

A Guidebook  
for  
Incarcerated  
Veterans  
**HAWAII**



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## SECTION I

### USING THIS GUIDE AND SEEKING HELP

This guide is for you to use to plan for your needs and to keep as a reference. It includes addresses, phone numbers, and web sites that you can use to find out about programs and other help available. You may want to ask a friend or family member to help you find the information you need if you don't have phone or internet access. Keep in mind that **this guide does not include all of the services available**. What is available on one island may be different from what is available on another, so be sure to check with local resources to learn about services on your island.

If you are in prison, find out which unit in your facility can help you plan for your release (often the education or transfer unit). Classes may be offered so you can work on skills development and prepare for life after release. **You don't want to risk homelessness once you are released, so take advantage of the opportunities available to you.**

Begin thinking about what specifically you will need. Ask yourself these kinds of questions: Will I need housing? Will I need medical, substance abuse, or mental health care? Do I need to learn a job skill? Do I have any other legal issues, such as child support? How do I restart my VA checks or Supplemental Security Income (SSI)?

Make a list of your needs. Remember that this is just a tool to help you get organized. A sample list might look like this:

- I need a place to live.
- I need a job.
- I need clothing to wear to work.
- I need to find out what benefits I can get as a veteran.
- I want to get addictions treatment.
- I owe child support.

Think about your list as you read through this guide. Who do you think can help you with each of your needs? Is there one organization that may be able to work with you, on many different things, or do you need to contact several agencies? Keep track of the steps you take,

including the dates and names of people you contact for information or assistance. Although this guide provides *national and state* addresses for many organizations, we recommend you **check your phone book for local, county, and state agencies that know what help is available in your area.**

When writing a letter to request information, **be clear.** Keep your letter short, to the point, and write legibly. Include the following information:

- Your name and contact information.
- A brief statement about your current situation.
- Your specific request.
- What you have done so far (Example: I have written to \_\_\_\_\_ X \_\_\_\_\_ organization and they suggested I contact you).
- Any restrictions for mailings
- When contacting an agency for help by mail, email or phone, **be persistent and polite** in order to get results. Ask questions if information is not clear to you. Remember that many organizations are staffed by volunteers who are eager to help, but may not have the answers you are looking for. If **someone cannot help you, ask about who can.**

The Internet can also be helpful to find information about VA benefits and community resources in your area. This guide includes web addresses, when available. If computer access is not available at your facility, you can visit the public library after release.

**Section II** of this guide provides Help for Veterans. **Section III** provides information about assistance for specific needs, such as medical, mental health, housing, etc. **Section IV** covers basic information about seeking VA / Federal benefits.

At the end is a **Checklist** that summarizes each section of this guide **and helpful websites.**

## **SECTION II**

### **HELP FOR VETERANS**

#### Preparing for Release from Incarceration

Receiving services from the Department of Veterans Affairs (VA) is completed in several steps. The basic information requested can be completed while you are incarcerated improving your chances of getting the help you need at the time of your release. The following information will guide you through the process of Enrolling with the VA. The availability of your military record will determine how long it takes to establish your VA eligibility.

#### **DD-214**

If you have your copy of a form called a DD-214 (Report of Separation) include a copy with your Enrollment paperwork. The DD-214 is not required to Enroll but can expedite your application processing. It is recommended to acquire a copy of your DD-214 to enhance your access to the many benefits veterans may receive. The application for your DD-214 (Form 180) is available on line [www.va.gov](http://www.va.gov) or can be requested by calling 1-800-827-1000. As with all VA applications, be careful to write legibly and complete every blank with complete information. Items left blank could slow the results of your application.

#### **Enrollment (Form 10-10 EZ)**

If you have not received VA services within the past year from a VA in your home jurisdiction complete and submit Form 10-10 EZ. You can request one by calling 1-800-827-1000 or going to [www.va.gov](http://www.va.gov) or going to the VA in Honolulu, Lihue, Wailuku, Hilo or Kona. Receipt of the application will initiate verification of your eligibility and determine if there will be a co-pay for services rendered. Occasionally military records require an information search and can delay benefits. Completing this application several months before release is highly recommended.

All blanks of the 10-10 EZ must be completed. If there is a blank requesting information that does not pertain to you, it should be designated with an N/A (Not Applicable). Blanks requesting information you do not know should indicate (unknown). Blanks requesting financial information must have a number. Zero (\$0) to indicate nothing. Blanks left empty could prevent processing of the application and delaying your eligibility for VA services.

Information about your income pertains to the calendar year prior to this application. Most veterans incarcerated in the past year will have incomes that fall below the income

threshold requiring a co-pay. If your income exceeds the financial threshold and you can't afford health care, inquire to your VA about a Hardship request based on your recent incarceration.

