department, incarcerated veterans, intake and release processes, and Snake River Correctional Institution's (Ontario) veterans living unit.

The Federal VA Veterans' Justice Outreach (VJO) Specialist reported to the Task Force on the Veteran Justice Outreach Initiative, including the process for using telehealth video conferencing to provide health care and mental health assessments to veterans in county jails.

The Washington Department of Corrections presented information on the Stafford Creek Veterans' POD project that houses 130 veterans in a unit.

A. Oregon Veterans and Incarcerated Veterans

One in twelve Oregonians is a veteran. Today, there are an estimated 326,338 veterans in Oregon.

Oregon Veterans By Era			
World War II:	4.7%	Gulf War:	16.3%
Korea:	7.8%	Iraq/Afghanistan:	9.6%
Vietnam:	36.2%	Peacetime Service:	25.4%

Nearly three quarters of this population served during a war or major conflict. More than half of all Oregon veterans are over the age of 65. Nearly 9 percent of Oregon veterans are women, 8 percent are members of a minority group, and 1 percent are Native American.

Oregon Incarcerated Veterans: Of the 14,721 inmates in Oregon prisons (July 2016), ODOC and ODVA estimate that approximately 1,250 (8.5 percent) are veterans. At this time, ODVA and ODOC cannot obtain an accurate number of incarcerated veterans because there is no process available to verify veteran status. The only method to gather data on the number of incarcerated veterans is “self-identification” where inmates check a box on an intake form. ODOC has found inmates who are not veterans are checking the box and many who are veterans do not check the box. ODOC and ODVA base the estimate of incarcerated veterans on the fact that 8.1 percent of Oregonians are veterans and 8.5 percent of Washington State DOC inmates are veterans. The statistics from Washington DOC are accurate and verified through their established veteran status verification system.

The only exception to verification of veteran status within ODOC is for Snake River Correctional Institution (SRCI) in Ontario. SRCI designated a 72-bed housing unit for veterans. A veteran who applies to live in the unit must provide ODOC with veteran’s discharge documents (DD 214) in order to verify veteran status.

Estimating the Number of Incarcerated Veterans in Oregon	
2015 Oregon population = 4,028,977 Veterans living in Oregon = 326,338 Percentage of veterans = 8.1%	
2015 Washington population = 7,061,400 Veterans living in Washington = 598,460 Percentage of veterans = 8.5%	
2016 Washington DOC inmate population = 17,255 DOC Incarcerated Veterans = 1468 Percentage of veterans = 8.5%	

B. Federal Veterans’ Benefits

VA Disability Compensation Benefits: Disability compensation is a benefit paid to a veteran with disabilities that are the result of a disease or injury incurred or aggravated during active military service. The benefits are tax-free.

A veteran with a service-connected disability and who was discharged under honorable conditions is eligible for disability compensation benefits. The amount of basic benefit paid depends on the degree of the disability. The veteran may receive additional amounts if the veteran has very severe disabilities or loss of a limb; has a spouse, children, or dependent parent; or has a seriously disabled spouse.

After the Federal VA makes a determination about a veteran's service-connected disability, the veteran may be eligible for monthly payments of non-taxable disability compensation, enrollment in the Federal VA health care system, a 10-point hiring preference for federal employment, and other important benefits.

In Oregon, the average monthly disability compensation benefit is \$1,255 and the average monthly pension benefit is \$964.*

*There are 326,338 veterans in Oregon. In FY 2014, 63,000 Oregon veterans (19%) received disability compensation benefits and 5,500 (1.7%) received pension benefits. Source: U.S. Department of Veterans Affairs, National Center for Veterans Analysis and Statistics.

VA Pension Benefits: Veterans pension is a tax-free monetary benefit payable to low-income wartime veterans who meet one or more of the following criteria: a) age 65 and older, b) totally and permanently disabled, c) a patient in a nursing home receiving skilled nursing care, d) receiving Social Security Disability Insurance, or e) receiving Supplemental Security Income.

