



# **PENNSYLVANIA WAR VETERANS COUNCIL, INC.**



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**Good afternoon to the Chairman and Honorable Members of the committee.**

**On behalf of the 14 veteran organizations represented on the council, we would like to thank you for the opportunity to present issues to you that we feel are important in the veterans' community throughout the Commonwealth.**

**The Pennsylvania War Veterans Council is an organization dedicated to advocacy of legislative and matters of importance affecting veterans of all ages and from all parts of Pennsylvania. Every organization belonging to the council serves veterans to the best of their ability. The council gives them a collective voice such as the testimony on key Veterans Issues being provided to you today.**

**First, I would like to speak a moment on the most successful, state-funded veterans' program in the Department of Military and Veterans Affairs toolbox. It is the Act 66 of 2007 Veterans Service Organizations Outreach and Assistance Program. It is the only program for the average Joe and Jane veteran and touches more lives than any other program by a wide margin. In fact, it has more than doubled the annual production of new disability compensation claims in this state – something important to you because it brings in revenues with it. Vastly more important is that the Act 66 program ensures our veterans receive the guidance and services they need when they need it and where they need it. Many of your constituents have told you that obtaining veterans benefits – no matter the agencies involved, federal or state – can be a complex, confusing process for even the more enlightened veteran, and far more so for his/her dependents and survivors.**

**Help is available. The men and women this program hires are properly trained to get them through the maze and to provide good counseling.**

**They do far more than just process claims. They get involved in matters involving mental healthcare referrals, financial aid, caregiving, suicide prevention, homelessness, Medicare, aid and attendance, employment referral and much more.**

**As contractors under a grant they provide no legacy cost to you and generally work for a lesser wage than the average Office of Veterans Affairs employee.**

**The program has immensely increased the physical presence and footprint of this outreach and assistance program. However, many of you know by their presence in your local district offices aiding your constituents that the program has not been funded as originally promised by past Adjutant Generals. Today, less than seventy-five percent (75%) of the total cost of the program is covered. This therefore greatly impacts funds the veterans' organizations would normally provide to other efforts.**

**Accordingly, there has been a serious consequence. Proper maintenance and expansion of the program are jeopardized. The American Legion and the VFW, the two largest organizations involved, regularly report high turnovers of personnel.**

**A government employee doing similar work has historically had a straight wage about fifty percent (50%) higher or more. In another era, much of this work might have been done by otherwise retired veterans – hiding the problem. That is no longer the case in recent years. These positions, while still a cost-savings to the state, are now viewed as fulltime jobs for younger veterans. Our organizations must be able to compete with the offerings of state and federal government and the private sector, which can pay better.**

**Therefore, for this year, we ask for an increase on the order of \$400,000 to \$500,000. Past Adjutant Generals, who understood the value of the program, pledged \$500,000 per year increases for five years back after the department noted its underfunding about 2012. Only two of those five promised increases have occurred since that time. One of those increases came last year, as a result of this council strongly pushing the matter, and the governor and the senate leadership recognizing the need for the increase. Will the program be undervalued again this year? We just learned there is only a cost of living adjustment in the proposed budget, far from the requested 400 to 500K needed.**

**As the committee focusing on Veterans Affairs, you should want to support the funding for it. A promise was made that has kept the veterans service organizations continuing to improve their operations on behalf of the Department of Military and Veterans affairs.**

**The serving organizations were left with the understanding the difference would eventually be made up. So far, it is only two out of five.**

**We ask the support of this committee to help properly fund this program. Work with the financial and appropriations committees and your leadership to increase funding to this program.**

**A professional, comprehensive study is needed to look at the long-range requirements of veterans truly in need of state assistance for their long-term care, regardless of their age. We again ask that the state fund this study. It should include looking at a combination of state veterans' homes, private nursing facilities, aging-in-place programs, rehabilitative care, adult day care and hospice.**

**We remind you that Pennsylvania has the fourth oldest veteran population in the Nation. In this ever-changing world of Healthcare reform, such a study should help determine the best path forward to ensure Pennsylvania's veterans receive the respect and care they deserve. The PWVC understands the PA Department of Military and Veterans Affairs has no plan to do such an independent study. Therefore, I have formed a subcommittee that will approach the PA Department of Aging and the PA Department of Human Services to consider conducting such a study.**

**The issue of small dollar (aka Pay Day) loans has come up at the state and national level every year for the past few years.**

**For example, just last year Pennsylvania House Bill 2429 went before the House Commerce Committee. It was yet another effort by PayDay lenders to try to "rebrand" their predatory loans.**

**This time they aimed to evade the state's interest rate cap by posing as loan brokers in order to charge high fees allowing them to make loans with annual interest rates of 200 percent or more.**

**The PWVC, as part of a large statewide coalition of veterans, seniors, faith leaders, credit counselors and many others once again exposed the PayDay lenders' tactics and advocated against passage of such legislation. As a result of the coalition's efforts, House Bill 2429 never even made it out of committee.**