The application requests contact information. It is very important that an accurate mailing address and phone number are included on the application of where you can be reached for several months. If you will be released before receiving a reply of eligibility contact the VA Business Office directly to request a status report.

The 10-10 EZ can be mailed to the VA located in your home jurisdiction or to the local VA near the institution in which you currently are confined. Each VA can electronically share medical and business information allowing you to receive VA services in whatever community you reside.

#### Results of Application to the VA

The results of the 10-10 EZ indicate your eligibility for VA medical services. If you are found ineligible for VA Medical you may still be eligible for other VA benefits, such as housing and vocational supports. Each VA has a Homeless unit capable of assisting you with application to these Per Diem programs.

#### Correction of Military Record and Upgrade of Discharge

Many variables are involved in determining eligibility and you are encouraged to apply for benefits to allow the VA to sort through all of the contributing factors, such as period of service, length of active duty service, and participation in combat. The character of your discharge can reflect on the benefits you may receive. Honorable, General and Discharge under Honorable Conditions will all reflect favorably on your eligibility for all benefits and services. Other Discharges are also eligible for benefits and services and must be reviewed individually for a definitive determination.

If your application for VA Medical Benefits is denied, you will receive an explanation. Often complete information about your military history was unavailable and your DD-214 is required. If the denial was based on the character of Discharge you will want to review your DD-214 and circumstances that brought about the less than favorable military separation status.

Each branch of the military has a Review Board designed to receive appeals to erroneous information on the DD-214 (Form DD-149) and reconsideration of Discharge status (Form DD-293). Depending on the circumstances unique to your case you may want to receive guidance from a Veteran's Service Officer or legal counsel in preparing your appeal. Please note this is a very long process and can take a year

## Education Benefits

Funds available for education are time limited and it is important to determine if your benefits are about to lapse. Only certain groups of veterans are eligible for this education benefit. A lot of factors are considered including your character discharge and if you paid into the program while on active duty. The Veterans Benefits Line at 1-800-827-1000 is the best place to start.

## **Planning Your Return to Home**

### **Four Months before Release**

1. Complete VA Form SF-180 (Request Pertaining to Military Records) if you don't have your DD-214. The SF-180 is available on line. The address to send the completed form depends on your branch of the military and when you served. That information is found on page 3 of the SF-180. Your DD-214 can take up to 10 weeks to arrive.
2. Begin work on the Inventory of Needs form included in the Handbook. Identifying your specific set of needs upon return to community living will help you begin preparing now. This information will also help your discussions with the personnel at the prison in best preparing your release plans.

### **Two Months before Release**

3. Complete the 10-10EZ. FILL IT OUT CAREFULLY. Information should be printed and answer each blank fully. If a question doesn't apply to you say, N/A or not applicable. If the question asks for an amount of money be sure to answer with a number. If the answer is zero say 0. Section V on Form 10-10EZ gives you a YES/NO option about reporting financial information. Be aware that unless you have previously received a VA Disability rating above 10% you will not be approved for VA Enrollment without saying YES and disclosing your financial information in Sections VI, VII, VIII and IX. Once completed, you may submit the 10-10EZ, your DD-214 if available, to the VA nearest you in an envelope addressed ATTN: Patient Registration. If you can make a copy and submit it with a copy of your Inventory of Needs to the VA Homeless Program at the VA Honolulu, he/she will be aware of you before you get to the VA.
4. You will receive communication from the VA indicating your status for eligibility.

### **The first 24 Hours after Release**

5. Initiating contact with your Parole Officer is your first priority and is required immediately upon your arrival to your community.
6. Contacting your VA representative is your next step toward getting the assistance for a smooth and successful transition. If you are unable to reach your VA representative leave very specific information about how they can reach you.

Name:

Inmate Number:

Date of Release:

Inmate Address:

**Inventory of Needs**

You face many challenges when leaving prison. Success within the community is accomplished by resolving the barriers. The VA can be one starting point for addressing some of the problems. You can use this checklist to identify your concerns. The resources identified in this Handbook and personnel at your VA can help direct you to resources. Many of these problems will take time but can be resolved with your commitment.

