**Opening Statement**

**Incarcerated Veterans Oversight Hearing**

CalVet Secretary Vito Imbasciani MD

May 10, 2016

Good afternoon, Chairman Nielsen and members of the senate Veterans affairs committee.

Thank you for the opportunity to address you today on a very important issue of concern to all of us – Veterans incarcerated in our state prisons.

CalVet’s mission is to serve California’s nearly 2 million Veterans, including the more than 6,300 Veterans incarcerated in a California state prison.

You know that CalVet is not part of the criminal justice system.

That means our testimony today focuses only on what CalVet and our partners do to assist our Veterans already in the justice system. Our partners in this effort include the county Veteran service offices, the California department of corrections and rehabilitation, community organizations, and the U.S. department of Veterans affairs.

After my comments, more detailed information will be provided by one of our subject matter experts at CalVet.  On the next panel you will hear Roberto Herrera, special programs manager, who works in our Veterans services division.

Senators, there are two vital roles CalVet plays assisting our incarcerated Veterans.

Our first role is to try to help Veterans avoid jail or prison time by getting them into a “diversion” treatment program. This takes place in one of the Veterans Treatment Courts or VTCs. We also work with the commission on peace officer standards and training to provide a curriculum for police and sheriff deputies to better deal with Veterans on their initial contact. This training helps them recognize Veterans who may be dealing with PTSD or suffering from the effects of traumatic brain injury (TBI).

Our second role is working to successfully return Veteran inmates back to their home communities.

The net result of both these activities, we believe, it to reduce recidivism, to put more Veterans back into communities where they can contribute positively to society, and to reduce the overall number of incarcerated Veterans, thus saving taxpayer money.

Let me begin with Veteran inmates.  When a Veteran is convicted of a crime and sent to a state prison, he or she does not lose their status as a Veteran.  However, they do lose many of their federal benefits while incarcerated.

For example, immediately upon incarceration, a Veteran loses access to medical care provided by the U.S. Department of Veterans Affairs because the prison becomes the Veteran’s new healthcare provider.

In another example of a lost benefit, an incarcerated Veteran loses most of his or her VA disability compensation after 61 days of imprisonment.

Now, most Veterans in our state prisons are eventually released on parole and go back to their home counties.  Everyone wants our Veterans to succeed there, and to avoid returning to prison.

As I am sure my colleague, Secretary Kernan from CDCR can confirm, one of the greatest factors of recidivism for parolees is the lack of a support structure – housing, employment, healthcare services and the like.

But through our joint efforts we provide part of that support.  CalVet connects incarcerated Veterans with information and services that assist them in achieving a successful parole and transition back home.

Working with our CDCR partner, and the US Department of Veterans Affairs we have identified 6,330 Veterans in our state prisons.

Only 40 percent of these prisoners identify themselves as veterans. That means that 60 percent of the Veterans in our state prisons were not getting any information about the services and options available to them while incarcerated or when they go out on parole.

Armed with this new information, CalVet provided information about benefits and services starting in 2014 to more than 460 incarcerated Veterans at 15 different facilities.

CalVet staff has met with more than 20 Veteran support groups in CDCR prisons.  Our department sends information to all verified Veterans in our state prisons who are within 180 days of their projected parole date.  We provide them with information tailored to their home county.

This information identifies local service providers and gives contact information for CVSOs, local VA medical facilities, and much more.  Our effort reaches about 1,000 incarcerated Veterans each year.

This information, combined with a good parole plan, can improve the likelihood a Veteran will succeed on parole, thus reducing recidivism.

In practical terms, when CDCR staff or our CVSO meets with an incarcerated Veteran shortly before parole, they work to complete the necessary VA paperwork that will allow the resumption of VA healthcare and disability compensation benefits.  This provides a vital economic safety net for these Veterans.

While we have made great strides in the past couple of years working closely with our partners, other significant challenges remain.

The main challenge is staffing.  The VA employs only two staff persons in California who visit the 6,330 Veterans in state prisons.  Similarly, CalVet employs two staff people for Veteran justice outreach.

While most CVSOs reach out to Veterans in county jails and state prisons, there is no requirement for them to do so.  As a result, some don’t perform that outreach because they don’t have the staff to work with the general Veteran population in their counties, let alone work with inmates in prison. They simply do not have the resources or the time.

Staffing challenge aside, CalVet intends to continue to reach out to our incarcerated Veterans because it effectively improves their successful integration into their civilian communities.

Now let me describe the second role CalVet plays for our Veterans involved with the criminal justice system.

During the Vietnam War and continuing up to the recent past, we did not do a good job identifying those Veterans returning home from military service who were suffering from mental health conditions, brain injuries, discrimination, or sexual assault.

As a result, Veterans diagnosed with posttraumatic stress disorder or traumatic brain injury often did not receive adequate medical care, housing, or disability compensation for their military-related conditions.

I am pleased to report that is changing with the creation of 24 Veteran Treatment Courts in California.  And CalVet strongly supports the work of these VTCs.

I know many of you are aware of VTCs -- many of you voted for legislation in the past to create them.  The 24 counties with VTCs are home to nearly three-quarters of the state’s Veteran population.

VTCs provide Veterans who committed a crime -- typically a non-violent property or substance abuse crime -- with alternative treatment programs that divert a Veteran from prison and into treatment programs.

Today, instead of an endless cycle of incarceration, substance abuse, alcohol dependency, homelessness, and a lack of treatment, our Veterans receive hope and the care they should have received earlier.

With fewer recidivists to feed, house and treat, the state and the counties both spend less money incarcerating Veterans.

A VTC involves more than just the judge and the Veteran.  In most cases, there is also a mentor present to guide the Veteran through the process.

This mentor will be a representative of the VA, there to arrange medical treatment, assistance with housing, guidance with disability and education benefits, and more as needed.

All of this is provided under the watchful eye of a dedicated and experienced judge, who, in many cases, is also a Veteran.

CalVet utilizes resources provided by proposition 63, giving grants to CVSOs who seek out Veterans in their own county jails that may be eligible for VTC and other benefits and services.  Since 2013 this program has resulted in helping more than 1,200 Veterans in our county jails and state prisons.

Rest assured a VTC is not a “get out of jail free” card for a Veteran. In order for the VTC process to be successful, Veterans must complete all of the requirements set by the court, such as attending medical appointments, and refraining from drugs and alcohol, and more.

After one year of demonstrating full compliance, a Veteran “graduates” from the court in the presence of his peers, his family, and court officials.  These county-level programs are effective tools that have a proven track record with a recidivism rate as low as 8 percent in some counties.

In conclusion, I assure you that CalVet and our partners learned key lessons from how our society treated Veterans in the past  and we are doing a much better job today.

With CalVet’s active participation with our partners, we are addressing both the front end and the back end of the justice system. By assisting Veterans in Veteran Treatment Courts at the early stages of their involvement with the justice system and later at the end of a prison sentence, we are continuing our mission to ensure that Veterans receive the benefits and services they need.

All of this is done with a keen eye toward justice, rehabilitation, reducing recidivism, and reducing prison costs.

Our staff on the next panel are available to answer your questions.

Thank you for your attention in this important matter.