

New York State Defenders Association
Veterans Defense Program
2025 Annual Report



DEFENDING THOSE WHO DEFENDED US

Message From the Director

Dear Colleagues,

The Veterans Defense Program (VDP) has concluded a landmark year defined by growth, advocacy, and impact. Before detailing our milestones, I must express my deepest gratitude to the dedicated staff of the VDP and the New York State Defenders Association (NYSDA). Their tireless commitment to justice-involved veterans remains the backbone of our mission.

Our success is further bolstered by a robust network of partners. We owe a debt of gratitude to the New York State Legislature, the Department of Veterans' Services, the New York Health Foundation, and the various defender organizations and counsel who have integrated our expertise and services into their representation of veterans.

Driven by an intensive outreach campaign in 2024, the VDP saw a significant increase in both case volume and mitigation requests throughout 2025. This surge was made possible by the collective effort to promote our services among Veteran Justice Outreach Coordinators, Veteran Service Officers, and veteran organizations statewide. These referrals are more than just numbers; they are veterans in need of help.

To meet this increased demand, we were pleased to have the opportunity to expand our team. In 2025, we welcomed Yairelis Burgos, Ph.D., a U.S. Army veteran, as a Mitigation Specialist, and Sarah Lee, as a Staff Attorney. Their fresh perspectives and specialized skill sets have already elevated the caliber of our mitigation work and enhanced our ability to ensure every veteran feels seen, heard, and respected.

The VDP remains steadfast in its commitment to trauma-informed advocacy. Beyond our direct casework, we are dedicated to educating the defense bar on trauma-informed practices and judges, court personnel, and prosecutors on military culture, ensuring a more empathetic and effective legal system. We take a holistic approach to service, addressing needs beyond the courtroom to facilitate successful transitions back to civilian life.

In the following pages, you will see the tangible impact of our work and our commitment to the vigorous representation of our veterans. It is an honor to serve those who have sacrificed so much for our country.

Thank you for your continued support of the Veterans Defense Program.

With Deepest Gratitude,

A handwritten signature in cursive script that reads "Nancy J. Farrell". The ink is black and the signature is fluid and legible.

Nancy J. Farrell
VDP Director



VALUES

The Veterans Defense Program promotes military cultural competence while seeking therapeutic alternatives to incarceration and open access to services to restore healthy veterans to their families and communities.

MISSION

The Veterans Defense Program provides training, support, and legal assistance to promote trauma-informed, client-centered representation of veterans and service members involved in New York State's criminal and family courts.

VISION

The Veterans Defense Program offers specialized legal services to attorneys representing justice-involved veterans so they can understand their clients' military experience and culture and the effects of those experiences, and who can present this information to the court in support of therapeutic outcomes.

What Does the VDP Provide?



LEGAL SERVICES

Helps attorneys collect and interpret military and VA records, provide case consultations and write military-specific documents and summaries



MITIGATION

Prepares mitigation reports based on the individual's military experience and its effects on the veteran's life; this is done through careful review of the veteran's military and VA records and thorough interviews with the veteran and others



ACTIVE DUTY AND RESERVES

Advocates with the soldier's command and JAG officers for retention, or favorable discharge in the event of a separation board



CONTINUING LEGAL EDUCATION

Provides Continuing Legal Education presentations on topics including Military Cultural Competence and Trauma-Informed Representation



MENTORING AND REFERRALS

Provides veteran peer-to-peer mentoring, referrals, and guidance on family and civil issues



BENEFITS COORDINATION

Coordinates services and communication with the VA Veterans' Justice Outreach Specialists & County Veteran Service Officers regarding veterans' benefits



ASSISTANCE FOR VETERANS IN PRISON

Assists veterans in prison with letters of commitment, VA disability forms, time credit issues, and 440 motions



TREATMENT

Connects veterans with treatment for PTSD, TBI, depression, and substance use disorder

VDP Mitigation Process

- 1** INTAKE INTERVIEW
- 2** INVESTIGATE MILITARY BACKGROUND AND REQUEST RECORDS
- 3** CONDUCT BIOPSYCHOSOCIAL INTERVIEW WITH VETERAN CLIENT
- 4** REFER TO PTSD, TBI AND/OR DEPRESSION TREATMENT IF NEEDED
- 5** REFER TO SUBSTANCE USE TREATMENT IF NEEDED
- 6** WRITE COMPREHENSIVE MITIGATION MEMORANDA
- 7** ADVOCATE FOR THERAPEUTIC ALTERNATIVES TO INCARCERATION
- 8** RESTORATION TO FAMILY AND COMMUNITY

VDP Impact

IN-DEPTH MITIGATIONS

VDP attorneys completed **79** mitigations across New York State in 2025.