**Immediate Concerns**

**Describe**

Housing	
Clothing	
Transportation to Parole	
Medication	
ID	
Paroled to unfamiliar location w/ few supports	

**Financial**

**Describe**

Employment	
Child Support/Alimony	
Credit Debt	
Disability/Pension Money	
MVA Fines	
Debt/Credit Issues	

**Health**

**Describe**

Medical Concern	
Addictions Treatment	
Mental Health Needs	
Barriers to Working	

**Legal**

**Describe**

Traffic	
Child Custody	
Restitution	
Marital Status	
Anger Management Classes	
Domestic Violence Classes	
Parole Registering Restrictions	

**Other:**

## SECTION III

### HELP FOR VETERANS

This section includes resources that can help you get back on your feet. Remember to check the phone book for local, county, and state agencies that know what services are available in the area to assist you. Some organizations may have waiting lists, require an interview, or have specific rules about whom they serve. It is best if you **start asking about services and requirements now**, so that you will be prepared when you are released. You may even ask if your name can be put on a waiting list when you get closer to your release date.

### TOLL-FREE NUMBERS

Crisis and other toll-free numbers are often listed in the front cover or first few pages of the phone book. You may also want to check under "Social Services" in the blue or yellow pages for hotlines and local numbers.

- **US Department of Veterans Affairs** — [www.va.gov](http://www.va.gov)
  - ✓ Benefits: 1-800-827-1000,
  - ✓ Medical Centers: 1-877-222-8387
  - ✓ Persian Gulf War Helpline: 1-800-749-8387
- **Focus On Recovery Helpline** - A 24-hour national alcohol and drug abuse addiction and treatment hotline: 1-800-888-9383
- **National AIDS Hotline** - Talk to someone who knows about HIV / AIDS and can tell you about AIDS services in your city or state: 1-800-822-7422
- **National Coalition for Homeless Veterans** — [www.nchv.org](http://www.nchv.org), 1-800-838-4357
- **National Suicide Prevention Hotline** -1-800-273-TALK (8255)

### WHERE TO START

Check the local phone book yellow pages under "Social Service Organizations" for a list of many local organizations that offer different services, which may include clothing, public transportation tokens, emergency shelter, and more. You may need to contact several agencies to find all the services you need. Services provided by *government* agencies are

listed in the blue pages found near the front of the phone book. We have included some guidance below, but your local organizations are your best resources. **Remember, it never hurts to ask!** On Oahu you can call 808 275-2000 (ASK-2000), on Neighbor Islands you can call 211.

- The Pacific Islands Health Care System has a **Health Care for Homeless Veterans (HCHV) Coordinator** who is responsible for helping homeless veterans access VA and community-based care to end homelessness among veterans. The HCHV program provides outreach, clinical assessments and referrals for medical and mental health care, long-term transitional residential assistance, case management and employment assistance with linkage to permanent housing. The HCHV Coordinator for the State of Hawaii is located at the VA Pacific Islands Health Care System, Spark M. Matsunaga Ambulatory Care Center in Honolulu at Tripler Army Medical Center Campus. The phone number is (808) 433-0335. The VA provides PTSD counseling, Substance Abuse Treatment and other Mental Health services as well as Primary Care, Geriatric Care and a Pharmacy. There are clinics in Kauai, Maui, Kona, Hilo, Guam, Saipan, Manilla and American Samoa.
- **Department of Veterans Affairs Pacific Islands Health Care System/VA Honolulu Regional Office** provides assistance with Veterans benefits & entitlements information, VA claims process, representation and advocacy.
- **National Coalition for the Homeless** has a directory of shelters and homeless assistance programs online. This does not list every program in the country, so be sure to check your phone book for local programs.

#### **Directory of Local Homeless Service Organizations**

- Angel Network Charities (808) 377-1841**
- Gregory House (808) 592-9022**
- Hale Kipa Emergency Services (808) 589-1829 x 150**
- Ohana Ola Kahumana (808) 696-4095**
- Ohana Ola Admin (808) 696-4039**
- Homeless Solutions(HS) (808) 973-0050**
- HS (elderly Housing) (808) 599-5759**
- HS (families housing) (808) 552-0540**
- HS (mentally ill housing) (808) 946-6953**
- HS (working singles) (808) 946-8063**
- Institute For Human Services:**
  - ✓ **Men (808) 537-2724**
  - ✓ **Woman and Families (808) 845-7052**

## **Directory of Homeless & Housing Advocacy Coalitions.**

The following is a list of Homeless and Housing Advocacy Coalitions for the State of Hawaii. Not all of these coalitions provide direct services, but they may be able to tell you about local programs or services.

