

WWII vet wants Army to upgrade discriminatory discharge to ‘honorable,’ nearly 75 years after expelling him

by [Melanie Burney](#), Updated: May 3, 2019



JESSICA GRIFFIN / Staff Photographer

World War II Army veteran Nelson Henry believed he had no choice when his superiors offered him a “blue discharge” in 1945 to leave the military, one of thousands of black soldiers targeted because of their race.

Nearly 75 years later, Henry, 95, of Philadelphia, wants the Army to clear his name and grant him an honorable discharge. His lawyers have filed a petition with the Army Board for Correction of Military Records to change his status.

Henry is among more than 48,000 soldiers who were given “blue discharges” by the Army at the end of the war, according to Elizabeth Kristen, a lawyer with [Legal Aid at Work](#) in San Francisco, which is handling Henry’s appeal. Of those, a disproportionate number were black and gay people.

Between 1941 and 1945, black people made up 6.5 percent of the Army, but received 22.2 percent of the blue discharges, about 10,000 in all, she said. Gay and lesbian service members received about 5,000 of the discharges.

The “blue discharge” designation, neither honorable nor dishonorable, denied veterans benefits such as the GI Bill to get a college education, or the right to have an honor guard at their funeral or be buried at a national cemetery. Printed on blue paper, the discharge was a red flag to potential employers who refused to hire soldiers without an honorable discharge.

“They were used to deny minority service members their hard-earned benefits after they had served this country so honorably,” Kristen said. “It is a horrible injustice.”

Henry, one of seven siblings, grew up in Bryn Athyn and enlisted in 1942 while attending [Lincoln University](#). The junior pre-dental major had registered for the draft and decided to join his classmates who were heading to fight for their country. An added incentive was an offer by the Army to pay for him to attend [Howard University](#) Dental School, where he had been granted conditional acceptance.

He managed to pass the Army physical despite a knee injury from playing football at Lincoln. He began active duty in 1943 at Camp Lee, Va., and later was sent to Camp Crowder, Mo. He was assigned to segregated units where black soldiers endured racism and horrible conditions, especially in the South in the Jim Crow era.



Family handout photo from Nelson Henry

When it was time for his unit to ship overseas, Henry failed his medical exam after aggravating his knee injury. His unit left and he remained behind, and then his real problems began.

Henry was disciplined for minor infractions that his lawyers say were unsubstantiated — letting a fire burn out, ignoring a command, and allegedly stealing a baseball glove from another soldier. After the third infraction, Henry was sent to the stockade for 30 days. His superior officer recommended a blue discharge, an administrative separation that avoided a court martial but also the right to an attorney or to hear evidence against him.

“I was furious, to tell you the truth. I had no choice,” Henry said recently in his Logan Square apartment.

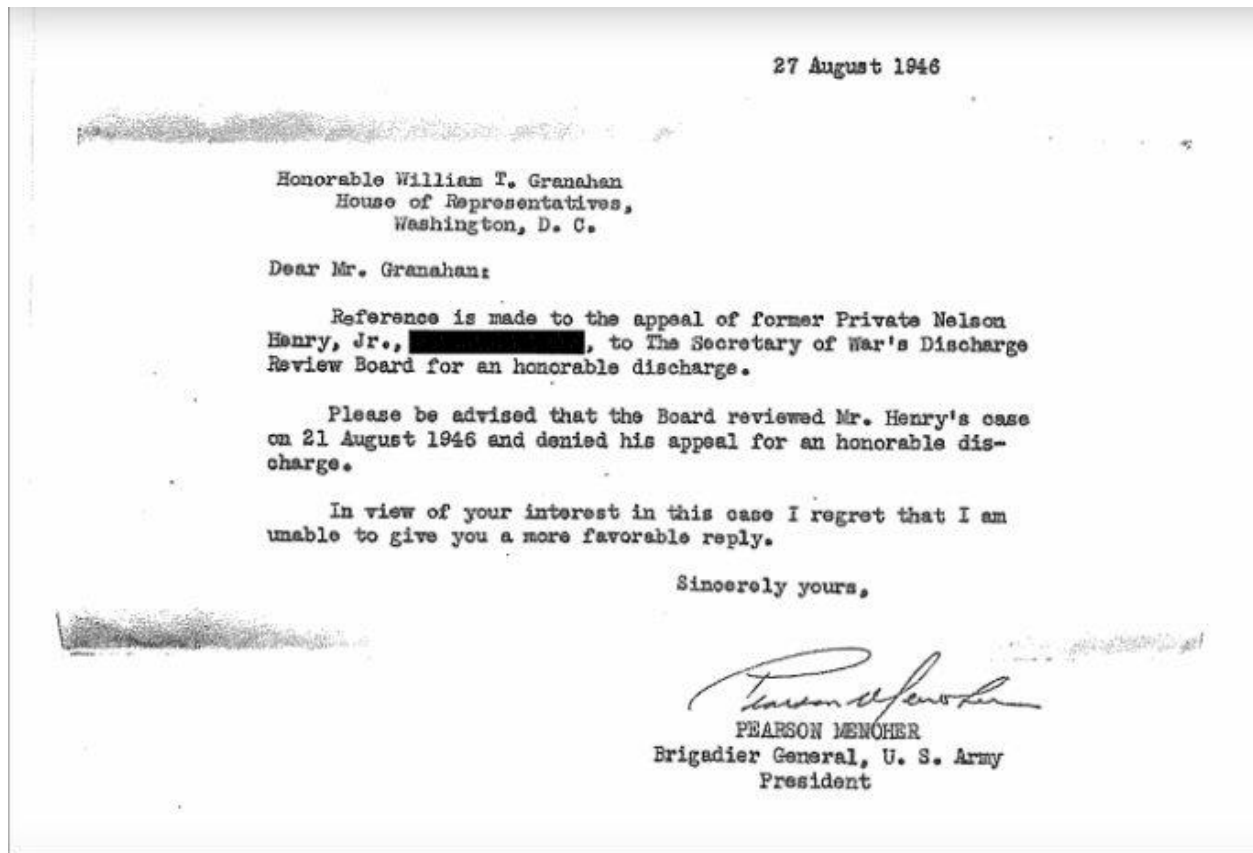
Henry reluctantly accepted the discharge on Oct. 17, 1945, but vowed to appeal.