VA Education and Job Training Benefits: There are a number of Federal VA educational and job training benefits project, including the Post 9/11 GI Bill that includes tuition, a housing allowance, and books if the veteran is enrolled in a state public school or a non-traditional school. The Montgomery GI Bill may also provide support for college degrees; business technical or vocational courses; licensing; distance learning; and other education and training. Vocational Rehabilitation and Employment is available for veterans with service-connected disabilities.

VA Health Care Benefits: A veteran who served in active military service and was discharged or released under conditions other than dishonorable may qualify for VA health care benefits. Reservists and National Guard members may also qualify if they were called and served on active duty (other than for training) under a federal order.

C. Eligibility for Federal Veterans' Benefits During Incarceration and Upon Release

The Federal VA can pay certain benefits to veterans who are incarcerated in a federal, state, or local penal institution; however, the amount depends on the type of benefit and applicable laws and regulations.

VA Disability Compensation: VA disability compensation payments are reduced if a veteran is convicted of a felony and imprisoned for more than 60 days. Veterans rated 20 percent or more are limited to the 10 percent disability rate. For a veteran whose disability rating is 10 percent, the payment is reduced by one-half. Once a veteran is released from prison, compensation payments may be reinstated based upon the severity of the service connected disability at that time.

VA Pension: Veterans in receipt of a Federal VA pension will have payments terminated effective the 61st day after imprisonment in a federal, state, or local penal institution for conviction of a felony or misdemeanor. Payments may be resumed upon release from prison if the veteran meets Federal VA eligibility requirements. Failure to notify the Federal VA of a veteran's incarceration could result in the loss of all financial benefits until the overpayment is recovered.

Apportionment to Spouse or Children: For many incarcerated veterans who are receiving disability compensation, all or part of the compensation not paid to an incarcerated veteran may be apportioned to the veteran's spouse, child or children, or dependent parents, on the basis of individual need.

VA Education and Training Benefits: Claimants incarcerated for a felony conviction can be paid only the costs of tuition, fees, and necessary books, equipment, and supplies. The Federal VA cannot make payments for tuition, fees, books, equipment, or supplies if another federal, state, or local project pays these costs in full. If another government project pays only a part of the cost of tuition, fees, books, equipment, or supplies, the Federal VA can authorize the incarcerated claimant payment for the remaining part of the costs. Note that post-release, convicted felons residing in halfway houses (also known as "residential re-entry centers"), or who are participating in work-release programs, may receive full monthly benefits.

VA Health Care Benefits: Incarcerated veterans do not forfeit their eligibility for medical care; however, current regulations restrict the Federal VA from providing hospital and outpatient care to an incarcerated veteran who is an inmate in an institution of another government agency when that agency has a duty to give the care or services. The VA may provide care once the veteran has been released from the correctional institution. The Telehealth Pilot Project is designed to assist veterans during the release process with the transition from health care provided by ODOC to Federal VA health care enrollment. The Telehealth Project uses technology to connect a Federal VA health care specialist to consult with a veteran through video conferencing and conduct a health care and/or mental health care assessment.

VA Project for Justice-Involved Veterans: The Health Care for Re-entry Veterans (HCRV) Project is designed to help incarcerated veterans successfully reintegrate back into the community after their release. A critical part of HCRV is providing information to veterans while they are incarcerated, so they can plan for re-entry. A primary goal of the HCRV project is to prevent veterans from becoming homeless once they are reintegrated back into the community.

D. Reduction or Termination of Federal Benefits and Resumption Post-Release

If a veteran is receiving benefits prior to incarceration, the Federal VA must receive notice of the veteran's incarceration so that the Federal VA will reduce disability benefits and terminate pension benefits during incarceration. If the VA is not informed and continues these payments during incarceration, the veteran is responsible for these overpayments and must immediately repay the VA on release. Overpayments can easily add up to tens of thousands of dollars, which would be a significant burden for a veteran upon release. Overpayment may also result in the loss of all financial benefits until the overpayments are recovered.

