



**NEW YORK STATE SENATE STANDING COMMITTEE ON VETERANS, HOMELAND
SECURITY & MILITARY AFFAIRS
NEW YORK STATE ASSEMBLY STANDING COMMITTEE ON VETERANS' AFFAIRS
NEW YORK STATE ASSEMBLY SUBCOMMITTEE ON WOMEN VETERANS**

**Friday, August 14, 2020 10:30 a.m.
SUBJECT: The Impacts of COVID-19 on New York's Veterans**

Good afternoon. My name is Peter Kempner. I am the Legal Director at Volunteers of Legal Service (VOLS). VOLS was established in 1984 and our purpose is to leverage private attorneys to provide free legal services to low income New Yorkers to help fill the justice gap. I am also a member of the veterans committee at the statewide New York Legal Services Coalition. The Coalition consists of 50 legal services providers who collectively serve every single county in New York State. My testimony today will be on behalf of both VOLS and the Coalition.

In addition to my duties as Legal Director of VOLS, I founded and supervise the VOLS Veterans Initiative. I also created and teach the Veterans Justice Clinic at New York Law School, I sit on the New York City Bar Association's Committee on Military and Veterans Affairs, I am a member of the New York State Bar Association Veterans Committee, I co-chair the New York City Legal Services Veterans Working Group; and I have held many past positions focused on the civil legal needs of low income veterans.

We thank the New York State Senate and Assembly for holding this critical hearing to examine the impact of COVID-19 on New York State's veterans. My testimony focuses on two legal issues faced by New York's veterans in the wake of the COVID-19 crisis and how it is more important than ever to ensure that veterans have access to free legal services in order to fend off potential devastation.

- Eviction and Homelessness Prevention
- Life Planning

Prior to the COVID-19 outbreak, the VOLS Veterans Initiative conducted free weekly legal clinics at the Manhattan Campus of the Department of Veterans Affairs' NY Harbor Health Care System where we provided free civil legal services to low income veterans aged 60 and over. After the crisis shut the VA Hospital to outside visitors, we moved our services online and launched a legal hotline for low income elderly veterans.

The number one legal issue faced by the veterans we serve is eviction and homelessness prevention. Over the past decade New York State, working alongside the New York Legal Services Coalition providers, County Veterans Service Agencies, veteran services organizations, the VA and other community partners, has made tremendous strides in addressing veteran homelessness. Using federally funded programs like the VA's Supportive Services for Veterans Families (SSVF); HUD-VASH Section 8; and the Homeless Providers Grant and Per Diem Program; in combination with local initiatives like the Universal Access to Council program in New York City, New York has cut its veteran homeless population significantly.

The COVID-19 crisis has the potential to undo much of the progress we have made and return us to the days when veteran homelessness was much more pronounced and widespread. It is estimated that tens of thousands of New Yorkers may face homelessness when the current moratorium on eviction filings and executions of warrants of eviction is lifted. Undoubtedly, scores of veterans are amongst those facing homelessness and many of these veterans already extremely vulnerable. These veterans often suffer from service-connected disabilities, substance abuse, mental health disabilities, and those who were formerly homeless. If evicted from their homes, many of these veterans will end up in shelters or the streets. Homeless shelters have proven to be a hotbed for the spread of COVID-19 and will put veterans at significantly higher risk.

To prevent a backslide on veteran homelessness, we must do everything we can to prevent the eviction of a veteran, which requires their having access to free legal services. It has been proven that tenants who are represented by counsel in an eviction proceeding are much more likely to be able to remain in their homes. Having access to counsel ensures the ability of veterans to benefit from the protections provided by the New York Tenant Safe Harbor Act, access grants and other programs to help pay off rent arrears, and ensure their rights are protected.

It is essential that veterans who are most vulnerable to poor health outcomes if infected with COVID-19 can engage in proper life planning. A core part of our work is to provide free wills and advance directives to low income senior veterans. These critical documents ensure that the wishes of senior veterans are clear and are carried out by people they love and trust.

Veterans infected with COVID-19 may find themselves in a medically induced coma and on a ventilator for weeks or even months. During this time, rent is unpaid, bills pile up, and, in the case of long term incapacitation, loved ones may be forced to file costly and unpleasant legal proceedings such as guardianships. A veteran who has the ability to put a proper plan in place by completing a Power of Attorney, a Health Care Proxy, and other advanced directives can ensure that the consequences of incapacity are minimized or avoided. By empowering their loved ones with the proper tools to handle their affairs while they battle the virus, they can focus on healing instead of worrying about whether they will have a home to return to when they are released from the hospital.

The common thread that brings these issues together is how access to free civil legal counsel is transformative for veterans in need. Eviction prevention, life planning, accessing critical government benefits and on so many other fronts, having access to free civil legal services helps abate the negative impact of the COVID-19 crisis on New York's veteran community.

Thank you for allowing us to submit this testimony and for holding this important hearing.

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Legal Director