



July 2012

Reference Guide on Iraq & Afghanistan Service Members, Veterans and Their Families

Comprehensive Facts and Figures



VETS HELPING VETS SINCE 1974

Institute for Veteran Policy

Foreword

War causes wounds and suffering that last beyond the battlefield. Swords to Plowshares' mission is to heal the wounds, to restore dignity, hope, and self-sufficiency to all veterans in need, and to significantly reduce homelessness and poverty among veterans.

Over two million service members have deployed to fight the Global War on Terror, many for multiple tours of duty. These veterans return home not to the Department of Defense or the Department of Veterans Affairs, but to the communities in which they live and to the homes of their families. There are unique aspects to these wars which must be addressed in order to prevent or mitigate the hardships endured by previous generations of war veterans. We know that the cost of war goes well beyond bullets and boots.

The transition from total immersion in military culture to the civilian world can prove difficult for many veterans. Even the most successful adjustment from duty overseas to civilian life at home will often present periods of irritability, depression, isolation and hyper-vigilance which compromise veterans' abilities to rejoin family, secure and maintain employment and sustain healthy relationships. Rates of post traumatic stress, traumatic brain injury and suicide are unprecedented. Returning home to a tough economy makes it that much more difficult for new veterans to secure stable housing and employment.

It is the responsibility of the community to recognize the sacrifice these men and women have made on our behalf and to help those veterans who are in need. The following information is meant to give you a *brief snapshot* of some of the challenges many veterans face and to inform readers about services and supports for veterans.

Founded in 1974, Swords to Plowshares is a community-based, not-for-profit organization that provides counseling and case management, employment and training, housing, and legal assistance to more than 1,500 homeless and low-income veterans annually in the San Francisco Bay Area and beyond. We promote and protect the rights of veterans through advocacy, public education, and partnerships with local, state, and national entities.



Michael Blecker
Executive Director



Swords to Plowshares

An Overview of Services



Legal

Health
& Social
Services



Permanent
Supportive
Housing

Transitional
Housing



Employment
& Training

Institute for
Veteran Policy





Vets Helping Vets Since 1974

A timeline of service

1978	Swords to Plowshares is granted recognition by the VA and becomes the first new group in 32 years certified to represent veterans seeking benefits.
1979	Swords to Plowshares wins one of the first post-traumatic stress disorder cases in the country and helps develop the Agent Orange Self-Help Guide.
1988	Swords to Plowshares' model Transitional Housing Program opens; relocates to Treasure Island in 2000.
1990	Swords to Plowshares co-founds the National Coalition for Homeless Veterans, a national network of community-based service providers advocating on behalf of homeless veterans.
2000	Swords to Plowshares Veterans Academy opens, a permanent supportive housing facility located in the Presidio of San Francisco for 102 formerly homeless veterans.
2005	Swords to Plowshares launches the Iraq Veteran Project, designed specifically to address the needs of Iraq and Afghanistan veterans.
2008	Swords to Plowshares opens the East Bay Employment and Training office in Oakland, California.
2010	Groundbreaking began for Veterans Commons at 150 Otis Street, San Francisco, which will provide permanent supportive housing for senior veterans.
2011	Iraq Veteran Project changes its name to Institute for Veteran Policy to encompass the needs of prior era veterans as well as Post-9/11 veterans.



Overview of Reference Guide

1. The demographics and cultural characteristics of Post-9/11 service members, veterans and their families.
2. The scale and scope of problems this cohort of veterans encounter.
3. Availability and limitations of federal resources for veterans.

The *willingness* with which our young people are likely to serve in any war, no matter how justified, shall be *directly proportional* to how they perceive the veterans of earlier wars were treated and appreciated by their nation.

~ *George Washington*



Key Terms and Lingo

Current Conflicts

Global War on Terror (GWOT) – Includes Operation New Dawn and Operation Enduring Freedom (OND and OEF)

- Also Known As Overseas Contingency Operations

Operation New Dawn (Operation Iraqi Freedom [OIF] prior to 9/1/2010)

- Refers to U.S. troops remaining in Iraq for non-combat operations

Operation Enduring Freedom (OEF)

- Refers to the conflict primarily in Afghanistan, as well as other theaters of combat operations





Veterans: Myths and stereotypes

What are some stereotypes about the veteran population?



- ▶ All veterans are in crisis
- ▶ All veterans can obtain VA services
- ▶ All veterans have served in combat
- ▶ Women do not serve in combat
- ▶ All combat veterans have post traumatic stress (PTS)
- ▶ You have to be in combat to get PTS



Common Types of Military Service

Active Duty (AD)

Full-time active service in the U.S. Military (Army, Marine Corps, Navy, Air Force, Coast Guard). This includes members of the Reserve components serving on active duty but does not necessarily include all National Guardsmen serving full-time.

Drilling Reserve

Part-time military service usually consisting of one weekend a month plus two weeks a year. Includes the Army Reserve, Marine Corps Reserve, Navy Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard and Air National Guard. When Reserve forces are mobilized for full-time active duty service they serve on active duty until demobilized, at which point they revert back to drilling reserve status.

National Guard

A Reserve component of the U.S. Armed Forces, the National Guard is a state militia that answers first to the governor but can be put into federal service by order of the president. When activated for full-time *federal service* Guard members are considered active duty but are not included in total strength numbers of the active duty Army/Air Force. If not on active duty status their service obligation is one weekend a month and two weeks a year and may be called-up for full time service such as in the case of natural disaster relief efforts. However, the state call-up is *not* considered “active duty” service.

Activated Guard and Reserve (AGR)

National Guard and Reserve members who have been moved from their reserve status (mobilized) into active duty, usually for a set period of time (six months, one year, etc.).



Who is a Veteran?

Who does the U.S. Department of Veterans Affairs (VA) consider a veteran?

