



## **NEW YORK CITY COUNCIL COMMITTEE ON FINANCE**

**Wednesday, May 24, 2023, 10:00 a.m.**

### **SUBJECT: NEW YORK CITY COUNCIL FISCAL YEAR 2024 EXECUTIVE BUDGET HEARINGS**

My name is Peter Kempner. I am the Legal Director of Volunteers of Legal Service (VOLS). Our purpose is to leverage private attorneys to provide free legal services to low-income New Yorkers to help fill the justice gap.

The Veterans Initiative of the VOLS Senior Law Project strives to empower older New Yorkers who served in the military to age in place with dignity, access their legal rights, and live without fear of homelessness. Our free legal services assist low-income older veterans in making key decisions about incapacity and end-of-life care by providing Last Wills and Testaments, Powers of Attorney, Health Care Proxies, Livings Wills, and other advance directives. These documents enable our clients to ensure that their dying wishes are fulfilled and that they are able to maintain income and services during their lifetime. We also enable our clients' caregivers to make medical decisions in line with their beliefs. Our guides, fact sheets, workshops, and training are aimed at overcoming confusion about planning for the future. Through this work, we empower older veterans to take charge of their finances, property, and medical care, helping them continue to live in their communities. We provide home and hospital visits for limited mobility clients to ensure that all eligible veterans are able to access our services.

The VOLS Veterans Initiative also provides legal advice on a range of other civil legal issues including landlord tenant matters, access to benefits, consumer matters, and other civil legal needs. The most recent work VOLS has undertaken to support the New York City veteran community is to add a veteran focus to our Microenterprise Project. For over 20 years our Microenterprise Project has helped existing and aspiring small business owners and microentrepreneurs access high-quality free legal services. For many veterans, owning a small business is an effective path to financial stability and independence upon their return from service. VOLS aids with drafting contracts, reviewing government documents, protecting intellectual property, and advising on commercial leases.

In addition to my work with VOLS, I also founded and have co-taught the Veterans Justice Clinic at New York Law School for the past 8 years. I dedicate the last substantive class of each semester to "state and local responses to veterans in need." During this class I highlight the programs and services provided by New York State and New York City to ensure that those returning home from service are given the opportunities they need to thrive in our great City.

This history dates back to at least the 1890s when New York State created preferential street vending licenses for disabled veterans of the United States Civil War. These vending license preferences for disabled veterans have endured for over 125 years and continue to give economic opportunities to entrepreneurial veterans.

I teach my students about the creation of the New York City Department of Veterans' Services (DVS) in 2016, making DVS the first standalone City agency in the country dedicated to serving veterans and their families.

I highlight for my students the veteran preferences in Mitchel-Lama housing and on civil services exams. We discuss service-related property tax exemptions and the New York State Blind Annuity Program. We learn about the protections against discrimination based on uniformed service found in the New York City and New York State Human Rights laws. We learn about the Restoration of Honor Act, under which New York is attempting to partially remedy unjust discharges for LGBTQ and other veterans. We learn about New York's Veteran Treatment Courts which seek to provide needed services to veterans who are criminal justice involved.

We also focus on the services provided by the non-profit sector funded through the New York City Council budget process. This funding ensures that veterans and their families have access to free legal service, social services, cultural enrichment, mental health services, job placement services, and veteran focused community development.

The through line between these laws and programs is New York stepping up to the plate to improve the quality of the lives of our veteran community. We know we cannot rely on the federal government to act to provide all critical services to veterans, we need to take responsibility on the local level as well.

This should include not only the currently funded city-wide initiatives, but we should also give individual council members the ability to support local veteran services organization that operate in their districts like American Legion and VFW posts through targeted and member-controlled funding.

DVS is already one of the smallest city agencies and it is imperative that the size of the agency and the scope of the services it provides is maintained at a minimum. The Fiscal Year 2024 Executive Plan seeks to cut funding to DVS and shrink the size of the agency. DVS's budget represents less than one half of one percent of the City's Fiscal 2024 budget, which seems wholly inadequate to meet the needs of our veteran community, many of whom struggle with homelessness, disability, and other challenges. There can be no doubt that devoting less staff and fewer resources to an agency that already struggles to reach its target constituency will only harm New York City's veterans.

We would like to thank the City Council for holding this hearing and we hope that the City will continue to invest in services and programs that make New York City a place where veterans feel welcomed and at home.

Peter Kempner, Esq.  
Legal Director