**Windward Coalition for the Homeless**  
**Partners in Care**  
**InterAgency Council on Homelessness**

### **Agencies that Provide many Services**

- **Salvation Army** - provides services, including shelter and transitional housing, for homeless individuals and families. For local services and information contact:
  - The Salvation Army Family Services Office , 810 North Vineyard Boulevard, Room #9, Honolulu, HI 96817 (808) 845-2544 [www.salvationarmyhawaii.org](http://www.salvationarmyhawaii.org)
  - Salvation Army Family Treatment Services, 845 22<sup>nd</sup> Avenue, Honolulu, HI 96816 (808) 732-2802 [www.salvationarmyhawaii.org](http://www.salvationarmyhawaii.org)
- **United Way** - provides a variety of services through local organizations. Check the phone book for a local post or locate local organizations online at [www.unitedway.org](http://www.unitedway.org).
- **Aloha United Way 211 North Vineyard Blvd.** 7<sup>th</sup> Floor Honolulu, HI 96817 [www.askalohaunitedway.org](http://www.askalohaunitedway.org)
- **Local churches and faith-based organizations**, such as Catholic Charities, Salvation Army, and Volunteers of America, may have a variety of programs to assist you. Find these organizations by calling your county or city Department of Social Services. Check the blue pages of the phone book for the number.

## **MILITARY RECORDS**

To request your military records, go to the website: [vetrecs.archives.gov](http://vetrecs.archives.gov)

## **HOUSING**

It is important to know that you have a place to go when needed. The first step in returning to the community is finding a place to stay. This section includes ways to locate emergency shelter, transitional programs, and permanent housing assistance. Transitional or temporary housing can serve as a step toward full independence upon your release. However, there are often waiting lists for housing assistance programs, so you should ask about applying as soon as possible.

## Transitional Housing

- **US Vets at Barbers Point - (808) 682-9016**

## Permanent Housing

Public housing waiting lists (for example Section 8) can be long, but the length of time can vary from place to place. Even if you are not sure where you want to live yet, apply to get on the waiting list so that you have as many options as possible. To learn how to apply, contact the local housing authority listed in the phone book blue pages under "Local Government, Public Housing Authority".

## FINDING & KEEPING A JOB

Finding a job may be hard and can seem overwhelming, but it is possible and very important! You may find that you are completely starting over. You should ask for job counseling and training if incarcerated so you are prepared to work when released.

- **Disabled Veterans Outreach Program (DVOP) specialist** assigned by the **State Employment Security Department** to help veterans find and keep jobs. DVOP Specialists work to develop job and training opportunities for veterans with service-connected disabilities, linking veterans with employers and making sure follow-up services are provided. **The DVOP can be reached at the VA at (808) 586-8740 or at the State Unemployment office on Oahu at (808) 586-8970/8971**
- **Neighbor Islands contact phone numbers for each county's DVOP**
  - **Hilo - (808) 981-2860**
  - **Kailua-Kona - (808) 327-4770**
  - **Maui - (808) 984-2091**
  - **Kauai - (808) 274-3056**
- **Homeless Veterans' Reintegration Projects (HVRP).** HVRP assists veterans with job search preparation, vocational counseling, occupational skills training, on-the-job training, trade skills certification and licensing, and job placement assistance and referral to supportive services.
- To find out if you may be eligible and how to access HVRP contact US Vets, Inc at (808)682-9000

- or Network Enterprises at (808) 521-7774.
- The VA's **Vocational Rehabilitation and Employment** services help veterans with service-connected disabilities by providing job training and counseling to those who have an employment handicap. Services include help finding a job, on-the-job training, job development, and vocational training. If you are not eligible for these services, a VA counselor may help you find other options, goals, or programs. Contact your VA Regional Office (VARO) at 1-800-827-1000 and follow the voicemail commands.

## VA HEALTH CARE

### *If eligible for veteran's benefits:*

- We encourage you to enroll in the VA Health Benefits System as soon as you are released. Every **VA Medical Center** has a **Health Care for Homeless Veterans Coordinator** who helps veterans and their families find resources inside and outside the VA Health Care system.

Service/Department	Phone Number
Appointment Verification	808-433-0600
Center for Aging	808-433-0254
<b>Community Based Outpatient Clinics</b>	
Hilo	808-935-3781
Guam	671-472-7250
Kauai	808-246-0497
Kona	808-329-0774
Maui	808-871-2454
Compensation & Benefits	1-800-827-1000
<b>Customer Service</b>	
Patient Advocate	808-433-0126
DAV Transportation Coordinator	808-433-7752
Dental Clinic	808-433-0580
Enrollment Unit	808-433-0600
Health Care for Homeless Veterans Program	808-433-0335
Human Resources	808-433-0189
Loan Guaranty Division	1-800-827-1000
<b>Mental Health</b>	
Main Number	808-433-0660