For VA services, the VA generally requires *active* military service AND discharge under conditions *other than dishonorable*.⁽²⁾ However, most VA benefits require at minimum a *general under honorable conditions* discharge.

Who is considered a veteran in California?

Anyone who served in the U.S. military and was discharged under conditions *other than dishonorable*. However, most state benefits require an *honorable discharge* or release from active service *under honorable conditions*.⁽³⁾

Who does Swords to Plowshares consider a veteran?

Anyone who has ever served in the *U.S. military regardless of discharge and length of service*.



Post-9/11 Veterans: Who are they?

- 2.4 million men and women have been deployed to the Global War on Terror (GWOT). Forty-two percent have been deployed more than once.⁽⁴⁾
- Over 61 percent of GWOT veterans are currently separated from active duty AND are eligible for VA services.⁽⁵⁾
- Forty-nine percent of eligible GWOT veterans have obtained VA healthcare.⁽⁶⁾



Post-9/11 Military and Veterans

National Guard and Reserve

- ▶ The National Guard has been transformed into an *operational force* to be frequently deployed; this represents a shift away from its traditional role as a force primarily designed for *infrequent federal use* against a large nation-state.⁽⁷⁾
- ▶ Roughly 78 percent of all service members who have served in areas in support of the wars in Iraq and Afghanistan are Guard and Reservists,⁽⁸⁾ and 21 percent of service members currently deployed are National Guard and Reservists.⁽⁹⁾
- ▶ National Guard OIF/OEF veterans tend to be older than active duty, with an average age of 37.⁽¹⁰⁾
- ▶ Guard and Reservists tend to live in civilian communities far from military bases and thus far from post-deployment support systems.⁽¹¹⁾



Post-9/11 Military and Veterans

Women Veterans

- ▶ Women comprise 14 percent of our active duty force,⁽¹²⁾ 18 percent of National Guard and Reserve, and 20 percent of new recruits.⁽¹³⁾
- ▶ Women often have difficulty gaining recognition for combat service.
- ▶ The risk of homelessness is two to four times greater for women veterans than for non-veterans.⁽¹⁴⁾
- ▶ VA data show the number of women veterans identifies as homeless has doubled in the last five years.⁽¹⁵⁾
- ▶ Higher proportions of women veterans are diagnosed with mental health conditions by the VA, but lower proportions are diagnosed with PTSD and TBI. VBA denies female veterans' disability claims for PTSD more often than males. This is believed to be in part due to the struggle for recognition of combat service.⁽¹⁶⁾
- ▶ Many women veterans feel uncomfortable at VA facilities and feel that female-specific services are lacking.⁽¹⁷⁾
- ▶ Many female veterans in California report that they are not using veteran-specific services because they are not aware of a specific benefit or service available to them.⁽¹⁸⁾
- ▶ Female veterans are more likely to get divorced than both male veterans and female civilians.⁽¹⁹⁾



Post-9/11 Military and Veterans

Military Families

- ▶ Over half of the military is married and over 44 percent of service members have children.⁽²⁰⁾
- ▶ There is evidence that having a parent deployed can lead to anxiety,⁽²¹⁾ mental health and behavioral problems⁽²²⁾ as well as academic struggles for the child.⁽²³⁾
- ▶ Seven percent of married service members are in *dual-military marriages* whereby an active duty, Reserve or Guard member is married to another service member.⁽²⁴⁾
- ▶ Nearly 50 percent of all married active duty *females* are in dual military marriages.⁽²⁵⁾
- ▶ Sixteen percent of women in the Reserves or Guard are single parents and roughly 12 percent of female active duty service members are single parents.⁽²⁶⁾
- ▶ Seven percent of men in the Reserves or Guard and roughly four percent of active duty men are single fathers.⁽²⁷⁾



Post-9/11 Military and Veterans

Minorities

- One-third of the military self-identifies as a racial or ethnic minority.⁽²⁸⁾
- Thirty percent of Reserve and National Guard members identify themselves as a member of a racial or ethnic minority.⁽²⁹⁾
- 4.75 million living U.S. veterans of all eras identify as a racial or ethnic minority.⁽³⁰⁾
- Thirty-two percent of the nearly 1.8 million living female veterans of all eras identify as a racial or ethnic minority.⁽³¹⁾
- Minority service members are underrepresented among officers in the military in both active duty and Guard/Reserve forces. In the active duty forces, only 12.5 percent of minority members are officers when they make up 30 percent of the active duty force. Similarly, in the Guard and Reserve forces, 10.4 percent of minorities are officers when they make up 30.2 percent of the total force.⁽³²⁾
- Racial minorities are disproportionately affected by Don't Ask Don't Tell (DADT). Racial minorities comprise 29.4 percent of the military yet account for 45 percent of all DADT discharges.⁽³²⁾ African American women are the hardest hit – they make up less than one percent of the military, yet make up 3.3 percent of those discharged under DADT.⁽³⁴⁾
- Culturally competent care significantly affects the treatment outcomes of minority veterans.⁽³⁵⁾
- African American and Latino Vietnam veterans are more likely to develop PTS than Caucasians.⁽³⁶⁾
- A 2008 study on VA patients suggested that African American veterans are less likely to be screened for mental health problems.⁽³⁶⁾ Research on prior era veterans shows that African American veterans are less likely to have their PTSD claim approved by the VA.⁽³⁸⁾



The Combat Experience

What have veterans experienced while in combat?⁽³⁹⁾

36.7% Received small arms fire

56.9% Received incoming artillery, rocket or mortar fire

18.1% Handled or uncovered human remains

34.1% Saw dead or seriously injured Americans

57.1% Knew someone seriously injured or killed

47.4% Saw dead bodies or human remains

45.4% Had a member of their unit become a casualty



Injuries and Treatment

- For every service member killed in action (6,442) ,there are seven wounded in action (48,253). When including “non-combat” injuries (48,253), the ratio of injured to killed jumps to sixteen to one.⁽⁴⁰⁾
- One out of four veterans of the current conflicts has filed a disability claim at the VA, and the VA has already treated 30 percent of veterans of the two wars.⁽⁴¹⁾
- The large additional number of those who are treated by the VA and other providers beyond the DoD counts of injuries indicates the true numbers of veterans with psychological and cognitive injuries not counted by official sources, either because of delayed detection, delayed onset of symptoms, or stigma of reporting while in active duty.⁽⁴²⁾