The work involved in producing a mitigation report is extensive and can take weeks or months to complete. Our expert team interviews the veteran about their life and military career, obtains their active duty and VA records, and performs an in-depth review of those records. We distill this information into a well-developed and persuasive document.

VDP's mitigations have a proven track record of reducing punitive outcomes for veterans, increasing the likelihood of acceptance into Veteran Treatment Court and connection to necessary treatment and services.

VETERANS SERVED

In 2025 the VDP provided critical legal assistance in **326** cases around New York State. This represents a **60%** increase in our caseload in one year, highlighting the growing demand for veteran-specific legal expertise. As the need grows, so does our resolve to bridge the gap between the justice system and the veteran community.

PEER-TO-PEER

The VDP employs three dedicated Case Managers (former, retired, and active-duty personnel) that offer peer-to-peer support calls. They have assisted **240** veterans since 2024. These calls help VDP clients navigate and alleviate their anxieties and concerns over both legal and nonlegal matters in civilian court.

OUTREACH

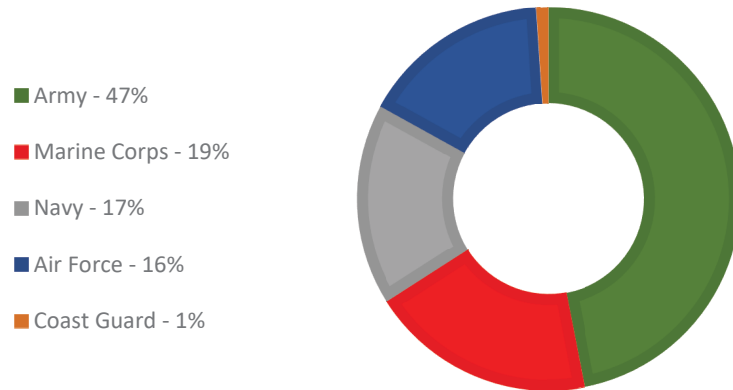
In 2025, the VDP attended more than **45** Outreach events. We offered VDP program presentations, attended Stand Downs, tabled at community events and resource fairs, participated in veteran panel discussions, and provided program assistance in coordination with New York State Division of Veterans Affairs, VSOs and VJOs.

INTENSIVE ATTORNEY ASSISTANCE

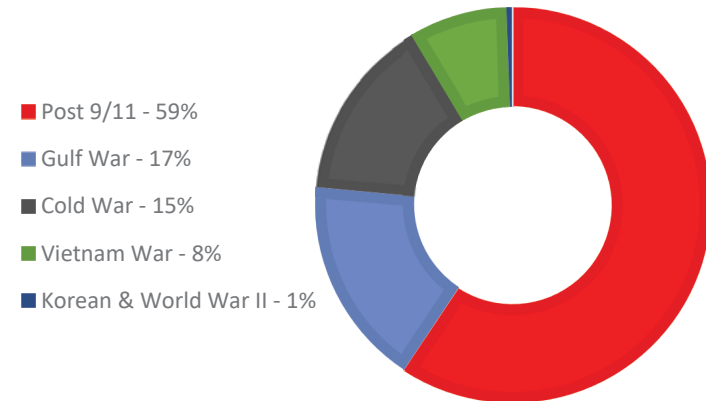
In 2025, the VDP assisted veteran clients in **56** of New York's **62** counties, assisting public defenders, assigned counsel attorneys, legal aid attorneys, and private attorneys. The cases include criminal court matters, ranging from violations to felonies, and family court issues.