The VA must also be informed about a veteran's release in order for the VA to resume the veteran's benefit payments and restore eligibility for other benefits.

E. Oregon Department of Veterans' Affairs

For the first time in the 70-year history of the Oregon Department of Veterans' Affairs, the state is striving to serve veterans spanning four generations across five major wars. ODVA's vision is that "veterans and their families thrive in Oregon." ODVA's mission is to "serve and honor veterans through our leadership, advocacy and strong partnerships." ODVA has four major program functions: statewide

veteran services, aging veteran services, the veteran home loan program, and core operations that support and enhance other functions.

The Statewide Veteran Services program is responsible for providing advocacy and benefits to veterans, their dependents, and survivors. The program provides benefits counseling, claims, and appellate representation, certification, and training for counties and national service organizations for Veteran Service Officers (VSOs), emergency financial assistance, and other service delivery partnerships across the state. The division is the front line for all veteran benefits, ensuring that veterans obtain all the benefits that they have earned as a result of their military service.

VSOs are advocates for veterans who are experts in Federal VA benefits and claims and who file claims for veterans. In addition to the state VSOs at ODVA, Oregon has County Veteran Service Officers (CVSOs) who are located in 34 counties. ODVA is responsible for the training, certification, and accreditation of all county and state VSOs. ODVA trains VSOs and CVSOs to file defensible Federal VA claims for disability, benefits, and pension compensation on behalf of veterans and provides training on all Federal VA educational benefits and all state benefits.

F. Oregon Department of Corrections

The Oregon Constitution was amended in November 1996 to read "laws for the punishment of crimes shall be founded on these principles: protection of society, personal responsibility, accountability for one's actions and reformation." The ODOC mission echoes the Oregon constitution: "To promote public safety by holding offenders accountable for their actions and reducing the risk of future criminal behavior."

First and foremost, ODOC protects public safety. Second, ODOC holds offenders accountable and requires them to take personal responsibility – both for their crimes and for their behavior within ODOC institutions. Finally, ODOC allows for rehabilitation or reformation through programs and services. This combination ultimately contributes to successful reintegration to society.

The department has custody of adults sentenced to prison for more than 12 months, housing approximately 14,700 adults in 14 state prisons throughout Oregon. ODOC is recognized nationally among correctional agencies for providing incarcerated men and women with the cognitive, educational, and job skills needed to become productive citizens when they transition back to their communities. Due to these efforts, the ODOC recidivism rate is about 28 percent.

ODOC also provides administrative oversight and funding for the community corrections activities of Oregon's 36 counties. All but two of Oregon's counties (Linn and Douglas) manage the supervision of offenders in those counties who are subject to jail, parole, post-prison supervision, and/or probation. In addition, ODOC's Community Corrections Division provides interstate compact administration and jail inspections, as well as central information and data services regarding felons statewide.

Intake Process: All individuals ages 18 and older who are sentenced to a term of incarceration at ODOC are processed through the departments' Intake Center located at Coffee Creek Correctional Facility in Wilsonville. During an approximate 30-day period, inmates are screened, evaluated, counseled, provided information about prison life, and assigned to a "home" institution.

Release and Re-entry: From the first day of incarceration, ODOC works closely with inmates to plan for re-entry to the community. ODOC gathers information and begins to develop strategies to assist with release 6-12 months prior to the scheduled release date.

Snake River Incarcerated Veterans Housing Unit: Snake River Correctional Institution (SRCI) has designated a 72-bed housing unit for incarcerated men who are military veterans. The idea for a veterans housing unit was conceived through the involvement SRCI staff had with the Snake River Veterans Association (SRVA) within the institution. Recognizing a housing unit could be beneficial to veterans housed at SRCI, a team of prison staff went to Washington State to see a similar unit in one of its correctional facilities and bring ideas back to Oregon.