PTSD and Other Mental Health Conditions

- Post-traumatic stress* is *generally* defined as an anxiety condition that can develop after exposure to a traumatic event or ordeal in which grave physical harm occurred or was threatened.
- Veterans with PTSD and/or depression face a broad range of physical, cognitive, behavioral, emotional and social challenges.
- Mental disorders account for significant morbidity, health care utilization, disability, and attrition from military service.⁽⁴³⁾
- During the years 2000 through 2011, 936,283 active component service members were diagnosed with at least one mental disorder.⁽⁴⁴⁾
- Research suggests rates of mental health conditions for veterans is as high as 26 percent, with 37 percent of veterans treated at the VA having a mental health diagnosis.⁽⁴⁵⁾ Rates of PTSD are as high as 35 percent when factoring in delayed onset of PTSD.⁽⁴⁶⁾
- Rates of PTSD and depression are higher for Reservists than active duty.⁽⁴⁷⁾
- Repeated deployments and short dwell time (time between deployments) increase the likelihood of developing PTSD and other mental health conditions.⁽⁴⁸⁾
- Veterans may not know they have PTSD and thus may not seek proper treatment.
- Total healthcare costs for combat-induced PTSD for GWOT veterans are estimated to be between \$1.54 to \$2.69 billion.⁽⁴⁹⁾

**You may see this condition expressed as both PTSD (as listed in the DSM-IV) or as PTSD. While the clinical diagnostic code is mental health disorder, it can be contrary to anti-stigmatization efforts and care to call a response to extremely traumatic events a disorder.*



Substance Abuse

- There is a high co-morbidity of mental health issues and substance abuse among GWOT veterans. Rates of substance abuse among veterans diagnosed with PTS or other mental health issues range from 21 to 35 percent.⁽⁵⁰⁾
- In 2009, 9,199 soldiers sought treatment for alcohol related problems, a 56 percent increase over 2003 when the Iraq war started. In order to meet this new demand, the Army says they need twice as many substance abuse counselors.⁽⁵¹⁾
- Reserve and National Guard personnel who deploy with reported combat exposures are at increased risk of new-onset heavy weekly drinking, binge drinking, and alcohol-related problems, and younger members of all branches are at the greatest risk for alcohol problems.⁽⁵²⁾
- There is little comprehensive data on substance abuse and dependence in the military because the use and abuse of drugs often results in a less than honorable discharge status and these discharge statuses are omitted from many studies.⁽⁵³⁾



Traumatic Brain Injury (TBI)

- ▶ Traumatic brain injury (TBI) is caused by blunt force injury to the head which disrupts the function of the brain.
- ▶ In combat TBI often results from the concussive force of explosives which causes the brain to slam against the skull, often the result of an improvised explosive device (IED).
- ▶ In 2011, an average of 16 service members were inflicted with a brain injury each day. Improved battlefield diagnosis has led to an increasing number of cases.⁽⁵⁴⁾
- ▶ Blasts and explosions have caused most of the surviving casualties with moderate to severe TBI thus far reported.⁽⁵⁵⁾
- ▶ Certain symptoms of TBI may mimic symptoms of PTS, leading to a difficulty in diagnosing the veteran. Also, a veteran may experience PTS as well as TBI.



Suicide

- The VA has confirmed 18 suicides per day⁽⁵⁶⁾ among the entire veteran population and 1,000 suicide attempts per month among all veterans seen at VA medical facilities.⁽⁵⁷⁾
- Since 2010, suicide is the second leading cause of death among U.S. service members after war injury.⁽⁵⁸⁾
- Numbers and rates of suicide among military members have increased sharply since 2005 and an increasing proportion of these suicides were by firearms.⁽⁵⁹⁾
- Adjusted rate of suicide for male veterans is twice that of non-veteran males.⁽⁶⁰⁾
- Women veterans are two to three times more likely to commit suicide than non-veteran women.⁽⁶¹⁾
- Deployed women are three times more likely to commit suicide than non-deployed women, and deployed men are 42 percent more likely to commit suicide than non-deployed men.⁽⁶²⁾
- Being married lowers the risk of suicide. Suicide rates are 24 percent higher among divorced/separated than single, never married service members.⁽⁶³⁾
- Incarcerated veterans have the highest risk of suicide, exceeding the risk attributable to either veteran status or incarceration alone.⁽⁶⁴⁾
- In July 2007 the VA established the Veterans Suicide Hotline. As of July 2011, the hotline has received over 50,000 calls from veterans.