**This year we will be both proactive and reactive. Proactively, we will work with the statewide coalition to highlight existing resources and programs that assist veterans, and other vulnerable Pennsylvania residents, with bridging budget gaps and becoming financially secure.**

**Reactively, we will always be on the lookout for any attempt to establish PayDay loans in Pennsylvania and will steadfastly continue to maintain the preservation without change or modification of the Commonwealth's current strong law concerning such loans.**

**We again ask that you consider establishing state legislation which would allow sentenced veterans to apply for a post-conviction review of their sentences if Post Traumatic Stress Disorder (PTSD) or Traumatic Brain Injury (TBI) were incurred while serving their country. In addition, we propose to supplement the Veterans Court movement by adding the requirement that every County District Court of Common Pleas take positive steps to identify veterans appearing before them and perform professionally-approved, professionally-assessed pre-sentencing investigations for PTSD and TBI.**

**Many of the more than 3,000 veterans currently in the state prison system may have been convicted without the effects of Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI) being considered during their sentencing. We would like to see the establishment of a Post-Conviction Review to investigate this issue.**



**To be convicted and incarcerated without consideration of all the potential factors involved is innately unfair ... and for it to happen to an ex-serviceman, when the potential of the presence of posttraumatic stress disorder or traumatic brain injury due to service can be suspected, considering the reportage over the years, is particularly egregious in a society which bears a certain moral responsibility for its ex-soldiery. A directed review of each currently incarcerated veteran for the above conditions is in order – a “look-back”.**

**To be clear, we are not questioning guilt or innocence, we are questioning whether PTSD and TBI were considered during the sentencing phase. A study by our state-level Vietnam Veterans of America in conjunction with others suggests this has not always been the case. At least a third of all incarcerated veterans may be affected, according to a study done by our state VVA in conjunction with others. (Most of you have copies of that study as it was sent to you last year.)**

**We seek remedy primarily through formal, properly conducted PTSD and TBI evaluations, where they have not occurred, and then informed, parole board hearings if the afflictions were not considered during sentencing or previous hearings. We recognize some prisoners might wish to appeal under the Post-Conviction Relief Act. We also ask that existing federal tools available for identifying veterans be used to positively identify every veteran appearing before district courts of common pleas.**

**When appearing before the courts for a felony, too much is at stake to depend upon the veteran self-identifying or a state driver's license identifier, for it has accuracy issues. Why? Because we also desire a thorough pre-sentence investigation be done which includes, without failure, a professional evaluation for the presence of PTSD and TBI. In no way are we implying every veteran suffers from these afflictions; but we are saying in the current judicial system, veterans slip through the cracks, and the adverse effects of PTSD and TBI are frequently not known or considered during the sentencing phase.**

**Furthermore, we ask that your committee seek out your peers and caucuses involved in judicial matters to obtain their support. Towards that end, we also ask that you form a special subcommittee on this matter. The VVA understands the Department of Corrections may be favorably disposed to solving this problem, based on indications from the legal firm that is assisting it, and Senator Browne has assured he will be a prime sponsor for any legislation required. After three years of raising this issue to you, now – not later – is the time to resolve the matter.**

**We continue to seek a state bonus for service in Iraq and Afghanistan Wars (War on Terror). We understand the PA Department of Military and Veterans Affairs has submitted this request to the legislature. It will be a two-year process. The PWVC will advocate for it once sponsored.**

**The Veterans Transportation Network operates a fleet of vehicles to provide free transportation to VA medical facilities for injured and ill veterans in the state.**

**It is run by the Disabled Veterans of America (DAV) organization and staffed by volunteers. The administrators of the program, at the various VA facilities, are paid by the DAV.**

**Here is the main concern: The vehicle fleet is aging out and is barely adequate to meet current needs. The latest study on this issue shows that 44 percent of the more than one-hundred vans in service each have 80-Thousand or more miles on the road. 27 of those vans are candidates for retirement in 2019 and 24 more vans are candidates for retirement into 2020. The increasing demands of veterans who served in the War on Terror places this program in serious jeopardy. The DAV seeks increased funding to help continue this service. We ask the committee for its support.**

**Added to our list of key Veterans Issues this year is to seek care for veterans affected by substance use disorder (drug and alcohol abuse). The PA Department of Military and Veterans Affairs has received funding for a program to identify veterans who need help. Training will also be given to Veteran Service Officers on to how to provide that help. An outreach plan is being developed.**

**We need to ensure veterans, who have higher rates of suicide per 100,000 than the general population, are properly considered in state actions during the opioid epidemic we are currently facing. For veterans, we have not crested the curve. Indeed, we would like to ensure that any strategic plans include a section addressing veterans to ensure the proper attention is paid to them, as has been done in federal homelessness planning.**

**Once more, we thank you for the opportunity to focus on these issues today. The Pennsylvania War Veterans Council continues to work with you to improve the lives of veterans throughout the Commonwealth.**