National Center for PTSD	808-566-1546
National Memorial Cemetery of the Pacific (Punchbowl)	808-532-3720
Optometry Clinic	808-433-0600
Patient Education Coordinator	808-433-7676
Patient Statement Inquiries	808-433-0452
<b>Pharmacy Service</b>	
Pharmacy Prescription Questions	808-433-0760
Pharmacy Prescription Refill	808-433-0050
Prosthetics & Sensory Aids	808-433-0590
Public Affairs Officer	808-433-0049
Reception Desk (ACC)	808-433-7727
Rehabilitation Services	808-433-0240
Release of Information Unit	808-433-0489
Social Work	808-433-0600
Veterans Benefits	1-800-827-1000
Vet Center (Oahu)	808-973-8387
Vocational Rehabilitation & Employment	1-800-827-1000
Voluntary Services	808-433-7724
Women's Health Clinic	808-433-0472

***If ineligible for veteran's benefits, free or low-cost health care may be available from the following sources:***

- **Department of Human Services (DHS)** can tell you where to find facilities for the homeless. Check the phone book blue pages under local, city, or county government for the number or call the Adult Mental Health Access



- Veterans, homeless, and incarcerated people are at high risk for **Hepatitis C** (HCV), a serious disease that can cause cirrhosis (scarring of the liver) and liver cancer. If you think you are at risk after your release, contact the nearest VA Medical Clinic to get tested and seek HCV counseling. You are at risk if:
  - you ever used a needle to inject drugs;
  - you had a blood transfusion or organ transplant before 1992;
  - you were a health care worker and had contact with blood;
  - you were on long-term kidney dialysis;
  - your mother had hepatitis C when she gave birth to you.
  
- The Veterans Health Administration also recommends testing if:
  - you are a Vietnam-era veteran;
  - you have had exposure to blood on your skin;
  - you have had multiple sex partners;
  - you have tattoos or body piercing;
  - you have ever snorted cocaine;
  - you have liver disease;
  - you have a history of drinking a lot of alcohol;
  - you have had an abnormal liver function test.

## **MENTAL HEALTH SERVICES**

### ***If eligible for veterans' benefits:***

- Contact the Homeless Veteran Services Coordinator at the Honolulu **VA Medical Center at (808) 433-0335** or **Vet Center which is located in Honolulu (808) 973-8387**
  
- **Maui VA Social Worker – (808) 873-0979**

- **Kauai Social Worker – (808) 246-0497**
- **Hilo Social Worker – (808) 935-3781**
- **Kona Social Worker – (808) 329-0774**
- **Other Honolulu numbers**

<b>Mental Health</b>	
<b>Main Number</b>	808-433-0660
<b>National Center for PTSD</b>	808-566-1546
<b>Patient Education Coordinator</b>	808-433-7676
<b>Patient Statement Inquiries</b>	808-433-0452

*If not eligible for veterans' benefits, the following sources may be able to tell you where you can go to get help:*

- **National Alliance for the Mentally Ill** lists community mental health services providers at: [www.nami.org](http://www.nami.org), or call 1-800-950-NMHA-6264.
- **National Mental Health Association** offers support groups, rehabilitation, socialization, and housing services through 340 community organizations located across the country. Call 1-800-969-NMHA, or find a local office online at [www.nmha.org](http://www.nmha.org).

## **SUBSTANCE ABUSE TREATMENT**

*If **eligible** for veterans' benefits:*

- Contact the SATP Substance Abuse Treatment Program at the Honolulu **VA Medical Center**.

**If not eligible for veterans' benefits, the following sources may be able to tell you where you can go to get help:**

- **Focus On Recovery Helpline** - A 24-hour national alcohol and drug abuse addiction and treatment hotline: 1-800-888-9383

## **FINANCIAL HELP**

- **Supplemental Security Income (SSI)** benefits can be applied for before your release, even though you won't receive the benefits until after you are released. Food Stamps can be applied for together with SSI. Normally, it takes about three months to review an application, so apply well before your release date. It is best to get help filling out the application. For detailed information or assistance, call 1-800-772-1213, call or your local social security administration office listed in the phone book blue pages, or go to: <http://www.socialsecurity.gov/ssi>
- Contact the local Office of the Mayor or United Way to ask who awards this money in your area and what the rules are.
- Lawyers in private practice sometimes volunteer in "pro-bono" programs to take cases for poor clients free of charge. Check the yellow pages to contact your **Local Bar Association** to learn if there is a pro-bono program in your community, or go to [www.abanet.org/barserv/stlobar.html](http://www.abanet.org/barserv/stlobar.html).