VDP Client Demographics

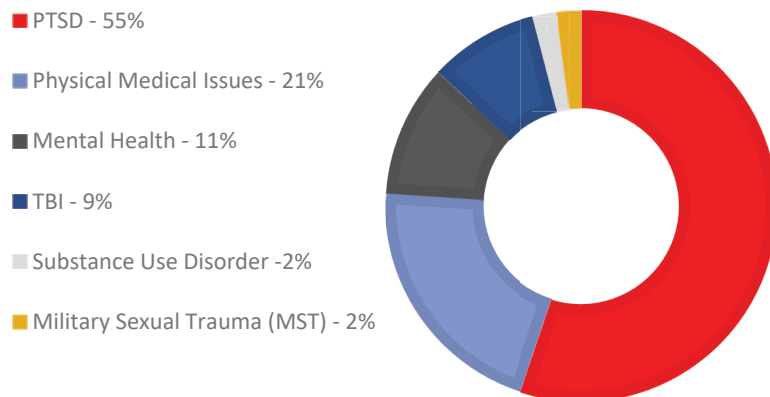
MILITARY BRANCH*



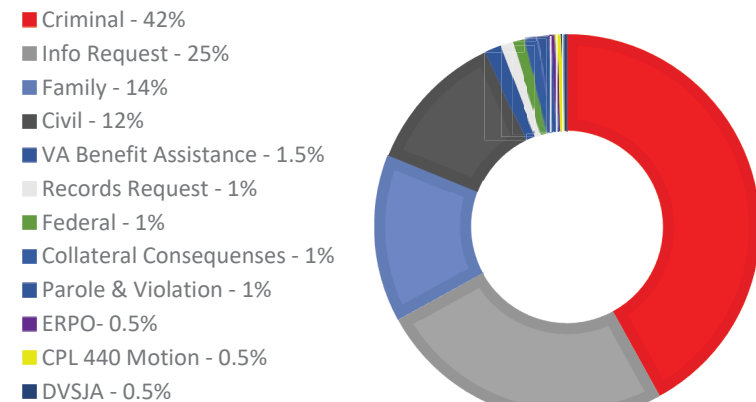
PERIOD OF SERVICE



IDENTIFIED HEALTH ISSUES**



TYPE OF CASE



*Includes Active and Reserve Components

** Approximately 43% of our clients have a service-connection disability rating (a designation by the VA indicating that a veteran has a medical condition caused by their military service)

In 2025, of the veterans/service members the VDP served, 87% were men and 13% were women.

Case Study by Nancy Farrell, VDP Director

Military Mitigation Greatly Reduces Term of Incarceration



Background: A local Assistant Public Defender (APD) engaged the Veterans Defense Program (VDP) to assist a veteran client who had served five and a half years with the United States Marine Corps. The client was charged with second degree grand larceny, a class C felony. Lacking any prior criminal justice involvement, the client faced the potential of a maximum sentence of up to 15 years in state prison.

VDP Involvement: VDP Director Nancy Farrell provided comprehensive support to the veteran and his attorney. She diligently secured the client's necessary military service records and conducted a thorough biopsychosocial interview and generated a detailed military mitigation report. Director Farrell offered strategic and substantive support to the defense attorney. After the plea agreement, the VDP assisted

the veteran in organizing his financial affairs and pet care arrangements in preparation for his term of incarceration.

Legal Outcome: The APD presented the VDP's military mitigation report to the Assistant District Attorney (ADA). Despite the client's lack of criminal history and distinguished military service, the ADA maintained a demand for a 10-to-15-year sentence. Subsequently, the APD submitted the report to the presiding judge. The Judge found the military mitigation report compelling and indicated a willingness to sentence the veteran to one to three years of incarceration upon a plea to the charge, significantly reducing the potential sentence.

Impact: The veteran client accepted responsibility for his actions, even in light of extenuating circumstances. The initial exposure to a life-altering term of incarceration was dramatically reduced. Through the dedicated advocacy of the VDP and the persistence of the APD, the client ultimately received the minimum possible prison sentence for the charge, securing an opportunity to rehabilitate and successfully re-enter society after his release.

**A stock photo was used.*

Case Study by Gary Horton, VDP Special Counsel

Mitigation Support for Army Veteran Suffering from PTSD and TBI



Background: Specialist (SPC) Chris Knight* is an Honorably Discharged United States Army Veteran. SPC Knight was on probation and charged with violating the terms of his probation. He faced the possibility of a seven-year prison sentence when the VDP was contacted to assist with his case.