Military Sexual Trauma (MST)

- MST has strong links with post traumatic stress disorder (PTSD). Female veterans with histories of sexual assault up to five times more likely to develop PTSD compared to those without sexual assault histories. As a specific assault type, MST was found to confer a nine-fold risk for PTSD.⁽⁶⁵⁾
- In the 2011, 12% of victims were male.⁽⁶⁶⁾
- The DoD estimates some 19,000 sexual assaults occurred in the armed forces last year. Only 3,192 sexual assaults were reported, involving more than 3,993 victims.⁽⁶⁷⁾
- Many sexual assaults are not reported because of the barriers of fear and skepticism associated with reporting. For each of three possible negative outcomes associated with a person making such a report (being labeled a trouble maker, one's career would suffer, and not being believed), more females than males reported they believed negative outcomes would result from reporting. Many service members wait until they are out of the military to seek treatment for MST.⁽⁶⁸⁾
- A significant amount of service members feel that reporting sexual assaults is ineffective. In a confidential survey administered by the Army in 2011, only 63% of enlisted male soldiers reported that they believed "some corrective action would be taken" if someone in their unit were to report a sexual assault. (79% of women believed some action would be taken).⁽⁶⁹⁾
- Of the cases that made it to trial in 2011, 80% of service members were convicted of at least one charge at trial. However, 187 were convicted and not discharged from the military, and received non-judicial punishment, such as reduction in rank, a fine or forfeiture of pay. There should be more consistent and harsher penalties of convicted sexual assaulters.⁽⁷⁰⁾



Housing Instability and Homelessness

- In general the term “homeless” includes an individual who lacks a fixed, regular, and adequate nighttime residence and an individual whose primary nighttime residence is a shelter designed to provide temporary living accommodations.⁽⁷¹⁾
- Post- 9/11 veterans are becoming homeless at faster rates than prior-era veterans, and young veterans are more than likely to be homeless as their non-veteran counterparts.⁽⁷²⁾
- 76,329 veterans are homeless on a given night and an estimated 144,842 veterans experience homelessness over the course of the year.⁽⁷³⁾
- California, Florida, New York, and Texas account for 50% of all homeless veterans.⁽⁷⁴⁾
- Women veterans are more than twice as likely to be homeless as non-veteran women.⁽⁷⁵⁾ Homeless women veterans face barriers to accessing and using housing, such as lack of awareness of available programs, lack of referrals for temporary housing while awaiting permanent placement, limited housing for women with children, and concerns about personal safety.⁽⁷⁶⁾
- The HUD-Veterans Affairs supportive Housing (HUD-VASH) program combines Housing Choice Voucher (HCV) rental assistance for homeless Veterans with case management and clinical services. As of March 2012, nearly 31,200 veterans lived in HUD-VASH supported housing (about 83 percent of the rental assistance vouchers authorized under the program). The VA and veteran service organizations cite challenges in administering the HUD-VASH program, including a lack of resources to assist veterans with moving into housing.⁽⁷⁷⁾ Community organizations argue that there are not enough housing vouchers to fill the need of homeless veterans seeking affordable permanent housing.⁽⁷⁷⁾



Financial Instability

- A 2008 study for the VA found that 25 percent of employed veterans earn less than \$21,840 a year.⁽⁷⁸⁾
- Women veterans generally earn less than male veterans and often less than they made in the military.⁽⁷⁹⁾
- One in 16 veterans has an income below the poverty line, and 1 in 9 impoverished veterans is homeless.⁽⁸⁰⁾
- During the housing crisis in 2008, foreclosure rates in military towns increased at four times the national average.⁽⁸¹⁾
- Prior to The Housing and Economic Recovery Act of 2008, the VA home loan designed to offer long-term financing to eligible veterans, capped loan amounts at \$417,000 which discouraged many buyers in expensive areas and allowed veterans to pursue more subprime mortgages.
- Military families have been heavily targeted by lenders selling subprime mortgages. Predatory lenders may operate near military bases, often under the guise of military-related names.
- Currently, the federal Qualified Veterans Mortgage Bond Program allows veterans in Alaska, Oregon, California, Wisconsin and Texas to purchase homes, but at a high cost. The mortgages are often adjustable-rate or interest-only, which creates a recipe for debt and foreclosure.



Unemployment

- The switch from military to civilian workforce can be challenging. Veterans can be unsure about how to apply for and how to interview for a job and employers are often wary of seeing a lack of civilian work experience. Employers and veterans both are unclear on how skills utilized in the military can translate into a different work environment.
- The unemployment rate for Post-9/11 veterans in 2011 was 12.1 percent. National Guard and Reservists (Post-9/11) had a higher unemployment rate at 14 percent. Young male veterans aged 18—24 had an unemployment rate of 29.1 percent compared with 17.6 percent of young male non-veterans.⁽⁸²⁾
- Disabled veterans face additional challenges. Not only must the veteran learn to adjust to their disability while looking for and working in a job, they also must overcome the stigma that many employers hold when hiring a disabled individual.⁽⁸³⁾
- Veterans are more likely to work in protective services, production, transportation, material moving, installation, maintenance, and repair. Non-veterans are more likely to hold service jobs, sales and office jobs.⁽⁸⁴⁾ Male veterans are three times more likely to be employed in protective services occupations than male non-veterans.⁽⁸⁵⁾



Education Issues

- Many veterans enter the military at an age when their peers are attending college and thus when they exit the military, they are educationally behind their non-veteran counterparts.
- Among the 800,000 veterans now attending college, 88 percent drop out of school during their first year and only 3 percent go on to graduate.⁽⁸⁶⁾
- The Post-9/11 GI Bill offers educational benefits for those who served since September 11, 2001. It will pay up to 36 months of tuition up to the cost of the most expensive public school in the state and will also provide for some living expenses and books.
- Veterans with a less than honorable discharge are not eligible for the Post-9/11 GI Bill.
- There has been a severe backlog in GI Bill claims. And although the VA has made strides to alleviate the backlog, as of June 2012 there were over 194,000 pending educational benefit claims, including almost 25,000 pending Post-9/11 GI Bill claims.⁽⁸⁷⁾
- For-profit schools may specifically target veterans and military members for enrollment. They sometimes offer special incentives for enrolling military members and have also been known to misrepresent potential career opportunities and salary outcomes to students, while encouraging them to take classes that will have little benefit for their future.⁽⁸⁸⁾
- Since unemployment is high among younger veterans, some use the GI Bill to pay for living expenses, and enter college before they are ready to. Others are using the GI Bill to pay for living expenses while they wait for their disability claim to be processed by the VA.
- There is a 36 school-month time frame in which veterans must use their benefits. The timeframe may be too short to complete school for those suffering from PTS, TBI or other mental or physical injuries.