## **LEGAL SERVICES**

- **Legal Aid Society of Hawaii** : To apply for services, you may e-mail [intake@lashaw.org](mailto:intake@lashaw.org) and include an e-mail address where we can reply to you (this is critical!), your full name, household size, gross monthly income, type of legal help requested, and a phone number where we can reach you. You may also call our *Intake Hotline*, Monday to Friday, between 9-11:30 a.m. and 1-3:30 p.m., at (808) 536-4302 on Oahu or (800) 499-4302 on the Neighbor Islands. Or walk in to our [Honolulu office](#) at 924 Bethel Street during those same hours.

## **WOMEN VETERANS**

- Honolulu VA **Medical Center** and Honolulu Vet Center have a designated Women Veterans Coordinator to assist women veterans in accessing VA benefit programs and healthcare services. Try the VA Women's Coordinator at (808) 433-0472
- VA medical Center : 808-433-0100

## **SECTION IV**

### **SEEKING FEDERAL BENEFITS**

The Department of Veterans Affairs publishes a booklet called "**Federal Benefits for Veterans and Their Dependents**" that describes the types of benefits available and lists the addresses and phone numbers for VA facilities nationwide.

Write the VA Regional Office (VARO) to request a copy.

**U.S. Dept Of Veterans Affairs – Honolulu Veterans Benefits Office**  
**E-Wing 1<sup>st</sup> Floor**  
**459 Patterson Road**  
**Honolulu, HI 96819**

Call 1-800-827-1000 or find information about benefits at [www.vba.va.gov](http://www.vba.va.gov).

#### **Eligibility for VA Benefits During Incarceration**

Veterans incarcerated and incarcerated dependents may apply for the same compensation, dependency and indemnity compensation (DIC) – service connected death benefits – and pension benefits as veterans who are not incarcerated. However, Congress restricts the amount of benefits that may be paid to a veteran or dependent while he or she is incarcerated. These benefits are institutionalized as part of law: 38 U.S.C Sec 5313 (a), 38 C.F.R., Sec. 3.665 (a), (d), which reads as follows:

***If a veteran is incarcerated as the result of a “felony” conviction as defined by law: “Any offense punishable by death or imprisonment for a term exceeding one year, unless specifically categorized as a misdemeanor under the law of the prosecuting jurisdiction.”***

***Then, the amount paid to a veteran incarcerated for a service-connected disability is generally limited by law to the 10 percent disability rate, or half the amount of the ten percent rate if the veteran’s disability rating is 10 percent. (If the veteran is rated before incarceration as 20 percent disabled or higher, he will receive only the amount payable to a 10 percent disabled veteran.) Incarcerated DIC recipients will receive one-half the amount paid to a veteran receiving compensation payments for a 10 percent-rated disability.***

***A veteran may not receive non-service connected VA pension benefits, or any portion of these benefits, while incarcerated for a felony or misdemeanor. However, his family may receive an apportionment of such benefits under the procedure described above. (See 38 C.F.R. Sec.3.666)***

One important requirement for eligibility for VA benefits is that the veteran has to have been issued either an honorable or general discharge, or would have received one if not for re-enlisting. If a veteran had two periods of service, one honorable and the other less than honorable, he may still be eligible for VA benefits based on the honorable period of service.

*VA Medical Care can not be provided to veterans in prison, but VA health facilities may provide care to you after your release. Contact 1-877-222-8387 to find the medical center nearest you.*

## **Benefits Payments While Incarcerated**

There is a 60-day "grace period" following a conviction when you may still receive full benefits. To avoid an overpayment, it is important that you notify the VARO immediately when you go to prison if you are receiving payments. If you do not notify the VA and receive overpayment, you and your family will lose all financial payments until the debt is paid.

*For example, Joe is a veteran who receives a VA pension. He commits a crime, is convicted, and is incarcerated, but doesn't tell the VA right away and keeps getting paid for 6 months. After serving his sentence of 18 months, he is released and applies to the VA to have his pension restarted. He will have an overpayment which must be recovered from the restarted benefits. Until the overpayment is recovered, Joe will have to go without that income.*

Your award for compensation or pension benefits should resume from the date you are released, as long as the VA receives notice of release within one year. Form 21-4193, Notice to Department of Veterans Affairs of Veteran or Beneficiary Incarcerated in Penal Institution, available through your counselors should be completed before release, signed by a prison official and submitted to VA Benefits Administration.

## **Apportionment**

Although legally, the veteran can only receive a portion of the full amount payable for his or her disability rating, the remaining balance may be "apportioned to the individual's dependent family". To apply for apportionment, the veteran must send a letter that identifies the veteran and the apportionment claimant and makes it clear they are requesting an apportionment of his VA benefits to the VA Regional Office (VARO) that has jurisdiction over the veteran's case. VA regulations clearly specify this apportionment amount will only go to family members if they can show financial need for such amount. This applies to the spouse, children, or dependent parents who are involved in the application.