Veterans must meet certain requirements to be housed in the SRCI veterans unit, including an honorable discharge and certain standard of behavior. The department's priority is to ensure the facility is running in a safe and secure manner; however, specific additional goals were established for the unit. The first goal is to enhance overall behavior and personal well-being by providing an opportunity to pro-socially associate with like-minded individuals who have had similar experiences. The second goal is to provide support resources and programs to veterans to help them with veteran-specific needs. The third goal is to assist incarcerated veterans in accessing their earned Federal VA resources and benefits, specifically in the areas of transition, release, health, and well-being.

Oregon State Penitentiary Veterans' Memorial Wall: In May 2014, ODOC held a dedication ceremony for the Veterans' Memorial Wall at the Oregon State Penitentiary in Salem. Believed to be the first veterans' memorial in the country constructed within prison walls, the memorial honors the five branches of the U.S. military with the seals of the Army, Marine Corps, Navy, Air Force, and Coast Guard displayed on a black granite wall.

The OSP Veterans' Association, comprising 118 members, raised the \$8,500 needed to build the memorial by hosting fundraisers, collecting inmate donations, and by writing solicitation letters to veterans' groups across the county such as the Veterans of Foreign Wars. Constructed by inmates over a period of two years, the memorial is flanked by flags of the United States and the State of Oregon, and includes a plaque dedicated to the memory of all veterans, bronze sculptures of boots, and a helmet inmates crafted from a flat plate of steel.

Deer Ridge Correctional Facility American Legion Post 131: The American Legion, Oregon Department of Corrections, presented the charter and installed officers of Deer Ridge Post 131 on Saturday, February 7, 2015, at Deer Ridge Correctional Institution in Madras. Deer Ridge Post 131 is the first American Legion Post in an Oregon correctional institution and only the fourth post nationwide at a correctional institution.

Deer Ridge Post 131 follows the guidelines set by the American Legion holding regular meetings, paying membership dues, holding fundraisers, and giving back to the community and fellow veterans in need. American Legion membership not only provides the veterans with connections to fellow veterans while incarcerated, but also provides connections upon release to help them reconnect with the respective communities. Members learn valuable life and job skills such as organization, budgeting, recording meeting minutes, communication, and much more.

G. U.S. Department of Veterans Affairs

The United States Department of Veterans Affairs (Federal VA) is the second largest federal governmental agency (next to the Department of Defense) with a 2017 budget of \$163 billion and more than 300,000 employees. The Federal VA's mission is "to serve America's veterans and their families with dignity and compassion and to be their principal advocate in ensuring that they receive the care, support, and recognition earned in service to this Nation."

The Department has three main subdivisions, known as Administrations:

- Veterans Health Administration (VHA)
 - Responsible for providing health care in all its forms, biomedical research, Community Based Outpatient Clinics (CBOCs), and Regional Medical Centers.
 - Regional Medical Centers have been established in catchment areas serving Oregon veterans in Portland, Roseburg, White City (includes inpatient rehabilitation), Walla Walla, and Boise.
 - Sixteen clinics and Community Based Outpatient Clinics (CBOCs) in Oregon provide outpatient health care and mental health care services.
- Veterans Benefits Administration (VBA)
 - Responsible for managing veteran benefit claims.
 - Includes disability compensation, pension, home loan guarantee, insurance, vocational rehabilitation and employment, and education (GI Bill).
 - VBA has an office in Portland that services all claims (excluding health care matters).
- National Cemetery Administration
 - Responsible for burial and memorial benefits and maintenance of VA cemeteries.
 - There are three national cemeteries in Oregon: Willamette National Cemetery in Portland, Roseburg National Cemetery, and Eagle Point National Cemetery in Medford.

Relationship between Federal VA, ODVA, and ODOC: ODVA, ODOC, and the Federal VA have formed a strong partnership to address the unique needs of incarcerated veterans in Oregon. The Federal VBA and VHA are committed and very supportive of the initiatives developed by ODVA and ODOC for incarcerated veterans.

For all matters relating to veterans benefits, ODVA and ODOC work with management and staff at VBA in the Portland VA office. The VBA has been instrumental in expediting the reinstatement of veterans benefits post-release and has implemented a process to complete post-incarceration requests to re-establish compensation payments within four working days. Previously this process took up to nine months or longer. Access to these financial benefits makes a significant difference to the veteran and undoubtedly contributes to the success of the veteran post-release.