Domestic Violence

- Veterans who return with mental health disorders are at risk for increased inter-partner violence (IPV).⁽⁸⁹⁾
- There is a significant link between the severity of PTS and IPV severity.⁽⁹⁰⁾
- A study of Vietnam-era veterans showed that those with PTS are more likely to commit acts of domestic violence than those without PTS.⁽⁹¹⁾
- A study of OIF/OEF/OND veterans showed that 60 percent of veterans in families who were referred for a mental health evaluation at a VA center experienced IPV with 53.7 percent reporting “shouting, pushing or shoving.” Three quarters of the veterans had some kind of family readjustment issue such as feeling like a stranger in their own home, being unsure about their family role or having their partner afraid of them.⁽⁹²⁾
- Transition phases (deployment and reintegration) cause increased stress on the family and have been linked to child mistreatment.⁽⁹³⁾
- Current treatment models for veterans with IPV call for a standard Batterer Intervention Program which often treats IPV alone and doesn’t consider the intersection of IPV with PTS, TBI, and other military service-related issues. Many providers are calling for individualized treatment plans which allow the veteran to be simultaneously treated for service-related issues as well.⁽⁹⁴⁾



Criminal Justice Issues

- Often, learned military skills and tactics such as hyper-vigilance and rapid response to threatening encounters that enhance survival in combat may translate to aggressiveness, impulsivity, arrest, and potential for incarceration in the civilian community.⁽⁹⁵⁾
- Roughly one out of ten incarcerated persons is a veteran.⁽⁹⁶⁾ The most recent national data on justice-involved veterans is from 2004, showing that Iraq/Afghanistan veterans already comprised four percent of the total veteran population incarcerated in state and federal prison. It is anticipated that the number of recent veterans engaging with the criminal justice system has and certainly will continue to rise.⁽⁹⁷⁾
- Veterans with less than honorable discharges represent roughly 40 percent of the incarcerated veteran population.⁽⁹⁸⁾
- Literature shows that the single greatest predictive factor for the incarceration of veterans is substance abuse.⁽⁹⁹⁾
- The VA's Veteran Justice Outreach (VJO) Program allows for justice-focused activity at the medical center level (VA, 2011). A designated VJO specialist resides at each medical center, and provides direct outreach, assessment, and case management for justice-involved veterans in local courts and jails as well as outreach to state and federal prison veteran inmates, and liaisons with local justice system partners.
- Veteran treatment courts have emerged throughout the country as models for veteran diversion in the judicial system. They are a rehabilitative rather than punitive alternative to traditional court systems with a focus on low barrier entry, meaningful treatment, motivational interviewing and assertive case management. Unfortunately, legislative and regulatory rulings often restrict admission criteria to the court such as not allowing those with less than honorable discharges or violent offenses. Some jurisdictions currently operating veteran courts are limited by state statutes which govern their treatment court operations and limit their charge-based eligibility.⁽¹⁰⁰⁾



Don't Ask, Don't Tell (DADT)

- Don't Ask, Don't Tell (DADT) was the Department of Defense's policy from 1993 – September 20, 2011 against homosexuals serving openly in the military. The rationale is that homosexuals serving openly in the military would threaten unit cohesion and military capability. The policy was initially thought of as a way to protect homosexual service members.
- There are an estimated 66,000 gay troops currently serving in the military⁽¹⁰¹⁾ and over one million lesbian, gay, bi-sexual (LGB) veterans.⁽¹⁰²⁾
- As of 2009, 13,500 service members had been discharged as a result of DADT⁽¹⁰³⁾ The 13,500 figure does not even include those who resign or avoid enlistment because of discrimination and hardships caused by DADT.
- Service members who were given a less than honorable discharge because of homosexual conduct may be denied access to benefits such as VA healthcare, disability compensation and the GI Bill.
- Veterans seeking employment who must show their discharge papers are forced to be outed to potential employers if homosexual conduct is listed as a narrative reason for their discharge.
- DADT policy creates financial burdens for discharged service members. Since being discharged cuts service short, the discharged veteran may fail to meet the service requirements for already received benefits and recoupments and may be required to reimburse the military when they are discharged prematurely.⁽¹⁰⁵⁴⁾

DADT was repealed by Congress in December 2010, in light of controversy citing that the policy would remain in place until the President, Secretary of Defense, and the Chairman of the Joint Chiefs of Staff certified that repeal would not harm military readiness. A federal Appeals Court ruled in July 2011 the law banning openly gay people from serving in the military should no longer be enforced, and President Barack Obama, Secretary of Defense Leon Panetta, and Chairman of the Joint Chiefs of Staff Admiral Mike Mullen, sent that certification to Congress on July 22, 2011, which set the end of DADT for September 20, 2011.



Veterans Benefits Administration

The Backlog of VA Disability Claims

- The backlog of disability claims is almost one million, with 65 percent of claims pending over 125 days.⁽¹⁰⁵⁾
- The *average* wait time is over six months (188 days) for an initial decision.⁽¹⁰⁶⁾
- 676,744 GWOT veterans have filed disability claims, and 20 percent (1,097,489) of the claims files are pending.⁽¹⁰⁷⁾
- Only 53 percent of GWOT veterans with a diagnosis of PTS have been granted a service-connected disability for PTSD.⁽¹⁰⁸⁾
- Time frame for a final claim decision, when including appeals, can exceed ten years.
- National Guard and Reservists are half as likely to file a disability claim than active duty veterans and are twice as likely to have their claim denied.⁽¹⁰⁹⁾
- Applying for VA disability and compensation can prove so difficult that many veterans simply abandon their disability claims.



The VA System of Care

U.S. Department of Veteran Affairs

Veterans
Benefits
Administration



Veterans
Health
Administration



National
Cemetery
Administration





Accessing VA Healthcare

The following information presents the *general rules* applicable to veterans seeking VA benefits; there are often exceptions to each of these rules.