VDP Involvement: SPC Knight's defense attorney requested that the VDP prepare a mitigation report that could be used to negotiate a disposition for his case. Special Counsel Gary Horton prepared a mitigation report that focused on the veteran's military career and the sexual abuse he suffered by a family member. This childhood trauma made him more susceptible to military trauma. SPC Knight was exposed to substantial combat trauma during two deployments to Iraq, including direct combat; being in a vehicle near the explosion of a roadside Improvised Explosive Device (IED); and the loss of eight members of his platoon of sixteen, including his two closest friends. SPC Knight received several awards and citations for his service, including three Army Commendation Medals and a Combat Action Badge. While still serving, SPC Knight began to experience the symptoms of Post-Traumatic Stress Disorder (PTSD). After his discharge he was diagnosed with Traumatic Brain Injury (TBI) from the IED explosion exposure and PTSD. SPC Knight voluntarily enlisted in the Army and served his country well but was left deeply impacted by his service.

Legal Outcome: The defense attorney presented the mitigation report to the prosecution during plea negotiations. With the benefit of the mitigation input, SPC Knight was offered an Adjournment in Contemplation of Dismissal (ACD), which ultimately resulted in the dismissal of the violation of probation.

Impact: The VDP's mitigation report helped the veteran avoid further incarceration. This case demonstrates the critical role of veteran experience-focused mitigation, by explaining to the prosecution the nature of the veteran's service and the effects of that service. In this case it enabled SPC Knight to continue his reintegration into civilian life and not have to spend years in prison that would have aggravated his diagnoses.

**Not the client's real name/stock photo*

Case Study by Yairelis Burgos, VDP Mitigation Specialist

Mitigation Support for Active-Duty Marine Facing Civilian and Military Legal Action



Background: An active-duty Marine became justice-involved while home on leave. During a dispute with his father, law enforcement responded in significant numbers (approximately 14 to 20 officers). The Marine was subjected to multiple taser deployments, including prolonged applications, and was subsequently charged with resisting arrest, a class A misdemeanor.

VDP Involvement: The Marine's defense attorney sought consultation from the VDP to assess the collateral consequences specific to active-duty service members. Mitigation Specialist Yairelis Burgos provided a comprehensive analysis of potential military career impacts, including risks of adverse administrative actions and punitive measures under the Uniform Code of Military Justice (UCMJ). The

VDP's collateral consequences letter explained how a civilian conviction would jeopardize the Marine's ongoing service, future career advancement, and access to military benefits, and provided guidance on tailored advocacy strategies for both civilian court and military command review.

Legal Outcome: The defense attorney presented collateral consequences information to the prosecution during plea negotiations. With the benefit of the mitigation input, the Marine client was offered an Adjournment in Contemplation of Dismissal (ACD). **Ultimately, before accepting the offer, the case was outright dismissed.** Additionally, another mitigation letter was provided to his command. The Judge Advocate General (JAG) Officer reviewing the matter reported the letter was "excellent" and influential in preventing any UCMJ action.

Impact: The combined mitigation efforts helped prevent a civilian conviction, protected the client's military career and benefits, and reduced the severity of punitive military consequences. This case demonstrates the critical role of veteran-focused mitigation, bridging the gap between civilian justice systems and military commands. By identifying collateral consequences unique to active-duty service members and presenting structured mitigation advocacy, the Marine avoided life-altering legal and career repercussions.

**A stock photo was used.*

Peer-to-Peer Case Study by Amanda Metz, VDP Case Manager

Woman Veteran Supporting Women Veterans Through Peer-to-Peer Services



Background: United States Marine Corps Veteran, Kara Hieman* reached out to our Batavia office when she was notified that she was going to be abruptly dismissed from the college nursing program she was attending. VDP Special Counsel Gary Horton investigated the situation and learned that Ms. Heiman was entitled to a student board hearing as she was not granted the chance to appeal prior to being released from the program.

VDP Involvement: Case Manager and Air Force Veteran Amanda Metz provided critical support to Ms. Heiman during a pivotal period in her academic career. Working collaboratively, they gathered a comprehensive set of character references from colleagues, fellow students, and community members to attest to Ms. Heiman's integrity and professional values. As a VDP peer mentor specializing in female veteran advocacy, Case Manager Metz accompanied Ms. Heiman to a formal appeals board meeting at the college campus. Supported by Case Manager Metz, Ms. Heiman was able to contest her dismissal. The appeals board ruled in Ms. Heiman's favor, granting her full reinstatement to the nursing program and allowing her to continue her professional education.