In deciding whether any apportionment is appropriate, the amount of the apportionment, and to whom it will go, the following factors are considered:

- The family member's income and living expenses;
- The amount of compensation available to be apportioned;
- The needs and living expenses of other family members; and
- Special needs of any of the family members.

*For example: a veteran incarcerated rated as 80 percent disability can only receive the amount he or she would get if he or she were 10 percent disabled. However, his or her family may be apportioned up to 70 percent, the difference of the 80 percent rating. (DIC may also be apportioned with similar restrictions.)*

There is a 60-day “grace period” following conviction where the veteran, or Dependency or Indemnity Compensation (DIC) recipient, may still receive full benefits. If the veteran continues to receive benefits after the 60-day period, it will result in an “overpayment”. The VA considers it to be the recipient’s responsibility and fault if this occurs because the recipient failed to notify the VA of his or her incarceration. Attempts to obtain a waiver in these situations of overpayment are often unsuccessful. As a rule, the veteran loses most, if not all, financial benefits until the VA recovers the entire overpayment. It has also been a standard procedure that the family will not be entitled to receive an apportionment until the debt is completely recovered.

For more information concerning VA debt collection rules that may affect the veteran incarcerated, telephone: 1-800-827-1000 and request a Veterans Service Organization representative or, write to a Veterans Service Organization.

One other relevant restriction on veteran’s incarcerated eligibility for service connected disability compensation is that: “No total disability rating based on un-employability, may be assigned to an incarcerated veteran”.

It is important to remember that most VA decisions, including those on apportionment, can be appealed to the Board of Veterans Appeals and, if need be, to the Court of Appeal for Veterans Affairs.

### **Re-starting Benefits at Release**

It is important that each disabled veteran receiving compensation or DIC payments promptly notify the VARO. Regular full benefit payments should begin upon release, providing the VA is notified of the veteran’s release, including placement within a community treatment center or halfway house in the community, within one year of release. VARO needs formal notification from the prison of your release in order to re-start benefits: The sooner that document is provided to VARO, the sooner VARO can begin to process your request.

### **Seeking Help After Release**

If you would like to get benefits or think you have a pending claim before the VA, it is best to get professional help to assist you.

Many Veterans Service Organizations (VSOs) have trained staff who can help you with your VA claim, and can legally represent your claim before the VA. Some also help homeless and at-risk veterans find the support services they need. You can contact any VSO listed in the Guidebook to learn an office near you.

### **Seeking Benefits On Your Own**

Although we encourage you to seek the aid of a service representative, you may choose to apply for VA benefits on your own. Write your local VA Regional Office or find the forms online at: [www.vba.va.gov/pubs/forms1.htm](http://www.vba.va.gov/pubs/forms1.htm). You can also apply for certain benefits online at: <http://vabenefits.vba.va.gov/vonapp/main.asp>.

For easy access to the VSC, the following numbers are available:

From Hawaii	800-827-1000
From Guam	800-827-1000
From American Samoa	1-877-899-4400
From Saipan, Rota, & Tinian	1-800-827-1000

For Email Inquiries: VA Home Page [www.va.gov](http://www.va.gov)

**Note: Benefit Counselors are also available for public interviews at neighbor *island* Vet Centers during their monthly visits.**

### **Loan Guaranty**

The Loan Guaranty Division is responsible for the administration of the VA's Home Loan Benefit Program and for the Native American Direct Loan Program in the Pacific. The Division is also responsible for the administration of the guaranteed loan program. For veterans with sufficient eligible service, the government will guarantee a participating lender that a loan secured by a mortgage on the home will be repaid by the veteran in a timely manner. The division performs four unique functions in the administration of the program. These functions are Construction and Valuation, Loan Processing, Loan Service and Property Management.

Loan Guaranty Office	808-433-0480
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### **Vocational Rehabilitation and Employment**

The Vocational Rehabilitation and Employment (VR&E) Division is responsible for the administration of vocational rehabilitation benefits authorized under Chapter 31, 38 U.S.C to restore employability of service connected disabled veterans through motivational contacts, counseling, evaluation, training and ultimate job placement. Trainees are located on Oahu, the neighboring Hawaiian Islands, Guam, American Samoa and the Mariana Islands. Educational-vocational counseling is also provided to veterans and eligible persons under chapters 30, 32, 35 of Title 38 and Chapter 106, Title 10 on a requested basis.