- Veterans must first enroll in VA healthcare.
- Generally, veterans must have:
 - An honorable discharge (includes general under honorable conditions discharges);
 - Served 24 continuous months on active duty;
- Demonstrate financial need; and/or a service-connected disability.⁽¹¹⁰⁾
- OIF/OEF veterans are eligible for five years of free healthcare and may be eligible for 180 days of dental care after separation.⁽¹¹¹⁾
- Because VA healthcare is rationed, an enrolled veteran is assigned to one of eight priority groups.
- Service-connected veterans, those with a disability which the VA has determined was incurred or aggravated during service, are given the highest priority.



U.S. Military Discharges

Character of Service

Honorable	General Under Honorable Conditions	Other than Honorable (OTH)	Bad Conduct (BCD)	Dishonorable (DD)
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VA Benefits

Requirements, Restrictions and Caveats

Eligibility for benefits based on discharge⁽¹¹²⁾

	Honorable	General	OTH ⁽¹¹³⁾	BCD	DD
VA Medical and Dental	X	X	TBD	TBD	NE
Hospitalization and Domiciliary Care	X	X	TBD	TBD	NE
G.I. Bill	X	NE	NE	NE	NE
Home Loans	X	X	TBD	TBD	NE
Disability Compensation and Pension	X	X	TBD	TBD	NE

X = Eligible TBD = To Be Determined NE = Not Eligible



VA Benefits

How can veterans with less than honorable discharges access benefits?

Character of Service Determination

- A determination made by the VA to grant baseline eligibility for benefits to a veteran with a discharge that is less than honorable.
- It does NOT change the type of discharge.

Discharge Upgrade

- A formal procedure before a military board that can change the reason for discharge, character of service or other aspects of military records.



Key Terms and Lingo

Service Connected Disability Compensation (SCDC or Comp)

- Monthly payment for disability that was incurred or aggravated during military service or meets requirements for presumptive disability, or VA medical treatment negligence.
- Payment is calculated from 0–100 percent.
- Percentage is the “disability rating.”
- SCDC is a tax-free benefit and is not reduced by other income.



Key Terms and Lingo

Non-Service Connected Pension (NSCP, PEN or Pension)

- Monthly payments to impoverished veterans who are permanently and totally disabled by conditions not related to service.
- Payment is offset by most other income.
- Requires active military service of at least 90 days, at least one day of which was served during “wartime.”⁽¹¹⁴⁾



Key Terms and Lingo

Willful Misconduct

- “Willful misconduct” means an act involving conscious wrongdoing or known prohibited action.
- An injury that can result from: drug or alcohol addiction, venereal disease or self-inflicted injuries.
- Is not eligible for disability payments.⁽¹¹⁵⁾
- DOES NOT bar eligibility for VA healthcare for veterans who otherwise qualify.



Eight VA Priority Groups

<p>Priority 1</p>	<p>Veterans with VA-rated service-connected disabilities that are 50 percent or more disabling Veterans determined by VA to be unemployable due to service-connected conditions</p>
<p>Priority 2</p>	<p>Veterans with VA-rated service-connected disabilities that are 30 or 40 percent disabling</p>
<p>Priority 3</p>	<p>Veterans who are former Prisoners of War (POWs) Veterans awarded a Purple Heart medal Veterans whose discharge was for a disability that was incurred or aggravated in the line of duty Veterans with VA rated service-connected disabilities 10 or 20 percent disabling Veterans awarded special eligibility classification under Title 38, U.S.C, § 1151, “benefits for individuals disabled by treatment or vocational rehabilitation” Veterans awarded the Medal of Honor (MOH)</p>
<p>Priority 4</p>	<p>Veterans who are receiving aid and attendance or housebound benefits from VA Veterans who have been determined by VA to be catastrophically disabled</p>
<p>Priority 5</p>	<p>Non-service-connected veterans and non-compensable service-connected veterans rated 0 percent disabled by VA with annual income and/or net worth below the VA national income threshold and geographically-adjusted income threshold for their resident location Veterans receiving VA pension benefits Veterans eligible for Medicaid programs</p>



Eight VA Priority Groups

Priority 6	<p>World War I veterans Compensable 0 percent service-connected veterans Veterans exposed to ionizing radiation during atmospheric testing or during the occupation of Hiroshima and Nagasaki Project 112/SHAD participants Veterans exposed to the defoliant Agent Orange while serving in the Republic of Vietnam between 1962 and 1975 Veterans of the Persian Gulf War that served between August 2, 1990 and November 11, 1998 Veterans who served in a theater of combat operations after November 11, 1998 as follows: Currently enrolled veterans and new enrollees who were discharged from active duty on or after January 28, 2003, are eligible for the enhanced benefits for five years post discharge Veterans discharged from active duty before January 28, 2003, who apply for enrollment on or after January 28, 2008 are eligible for enhanced enrollment benefit through January 27, 2011</p>
Priority 7	<p>Veterans with gross household income below the geographically-adjusted income threshold (GMT) for their resident location and who agree to pay co-pays</p>
Priority 8	<p>Veterans with gross household income above the VA national income threshold and the geographically-adjusted income threshold for their resident location and who agrees to pay co-pays</p>



Sub-Priority Groups

Sub-Priority A	Non-compensable 0 percent service-connected and enrolled as of January 16, 2003, and who have remained enrolled since that date and/or placed in this sub-priority due to changed eligibility status
Sub-Priority B	Non-compensable 0 percent service-connected and enrolled on or after June 15, 2009 whose income exceeds the current VA National Income Thresholds or VA National Geographic Income Thresholds by ten percent or less
Sub-Priority C	Non-service-connected and enrolled as of January 16, 2003, and who have remained enrolled since that date and/or placed in this sub-priority due to changed eligibility status
Sub-Priority D	Non-service-connected and enrolled on or after June 15, 2009 whose income exceeds the current VA National Income Thresholds or VA National Geographic Income Thresholds by ten percent or less
Sub-Priority E	Non-compensable 0 percent service-connected and have not met the criteria above
Sub-Priority G	Non-service connected and have not met the criteria above



Documenting a VA Claim

What
documentation
is required for
a successful
disability
compensation
claim?