For all matters relating to health care, ODVA and ODOC work with management and staff at the VHA in Portland. The key initiative of this partnership is the Telehealth Pilot Project, which allows a Federal VA transition specialist to conduct a medical or mental health assessment. This assessment is needed in order for veterans to access and apply for Federal VA health care benefits on release.

IV. Progress on a Formal Incarcerated Veterans' Program: The Partnership Between ODOC and ODVA

Through the commitment and dedication of Task Force members and through the strong partnership developed by ODOC and ODVA, pilot projects were implemented to address the unique needs of incarcerated veterans. The Federal VA supports and remains committed to the following projects:

- Intake
- Veterans Re-entry Search Service
- Veterans Benefits
- Telehealth

Intake: The project's focus is to determine the accurate number of veterans entering ODOC's custody; assist veterans in managing their Federal VA disability and pension claims; and provide information on education opportunities, including job training benefits, for veterans during incarceration.

In August 2016, ODVA and ODOC implemented the pilot project at Intake, which incorporates new veteran intake forms that were jointly developed by ODVA and ODOC. An ODVA Veteran Service Officer interviews inmates at the Intake Center at Coffee Creek Correctional Facility who self-identify as veterans. During the intake period, the ODVA VSO verifies veteran status and provides group and individual counseling on notice of incarceration to Federal VA, benefits, benefit adjustments and apportionment, claims filings, and education and training benefits.

Veterans Re-entry Search Service: ODOC, in partnership with the Federal VA, is piloting a project requesting inmates to fill out a release of information form that allows for identification of veterans status using the Federal VA National Veterans Re-entry Search Service (VRSS). This process does require some automation enhancements by ODOC in order to be fully implemented.

In addition, a process is being explored to determine the number of women veterans incarcerated at Coffee Creek Correctional Facility. Data will be collected voluntarily. Individuals interested in participating in the identification exercise will have their information run through the VRSS to confirm their veteran status.

Veterans Benefits: ODVA worked closely with the Federal VA (VBA) and emphasized the importance of re-establishing benefit payments to veterans upon release. On February 15, 2016, the Federal VA implemented a process to complete post-incarceration requests to re-establish compensation payments within four working days. Previously this process was taking up to nine months or longer, which left veterans without this important means of support.

Telehealth and Telejustice: ODOC, ODVA, and the Federal VHA are collaborating on the Telehealth Project, which uses video conferencing technology to connect Federal VA health care specialists with veterans to conduct health care and/or mental health care assessments. These assessments assist in a seamless transition from health care provided by ODOC to health care provided through the Federal VA. The establishment of a Federal VA Telehealth Portal in ODOC will also allow the veterans to have appeal and pre-hearing meetings through a Telejustice program. In the past, the VA Benefits Administration would not allow video conference appeal hearings in ODOC facilities since the VA IT infrastructure did not have an approved system in place. The establishment of this program lays the groundwork for

better representation and more timely benefits determinations for incarcerated veterans and re-entry planning for those preparing for release.

V. Task Force Recommendations

The Task Force developed a set of recommendations based on its stated mission: to research, study and make recommendations to the Legislature regarding the provision of outreach, information, and assistance to incarcerated veterans about their earned Federal VA and state veterans' benefits, as well as other available services and resources. (See "Purposes" under Section II of this report.)

1. Collecting Accurate Data

Capturing the number of veterans incarcerated in Oregon is based on inmate self-identification. When verifying the data, ODOC and ODVA found it to be inaccurate. This inaccuracy is because no verification through discharge documents or other means is conducted. ODOC and ODVA also found that there are many veterans within ODOC who have not self-identified as veterans.

Objectives:

- Identify and verify veteran status beginning at ODOC Intake.
- Collect needed data at ODOC Intake

Recommendation:

- ODOC and ODVA develop systems to accurately identify veterans and gather, maintain, and share data on incarcerated veterans including number of veterans, number of benefits claims, and veteran services provided.
- ODOC and ODVA to fully implement the Intake and VRSS pilots.