Impact: During a period of significant professional uncertainty, Case Manager Metz provided the steady direction Ms. Heiman needed to navigate a complex academic dismissal process. Case Manager Metz stood by Ms. Heiman, offering the support necessary for her to advocate effectively for herself. This collaborative effort led to a successful outcome; the college overturned the dismissal, allowing Ms. Heiman to remain in the nursing program and stay on track toward her career goals.

The veteran's comment on the VDP's assistance: "I felt very overwhelmed and heartbroken walking into that committee hearing, but Amanda's presence changed everything. Amanda showed genuine compassion, stood by me when I felt all alone, and helped me feel grounded with her unwavering support when I felt defeated, while reminding me that I was worth fighting for. Her willingness to give her all, while believing in me and advocating for someone she had just met, gave me strength when I needed it most. She managed to help me turn my fear of the unknown into courage, and I will always be grateful for the hope she brought into that room."

**Not the client's real name/stock photo*

Peer-to-Peer Case Study by Michael White, VDP Senior Case Manager

Peer to Peer Support Helps Veteran Client with Positive Outcome



Background: A primary attorney contacted Michael White, Marine Corps combat veteran (retired) and VDP Senior Case Manager, for peer-to-peer support for a client. The VDP was involved in his criminal case, which ended with the veteran entering Veterans Treatment Court (VTC). The client was a Marine Corps combat veteran with severe anxiety and Post Traumatic Stress Disorder (PTSD). The primary attorney was concerned that the veteran would not be able to meet the VTC's expectations because of the challenges he faced with these mental health diagnoses.

VDP Involvement: Eager to assist a fellow Marine, Case Manager White established a strong rapport with the veteran, providing guidance regarding the VTC contract and the court's expectations. They agreed that the primary objectives were for the client to re-engage in clinical counseling at the Department of Veterans Affairs (VA) and maintain consistent attendance at all VTC proceedings. Recognizing that the veteran's severe anxiety and PTSD manifested as a significant barrier to leaving his home, Case Manager White used positive reinforcement and trauma-informed encouragement to help him transition back into a therapeutic environment. To mitigate these hurdles, Case Manager White personally escorted the client to the local Vet Center on three occasions and participated in pre-appointment consultations to reduce the veteran's anxiety and prepare him for the clinical process. Furthermore, Michael provided essential moral support by attending court appearances alongside the veteran, leveraging their shared military background to foster the confidence necessary for successful program compliance.

Outcome: The veteran client is still actively engaged in VA therapy at the Vet Center and is doing well in the VTC. The client told Case Manager White that his peer-to-peer support created the sense of brotherhood that he had while in the military.

**A stock photo was used.*

VDP Accolades

“Dear Yairelis.....This mitigation report is another amazing example of your hard work, talent and skill. Thank you so much!!! Will keep you posted.”

~ MaryPat Long, Esq.,
The Legal Aid Society of Westchester County

“[Y]ou guys are one of the few people that have not made me feel like a dirt bag with going through all of this, it really does help having people that don't treat you differently.”

~ VDP Client, USMC Veteran



VDP Staff. Back Row: Amanda Metz, Michael White, Yairelis Burgos, Gary Horton, Nancy Farrell. Front Row: Deanne Quinn Miller, Elyse Sheehan, Sarah Lee, and Susan Bryant, Executive Director of NYSDA.

“Nancy, This is incredible work. My client was truly wise to have taken the recommendation to reach out to you.”

~ Joseph Gerstenzang, Esq.
Gerstenzang, Sills, Cohn & Gerstenzang

“Thank you for all that you do for our veterans and thank you for your tremendous help in this case! Your report played a significant role in changing the judge's position.”

~ Elizabeth Cesari, Esq.
Oneida County Public Defender

“Dee, Tess, and Elyse:

This may have been the best VDP training yet. Although I appreciate the shout-out, Elyse, you all have worked so hard on this and done such great work that we feel indebted to you for this CLE. Thank you so, so much. Let's stay in touch about ways that we can push more information to the Westchester 18-B Panel about VDP and veterans' issues.”

~ David C. Hymen, Esq., Director of Training, Independent Office of Assigned Counsel

“My claim is complete, and I received my letter so everything is official! I'm so happy with the outcome, and honest to God could not have done it without you.

Just wanted to say thank you one last time. The work you do and the Veteran's you help ... we can never repay you! THANK YOU from the bottom of my heart.”