- Current diagnosis by a qualified professional.
- Proof of onset during military service.
 - Typically done by using service medical records, however often is the case that the condition or incident causing the condition was never entered into the service members record and so other evidence must then be developed.
- Nexus evidence—opinion by a licensed professional linking the condition to military service.
- Presumption – exception to requirement of proof of onset; the condition is presumed by law or regulation to be service-connected.

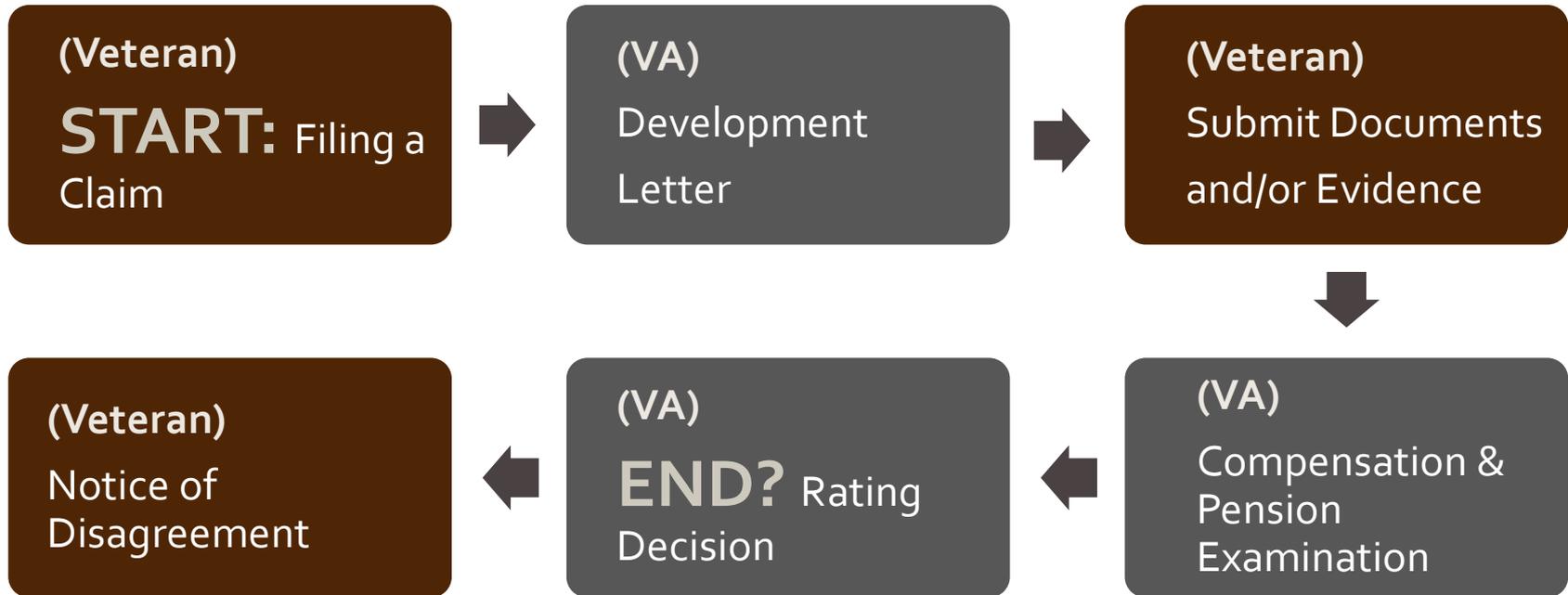
For example: In July of 2010, the VA issued a new regulation (Federal Register, 75 FR 39843) that makes it easier for veterans who were not in combat or who have no evidence of being in combat to win their PTSD claim.⁰ It used to be that a veteran would have to prove that they experienced a stressor while on active duty, which was often a difficult endeavor. Under the new regulation, the veteran's own testimony that he or she experienced a stressor related to fear of hostile military or terrorist activity that is consistent with the places, types, and circumstances of the veteran's service is sufficient evidence that they did in fact experience a stressor. Then a VA psychologist or psychiatrist must confirm that the stressor is adequate to cause PTSD and that the veteran's symptoms are related to the stressor in order to win a PTSD claim.

- Evidence of severity of disability – used to establish the disability percentage rating of 0–100 percent in increments of ten percent.