2. Outreach

If a veteran is receiving benefits prior to incarceration, the Federal VA must receive notice of the veteran's incarceration so the Federal VA will reduce disability compensation benefits and terminate pension benefits. If the VA is not informed, the veteran is responsible for overpayments. Many veterans are unaware of the federal benefits they have earned and/or how to apply.

Objectives:

- Inform and counsel all veterans on Federal VA benefits, claims filings, benefit adjustments, and apportionment.
- Notify Federal VA that a veteran is incarcerated to eliminate the potential of overpayments.

Recommendation:

- ODOC and ODVA establish a formalized process at Intake where veterans are counseled on how to manage their federal disability and pension claims.
- ODOC and ODVA establish a formalized process to provide information, counseling, and advocacy for incarcerated veterans regarding Federal VA benefits they have earned.
- ODOC and ODVA fully implement the Intake pilot project.

3. Re-entry Services

If veterans' benefits are reduced or suspended during incarceration, it is important these benefits be reinstated soon after release. The faster these benefits are provided to veterans after release, the greater the chance of success in transitioning to living in the community.

In order to ensure seamless transition, it is important the veteran establish and maintain contact with a county Veteran Service Officer as soon as is practicable post-incarceration.

Objectives:

- Provide a seamless transition from prison to the community.
- Restore or reinstate benefits soon after release.
- Connect veteran to a county Veteran Service Officer.
- ODOC release staff understands veteran-specific benefits.
- Veteran able to quickly access and utilize Federal VA health care services upon release.

Recommendation:

- ODOC and ODVA develop a formalized process to determine if an inmate scheduled for release is a veteran and if so, to ensure the veteran has access to veteran benefits.
- ODOC, ODVA, and the Federal VA (VBA) collaborate on a process to reinstate benefits soon after release.
- ODOC and ODVA develop partnerships with local county Veteran Service Officers, non-profits, and other organizations, including transitional housing and employment organizations that focus on assisting incarcerated veterans post-release.
- ODOC and ODVA train Re-entry Benefits Coordinators on the resources available to veterans from federal, state, and local governmental agencies, non-profits, faith-based service organizations, and the private sector. ODVA will train and certify the Re-entry Benefits Coordinators as veteran service officers.

“Once Veterans are identified, they may be eligible to receive a wide range of VA health care services (medical, psychiatric, and social services, including those targeting homelessness and vocational rehabilitation) and benefits (financial and educational) upon release – services that support successful re-entry. As you know, the success or failure of an individual’s re-entry impacts the entire community.”

Robert McDonald, VA Secretary
Letter to Corrections Officials, August 14, 2015

Resources Needed for Veterans Program

Developing a formal program for incarcerated veterans provides the opportunity for success post-incarceration, reduces the veteran’s risk to recidivate, and reduces potential costs to the state for expensive safety-net services including housing, health care, and living expenses. In order to fully implement the recommendations of the Task Force and operationalize the pilot projects, adequate staffing is necessary. The taskforce recommends the following positions:

Oregon Department of Veterans’ Affairs

- One Veteran Service Officer to provide intake services, including screening, Federal VA claims management and filing, at the Intake Center at Coffee Creek Correctional Facility in Wilsonville. The position would also providing services to veterans in the four Salem institutions (Mill Creek Correctional Facility, Oregon State Correctional Institution, Oregon State Penitentiary, and Santiam Correctional Institution).

- One higher-level Veteran Service Officer to provide some of the same services as the Veteran Service Officer, coordinate the Incarcerated Veterans Project and liaise with ODOC. ODVA will train and certify ODOC coordinators as veteran service officers.