~ VDP Client, Army Veteran

“I can't express how grateful I am to you and your team! Without you, I believe I would have been looking at some prison time and probably would miss my daughter's graduation. What you're doing for veterans is such a honorable and noble thing. I would like to thank you and the wonderful woman in your office from the bottom of my heart. She was also a blessing by contacting me during this rough patch of my life and she made this situation seem bearable. I'm so grateful for both of you, Thank you so much Mr. Horton!”

~ VDP Client, USMC Veteran

“The mitigation was extremely helpful. We were able to get the offer we were hoping for (1 year total on 2 Misdemeanor Assaults as opposed 2 Felonies), and that was is no small measure due to the mitigation report you provided.”

~ Jason Bassett, Esq.
Law Offices of Jason Bassett, P.C.

Thank you, I'm maintaining a positive attitude, it's the only way! Thank you again so much for not giving up on me. ~ VDP Client, Air Force Veteran

VDP Legal Staff



Nancy Farrell
Director

Nancy J. Farrell has served as Director of NYSDA's Veterans Defense Program since January 2024. Prior to becoming a part of the VDP team, she practiced criminal and parental defense in Ontario County as an Assistant Public Defender and then as the Public Defender in Schuyler County. Nancy's familiarity with veterans developed during her time as the primary defense attorney in the Ontario County Veterans Treatment Court. She is the recipient of the 2017 NYS Bar Association *Denison Ray Defender Award* and the 2018 *Ella B. Family Justice Award* for her role in ensuring parents were represented at removal hearings.



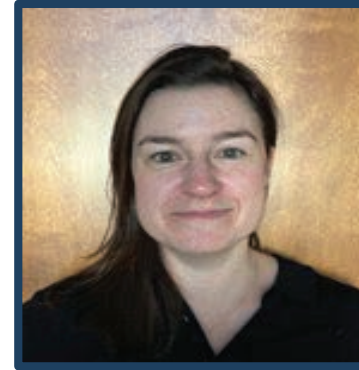
Gary A. Horton
Special Counsel

Gary A. Horton, Special Counsel with the Veterans Defense Program, has worked at NYSDA for 12 years, serving as the VDP's Director through 2023. Previously, his legal practice centered on public defense for over 30 years, serving 20 years as the Public Defender of Genesee County. He received the U.S. District Court for the Western District of New York *Special Service Award* in 2005, the NYS Bar Association Criminal Justice Section *David S. Michaels Award* in 2006, NYSDA's *Wilfred R. O'Connor Award* in 2011, the *2016 Criminal Justice Award* from the National Alliance on Mental Illness-NYS, and in 2018, the *Kutak-Dodds Prize for Outstanding Service in Public Defense* by the National Legal Aid & Defenders Association (NLADA).



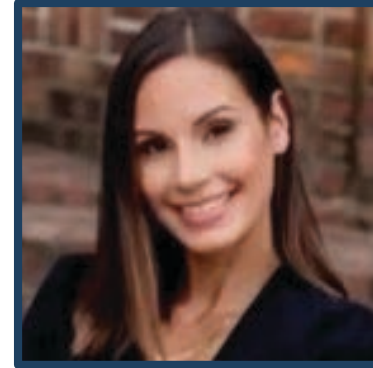
Elyse B. Sheehan
Staff Attorney

Elyse B. Sheehan has served as a Staff Attorney with the VDP since 2021. Prior to joining the VDP she was an attorney with the Suffolk County Legal Aid Society's District Court Criminal Division, safeguarding the rights of clients and assuring equal access to justice. She received her J.D. from Hofstra Law School. At Hofstra, she focused on Public Interest Law, interning with The Safe Center and Suffolk County Legal Aid Society's Children's Law Bureau. Throughout law school, she was a member of the Pro Bono Scholar Program and accepted placement at Nassau/Suffolk Law Service's Domestic Violence Project, providing legal representation to victims of domestic violence in Suffolk County.



Sarah Lee
Staff Attorney

Sarah Lee joined the Veterans Defense Program as a Staff Attorney in October 2025. Sarah completed her undergraduate work at the University of Pennsylvania and received her JD from New York University School of Law. After law school Sarah was an Assistant Public Defender in St. Lawrence County, New York, and in Maricopa County, Arizona. Before joining VDP Sarah was a Project Manager with the Council of State Governments Justice Center. She lives in Brooklyn with her family.