VA Benefits Claims Process

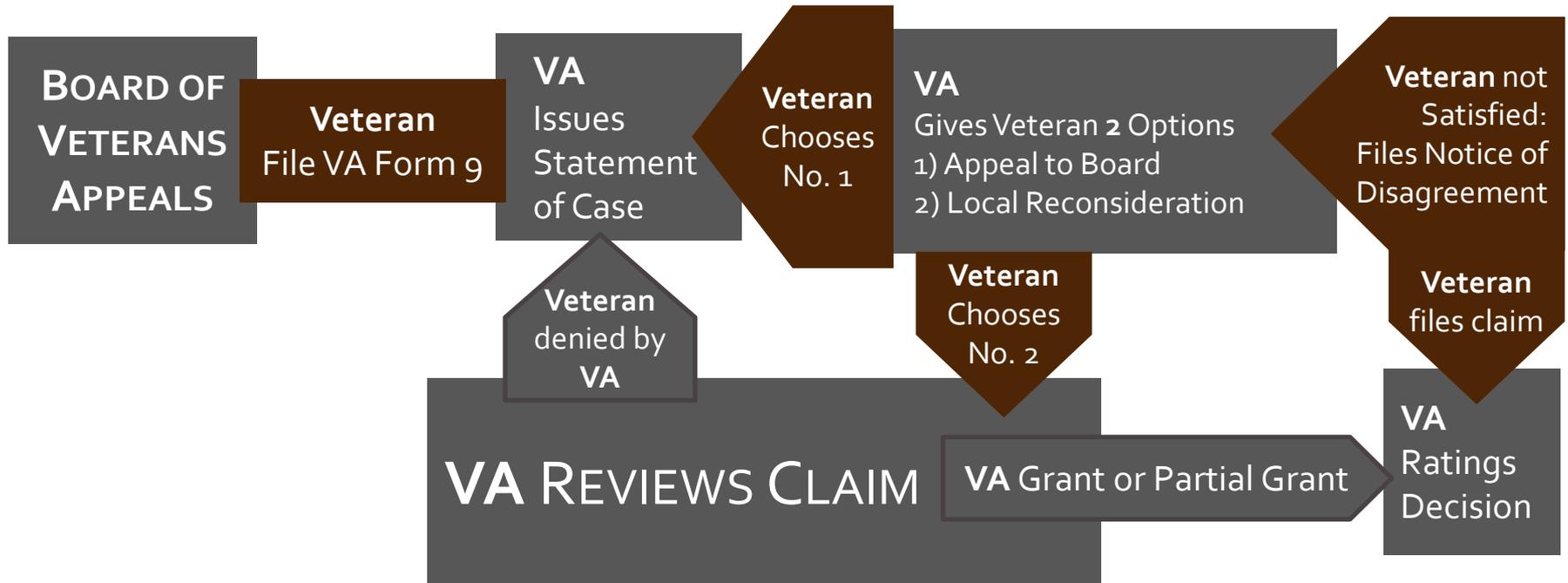
A Simplified Version





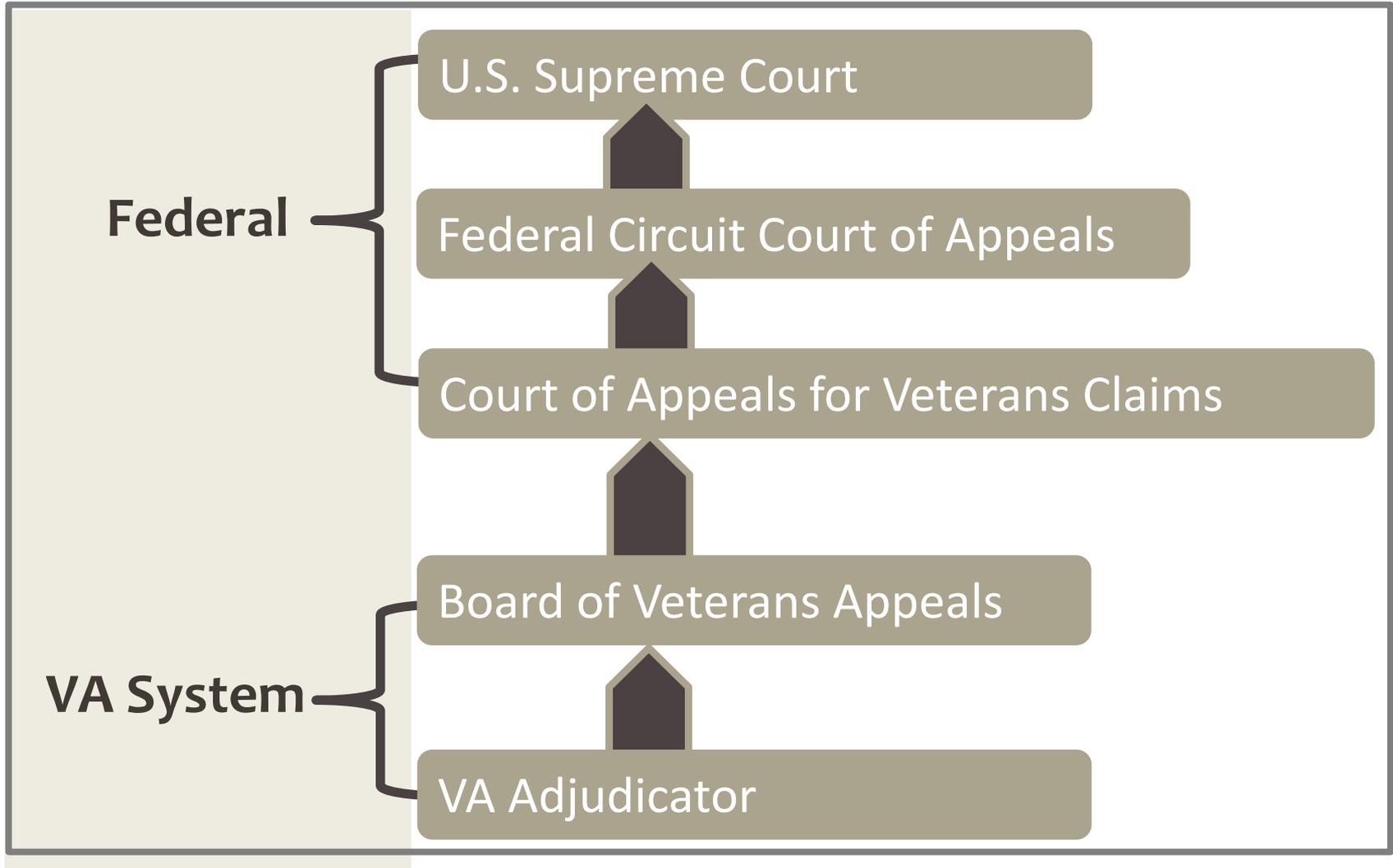
VA Benefits Claims Process

The Appeals Process (very simplified)





VA Claims Decision-Making Bodies



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