Oregon Department of Corrections

- Six Re-entry Benefits Coordinators trained and accredited as Veteran Service Officers by ODVA to work in all 14 ODOC institutions. These advocates for incarcerated veterans will educate and assist veterans in filing for Federal VA benefits. In addition, the Re-entry Benefits Coordinators will assist veterans with all other state and federal benefit applications; coordinate benefit acquisition efforts during release planning; assist in developing a viable release plan; coordinate institution veteran activities; and liaise with veteran community service providers and county veteran service officers.
- One mid-level manager to supervise the six Re-entry Benefits Coordinators and the researcher, ensure quality and consistency, and manage the overall veterans' program within ODOC.
- One research position to collect, evaluate, and manage the integrity of data collected on veterans and the programs and services provided.

APPENDIX

78th OREGON LEGISLATIVE ASSEMBLY--2015 Regular Session

Enrolled House Bill 2838

Sponsored by Representative EVANS; Representatives BARKER, CLEM, FREDERICK, GILLIAM, HELM, HUFFMAN, LIVELY, MCLAIN, NOSSE, PARRISH, RAYFIELD, WITT

CHAPTER

AN ACT

Relating to incarcerated veterans; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) The Task Force on Incarcerated Veterans is established, consisting of eight members appointed as follows:

(a) The President of the Senate shall appoint two members from among members of the Senate.

(b) The Speaker of the House of Representatives shall appoint two members from among members of the House of Representatives.

(c) The Director of Veterans' Affairs shall appoint one representative from the Department of Veterans' Affairs with expertise in services and benefits for incarcerated veterans.

(d) The Director of the Department of Corrections shall appoint one representative from the Department of Corrections with experience with incarcerated veterans.

(e) The Governor shall appoint two individuals who have been incarcerated veterans or who have had experience with incarcerated veterans.

(2) The task force shall research, study and make recommendations regarding the following:

(a) Outreach that may be done to incarcerated veterans with information about veterans'

benefits and other benefit programs that provide services and resources to incarcerated veterans;

(b) Assistance that may be available for incarcerated veterans in applying for federal and

state veterans' benefits and aid to which incarcerated veteran may be entitled on account

of the incarcerated veterans' military service;

(c) Assistance that may be available to incarcerated veterans in appealing any denial of veterans' benefits or aid;

(d) Informational materials that may be created for incarcerated veterans;

(e) The process and recommendations for developing a comprehensive and coordinated statewide network of information and referral resources for incarcerated veterans; and

(f) Recommendations for how the Department of Veterans' Affairs may serve as a liaison for incarcerated veterans and incarcerated veterans issues with the Department of Corrections, reentry councils, the United States Department of Veterans Affairs and others.

(3) A majority of the members of the task force constitutes a quorum for the transaction of business.

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- (4) Official action by the task force requires the approval of a majority of the members of the task force.
- (5) The task force shall elect one of its members to serve as chairperson.
- (6) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.
- (7) The task force shall meet at times and places specified by the call of the chairperson or of a majority of the members of the task force.
- (8) The task force may adopt rules necessary for the operation of the task force.
- (9) The task force shall submit a report in the manner provided by ORS 192.245, and may include recommendations for legislation, to the interim legislative committees with subject matter jurisdiction of veterans' affairs no later than September 15, 2016.
- (10) The Department of Veterans' Affairs shall provide staff support to the task force.
- (11) Members of the task force who are not members of the Legislative Assembly are not entitled to compensation, but may be reimbursed for actual and necessary travel and other expenses incurred by them in the performance of their official duties in the manner and amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions of the task force shall be paid out of funds appropriated to the Department of Veterans' Affairs for purposes of the task force.
- (12) All agencies of state government, as defined in ORS 174.111, are directed to assist the task force in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to furnish such information and advice as the members of the task force consider necessary to perform their duties.
- SECTION 2.** Section 1 of this 2015 Act is repealed on December 31, 2016.
- SECTION 3.** In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Veterans' Affairs, for the biennium beginning July 1, 2015, out of the General Fund, the amount of \$21,068, to implement and carry out the functions of the Task Force on Incarcerated Veterans established in section 1 of this 2015 Act.
- SECTION 4.** This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on July 1, 2015.