You can reach VR&E staff at the following telephone numbers:

On Oahu Call the VR&E number	808-433-0560
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Additional access is available in Hilo and Maui at the following numbers:

Hilo	1-808-935-6691
Maui	1-808-873-9426

## Seeking Benefits on Your Own

Although we encourage you to seek the aid of a service representative, you may choose to apply for VA benefits on your own. Write the VARO or find the forms online at:

<http://www.va.gov/vaforms/>. You can also apply for certain benefits online at:

<http://vabenefits.vba.va.gov/vonapp/main.asp>.

Below are brief descriptions of forms needed to file for certain VA benefits. Be sure you use a return address where mail will get to you as quickly as possible. Make photocopies of all forms for your records before sending your packet to the VARO nearest you.

- VA Form 21-526 - Application for Compensation or Pension- must be filed to apply for compensation or pension. Mail your DD-214 and the following forms to the VARO nearest your release destination 30 to 45 days before your release.
- VA Form 21-4138 - Statement in Support of Claim - lets you explain why you deserve the benefits you are asking for because of your disability or disorder. It is best to have an experienced service representative help you complete the form.
- VA Form 21-4142 - Authorization for Release of Information - If you have received medical or mental health care, that may be relevant to your claim, from anyone other than a VA Medical Facility, you need to fill out a VAF 21-4142 giving permission for release of medical records to the VA.
- VA Form 10-10EZ - Enrollment for Medical Benefits - is used by the VA to determine if you can receive medical benefits. Complete the form and bring it with you to the VA medical facility where you will seek evaluation for treatment.
- VA Form 28-1900 - Vocational Rehabilitation for Disabled Veterans - is needed to apply for the vocational rehabilitation program to help veterans who were disabled during their service reach maximum independence in daily living, to learn the skills needed to get a job, and to find and keep a job. Send Form 28-1900 to the VARO in your area 10 to 15 days before your release.
- VA Form 70-3288 - Request for and Consent to Release of Information from Claimant's Records - is used to get records relevant to your claim from VA facilities (regional offices, medical centers, outpatient clinics, and vet centers). Request a fee waiver under section 38 C.F.R. Sec.1.526 (h), which requires the VARO to provide a veteran with one set of his or her records free of charge.

# CHECKLIST

## **Using This Guide**

- Ask about classes or resources to help you plan for your release.
- Make a list of your needs.
- Make a list of who may be able to help you.
- Write letters and/or contact organizations by phone or email.
- Write down the steps you take so that you do not repeat them.

## **Just for Veterans**

- Know where to call toll-free for help.
- Contact organizations about what services they have to offer.
- Think about your housing needs and gather information about what is available locally.
- Learn about job resources and create a plan to find a job.
- Learn about health issues, and what services are available.
- Learn about the resources available for substance abuse and mental health treatment in your area.
- Learn about your options to get financial help.
- Begin to take care of other legal issues.
- Learn about homeless veterans services.
- Learn about resources for women veterans
- If you are not currently receiving benefits, find out if you can or should be.
- If you are receiving benefits, notify the VA when you go to prison to avoid an overpayment.
- Contact a veteran service representative to represent you and help you file a claim.
- Apply for apportionment so that some of the money withheld may be given to eligible family members.

## **Web Sites**

Internet connections are usually available at local libraries. The following are but a few sites that can help you.

### **General**

[www.usa.gov](http://www.usa.gov)

On FirstGov.gov, you can search millions of web pages from federal and state governments, the District of Columbia and U.S. territories. Most of these pages are not available on commercial websites. FirstGov has the most comprehensive search of government anywhere on the Internet.

### **Benefits**

[www.Govbenefits.gov](http://www.Govbenefits.gov)

**GovBenefits.gov is a partnership of Federal agencies with a shared vision - to provide improved, personalized access to government assistance programs.**

[www.Disabilityinfo.gov](http://www.Disabilityinfo.gov)

This user-friendly Web site contains links to information of interest to people with disabilities, their families, employers, service providers and other community members.

### **Are there government benefit programs available to help you?**

GovBenefits.gov will help you answer that question. Our online screening tool is free, easy-to-use, and completely confidential. We do not require your name, phone number, Social Security number, or any other information that could be used to identify you. You answer a series of questions about yourself, and then [GovBenefits.gov](http://GovBenefits.gov) returns a list of government benefit programs you may be eligible to receive along with information about how you can apply.

### **VA Web sites**

[www.va.gov](http://www.va.gov)

Main website for Department of Veterans Affairs.

[www.visn21.va.gov](http://www.visn21.va.gov)

Web site for veterans residing in Northern California, Nevada, Hawaii, the Philippines, and Guam

### **Social Security Administration**

[www.ssa.gov](http://www.ssa.gov)

### **Employment**

[www.dol.gov/vets](http://www.dol.gov/vets)

US Department of Labor—special programs for homeless and incarcerated veterans