Back in Philadelphia, Henry resumed life with his wife, Lydia, a secretary in the public schools, whom he had married while on military leave. The couple had two sons and a daughter. He landed several jobs and eventually became a taxi driver.



Family handout photo from Nelson Henry

Henry, with help from the [NAACP](#) and the [American Red Cross](#), appealed to have his discharge upgraded and his benefits reinstated in the late 1940s. His requests were denied. He stopped talking about it, not even telling his children until decades later. But he never forgot.



"It left a bad taste in my mouth, a cloud over my future. This was a blot on my character," Henry said. "I really can't describe to you what it feels like to be charged unlawfully."

The NAACP and the Pittsburgh Courier, a leading black newspaper, lobbied Congress to end the blue discharges. A 1946 congressional report deemed them discriminatory and recommended that they be abolished, and a year later, the military replaced them with two new classifications, general and undesirable. The blue discharges that had been handed out were not automatically upgraded, and soldiers had to appeal on an individual basis.

It is not known how many soldiers appealed their discharges or how many who received them are alive. The military estimates that about 496,777 of the more than 16.2 million members of the armed forces during World War II were still living as of September 2018.

"What quickly became clear was that it was abused," said Jennifer Mittelstadt, a [Rutgers University](#) military history professor. "There were too many people getting them."

The military issued blue discharges to soldiers who allegedly showed "undesirable habits or traits of character," mostly for homosexuality, Christine Knauer wrote in her book *Let Us Fight*

as Free Men. Black soldiers believed the discharges were part of a “widespread conspiracy” against them, she said.

With time against him, Henry, who will turn 96 in June, has requested an expedited hearing. The process typically takes up to 18 months. An Army spokesman said the review board “considers applications properly brought before it to correct an error or injustice in a soldier’s record.”

“The Army doesn’t have much time to do right by him, or by the many other veterans who were wronged by this shameful practice,” said Daniel Devoy, a professor at the [Golden Gate University School of Law Veterans Legal Advocacy Clinic](#) in San Francisco, which is assisting with his appeal.



JESSICA GRIFFIN / Staff Photographer After serving in the Army during World War II, Nelson Henry received a racially discriminatory "blue discharge" because he was black, Henry is shown here in his apartment in Philadelphia, April 25, 2019. Now, more than 70 years later, Henry, 95, wants the Army to clear his name and grant him an honorable discharge.

Denied his GI benefits, Henry attended [Temple University](#) at night while working to take care of his young family. It took him 13 years to obtain a bachelor’s degree in psychology in 1969. He eventually went to work for the Pennsylvania Employment Office.

A breakthrough on his discharge came when his son Dean saw [a segment](#) on NBC about Helen Grace James, a lesbian woman who was kicked out of the Air Force in 1955 because of her

sexuality, and whose discharge was upgraded in 2018. Legal Aid at Work handled her appeal and agreed to take Henry's case.

James, who grew up on a dairy farm in Scranton, enlisted in 1952 after teaching for three years. A descendant of a Union soldier in the Civil War, she followed in the footsteps of generations of relatives who served in the military.



Helen Grace James

Airman 2nd Class Helen Grace James was kicked out of the Air Force in 1955 because she is a lesbian. In 2018, at age 90, her discharge was changed to honorable after she petitioned the Air Force to change her status.

She was sent to Roslyn Air Force Base, N.Y., where she worked as a radio operator. She loved the military and applied for a commission as an officer.

Long before the "Don't ask, don't tell" policy, the military sought to expel gays and lesbians, and James became a target. An airman second class, James and two other lesbians were arrested and interrogated by the Office of Special Investigations, which was investigating service members suspected of being gay.

When military officials threatened to tell her parents, who were unaware of her sexuality, James reluctantly accepted an “undesirable” discharge. She was expelled without severance, insurance, or other benefits.

“I couldn’t talk to them,” James, 92, recalled from her home in Clovis, Calif. “I said, ‘Write down anything you want and I’ll sign it.’”

James said she decided to fight back by proving that she was a good person. She obtained degrees from the [University of Pennsylvania](#) and [Stanford University](#), and later taught physical therapy at [Fresno State University](#). She also had a private practice.

Like Henry, her military past was always in the back of her mind. At age 89, she applied to upgrade her discharge to honorable. It took nearly two years and a federal lawsuit for the Air Force to change her status.



Helen James

Helen James, who was kicked out of the U.S. Air Force in 1955 for being a lesbian, appealed more than 60 years later and had her rights restored and her "undesirable" discharge upgraded to

honorable in 2018. She hopes her case will help others who were expelled from the military because they were gay or black.

James never shared details about her discharge with her family until 2016, when her appeal was filed. She now gets speaking engagements to share her story, and wants to encourage other veterans to come forward.

“It has changed me and how I feel about who I am as an American citizen. It made me whole again,” James said. “Now, if I can help other people, that is the joy of it.”

In the petition for Henry, the lawyers cite his record as a law-abiding citizen.

Henry is holding out hope that the Army will render a decision while he is alive. His wife of 71 years died in 2016.

“I won’t believe it until I see it. It’s something that stays with you all of your life,” he said.



Nelson Henry and his wife, Lydia.

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