

ICLC Helps Marine Corps Vet with Severe PTSD Secure Honorable Discharge and Access to VA Benefits

Eric Velasquez served in the Marine Corps from July 2006 to March 2009. During his time in service, Eric was deployed first to Kuwait for training, and then to Iraq for 7 months. In Kuwait, Eric's unit was stationed in a city that had been torn apart by war. Eric didn't realize how much he was affected by what he saw in Kuwait until he got to Iraq and was bombarded with the sounds of explosions on a regular basis.

"I saw what the aftermath of war looked like in Kuwait and I was in the middle of it in Iraq," Eric recalls after losing two fellow Marines to an IED explosion during his combat deployment. Eric's mental health started deteriorating. He became anxious and was easily angered. He couldn't sleep. He sought help, and just prior to returning stateside, Eric was prescribed Prozac.

Back in the US, at Camp Pendleton, Eric's anger, anxiety, and sleeping problems worsened. He began drinking heavily. Eric says, "I would fall asleep with the bottle in my hand." Several months after he returned from Iraq, Eric got into a fight with 3 fellow Marines while they were out at a club. For his part, he was discharged with an Other Than Honorable (OTH) Discharge status. After leaving the Marines, Eric continued to deal with his severe PTSD symptoms. Eventually he was arrested for aggravated assault. He entered a program for veterans where he was finally forced to talk about his PTSD with a psychologist. He became homeless and was not able to work.

Eric had applied for VA compensation in 2013, but because of his OTH discharge status, the VA had told him he was not eligible for any benefits, including housing, compensation, or healthcare. In May 2019, with help from Ariana Barlas, an attorney with ICLC's Homeless Veterans Project, Eric applied for a Character of Discharge Determination and argued that, at the time of his in-service misconduct that led to his OTH, Eric was experiencing PTSD symptoms that negatively influenced his behavior. They argued that the PTSD symptoms should mitigate the misconduct, and Eric should be found honorable for VA benefit purposes.

In November 2019, after Eric and Ariana attended a formal hearing at the VA, Eric was found honorable for VA purposes and was service-connected for PTSD, with an effective date of April 2013, the date Eric originally applied for benefits. Not only is Eric now eligible for all VA benefits, he also received a lump sum payment of \$106,000.00 and will receive monthly compensation of \$1,500.00.

Eric's case remains open at ICLC. Ariana and Eric are applying for additional VA benefits to get Eric to an overall disability rating of 100% because of Eric's inability to work.

Eric is now able to support his entire family, and with a baby on the way, Eric has expressed that this is life-changing money. Ariana also connected Eric with a financial planner from Beneficial State Bank. Beneficial State Bank assists ICLC clients pro bono.

Besides monetary benefits, Eric now has access to free healthcare through the VA and attends group therapy for veterans with PTSD. He also now has his own apartment through Veterans Affairs Supportive Housing.

**Client name changed for confidentiality purposes.*