Yairelis Burgos, Ph.D.
Mitigation Specialist

Yairelis Burgos, Ph.D., joined NYSDA's Veterans Defense Program (VDP) as a Mitigation Specialist in April 2025. Prior to joining the VDP team, Dr. Burgos served in the United States Army from 2008-2022, retiring as a Staff Sergeant. She is a combat veteran who proudly served in Afghanistan in support of Operation Enduring Freedom (OEF XII-XIII). With over 15 years of combined military, federal, and civilian experience, she is a dedicated advocate for justice-involved veterans and has extensive first-hand knowledge of military culture and challenges that servicemembers and veterans encounter. She has a B.S. in Justice Studies, an M.S.W., and a Ph.D. in Criminal Justice, where she conducted original research and authored a dissertation titled "The Challenges of Reentry and Recidivism Among Justice-Involved Veterans."

VDP Program Staff



Deanne Quinn Miller
Program Coordinator

Deanne (Dee) Quinn Miller assists with trainings and expert referrals, provides mentoring, and navigates the VA and Department of Defense systems to obtain military records for veteran cases. She has extensive knowledge of veteran issues and benefits. Previously, she was Executive Director of the Genesee Veterans Support Network. She received the VA of Western New York's Women Veterans Justice System Award in 2016, and a Women of Distinction Award in 2017 for her work with veterans. In 2026, she will be completing her 12th year with the VDP. She is Director of the Forgotten Victims of Attica and completed her memoir, *The Prison Guard's Daughter, My Journey through the Ashes of Attica*, in 2021.



Michael White
Senior Case Manager

Michael White mentors veteran clients by providing guidance, support, and expert referrals and supports the VDP legal staff in the Batavia, Albany, and Long Island offices. He retired from the Marine Corps as a Staff Sergeant in 2014 with 22 years of military experience, including deployments to Haiti, the Philippines, Korea, and Afghanistan. He has extensive firsthand knowledge of military culture and the many issues that veterans face, as well as VA health and education benefits. He has an Associate Degree in Human Services and a B.A. in Health and Human Services Community Mental Health.



Juan Sosa
Case Manager

Juan Sosa mentors veteran clients by providing guidance, support, and expert referrals and supports the VDP legal staff in the Long Island office. He has a Biology degree from Mercy College. In 1993, he joined the U.S. Army Reserves as a Motor Transport Operator and deployed to Iraq twice, in 2002-03 and 2006-07. He has extensive firsthand knowledge of military culture and the many issues that veterans face. In September of 2022, Juan was called up to EUCOM Command for 10 months. Juan deployed again in December 2024 to AFRICOM. He is currently a Master Sergeant with the 333 MP Brigade and is credited with over 32 years of service.



Amanda Metz
Case Manager

Amanda Metz mentors veteran clients by providing guidance, support, and expert referrals and supports the VDP legal staff in the Batavia and Long Island offices. Amanda served in the U.S. Air Force from 2003-2009 as a Nondestructive Inspection Journeyman on military aircraft and deployed to Afghanistan in 2005 for six months. She discharged as a Staff Sergeant. She has extensive firsthand knowledge of military culture and the many issues that veterans face, especially women veterans, as well as VA health and education benefits. It has been her goal to assist other veterans.

Thank You to Our Supporters

Special thanks to the NYS Legislature for the VDP budget appropriations in the FY 2024/2025 and 2025/2026 State Budgets. Deep appreciation to NYS Senator Jessica Scarcella-Spanton, Chair of the Senate Veterans, Homeland Security & Military Affairs Committee; NYS Assemblymember Steve Stern, Chair of the Assembly Veterans Affairs Committee; NYS Senate Majority Leader Andrea Stewart-Cousins; and NYS Assembly Speaker Carl Heastie. Thanks also to the strong support of many other state legislators, especially many members of the NYS Senate and Assembly Veterans, Codes, Crime and Corrections, Finance, Health, Judiciary, and Ways & Means committees.



With gratitude to the New York State Department of Veterans' Services for the grant award to increase the capacity of the VDP's Case Managers' peer-to-peer support.



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The VDP was gratefully awarded a 2024-2026 grant from the New York Health Foundation to assist in Veteran Treatment Court matters across the state.

VDP Office Locations:

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