

# World War II veteran calls it 'a miracle': Honorable discharge from Army to correct an 'injustice,' nearly 75 years later

by [Melanie Burney](#), Updated: June 4, 2019



JESSICA GRIFFIN / Staff Photographer

World War II veteran Nelson Henry Jr. never thought he would see the day the Army would correct his discharge nearly 75 years after he was forced to leave the military because of the color of his skin.

Henry, 95, of Philadelphia, received word Monday from the [Army Board for Correction of Military Records](#) that his discriminatory “blue discharge” from 1945 because he was black had been changed to honorable. He called the unanimous decision by a three-member board “a miracle.”

“I’m still wondering if it’s a dream,” Henry said Tuesday in his Logan Square apartment. “I’m not sure how many more days I have left, but I may not ever get over it. It’s a great feeling.”

Between 1941 and 1945, more than 48,000 soldiers were given “blue discharges.” Of those, a disproportionate number were black, gay, or lesbian service members. Printed on blue paper, the

discharge was notice to potential employers who refused to hire soldiers without an honorable discharge.

Henry's lawyers filed an appeal in March seeking to upgrade his discharge. Due to his age (he turns 96 on June 15), the Army agreed to expedite its review, a process that typically takes at least 18 months. Henry tried in the 1940s to have his discharge changed and his benefits reinstated, then stopped trying until recently.

In a 20-page decision, the Army reviewed dozens of documents, including a story about Henry's appeal that appeared in *The Inquirer* last month, and concluded that he should receive a DD Form 214, a discharge from active duty "showing his character of service as honorable."



Family handout photo from Nelson Henry, Jr.

“He served his country with honor and is entitled to have this injustice corrected during his life by upgrading his discharge to honorable,” the board said in a May 24 letter. “The board discussed that there was evidence that an injustice occurred.”

In its findings, the board, which seeks to correct errors or remove injustices in military records, largely agreed with the arguments and account made by Henry’s lawyers in their appeal. It noted



that his case “represents the thousands of disenfranchised veterans who were unable to avail themselves of the rewards that should have followed their years in the military.”



“It’s a little piece of justice,” said Elizabeth Kristen, a lawyer with [Legal Aid at Work](#) in San Francisco, which handled Henry’s appeal. “This will give him some measure of peace.”


Dan Devoy, a professor at the [Golden Gate University School of Law Veterans Legal Advocacy Clinic](#) in San Francisco, which assisted with the appeal, said he was happy for Henry, but “heartbroken that it took so long” to change his status. Kristen said the case may be a precedent for other veterans who received blue discharges and urged them to come forward.



DEPARTMENT OF THE ARMY  
ARMY BOARD FOR CORRECTION OF MILITARY RECORDS  
251 18TH STREET SOUTH, SUITE 385  
ARLINGTON, VA 22202-3531

May 24, 2019

AR20190003834, Henry, Nelson

Mr. Nelson Henry Jr  


Dear Mr. Henry:

The Army Board for Correction of Military Records rendered a decision on your application to correct your military records. Full relief to your request was granted. Enclosed is a copy of the Record of Proceedings of the Board for your information.

The approved Record of Proceedings has been forwarded to the Army Review Boards Agency Case Management Division. They will take action to correct your records and will provide you with official notification as soon as the directed correction has been made. However, due to the large number of cases in process, please be advised that it may be several months before corrections are completed.

A copy of the Board's decision and proceedings has been furnished to the counsel you listed on your application, Attorney Elizabeth Kristen, Senior Staff Attorney Legal Aid at Work, 180 Montgomery Street, Suite 600, San Francisco, CA 94104 and Attorney Daniel Devoy, Esq, Director, Veterans Legal Advocacy Center, Golden Gate University School of Law, 536 Mission St, San Francisco, CA 94105.

Sincerely,

X 

Dennis Dingle  
Director  
Signed by: DINGLE, DENNIS, WILLIAM, 1073592077

Enclosure



In 1942, Henry enlisted in the Army while attending [Lincoln University](#). The junior pre-dental major decided to follow in the footsteps of classmates who were heading off to serve the country. 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 the sting of racism.



The Omega Psi Phi fraternity recognized Henry in 2016 as one of the group's oldest veterans. He is seen in this Lincoln University photo (far right, second row, standing).

A college football knee injury aggravated in the Army kept Henry from shipping out with his unit. Henry was transferred from the Army Specialized Training Program, which was created to meet the wartime demands for junior officers and soldiers with technical skills. He never had the chance to become an officer.

Henry landed in the stockade for 30 days for several minor infractions that his lawyers contend were unsubstantiated — letting a fire burn out, ignoring a command, and stealing a baseball glove. The Army board said that it found no evidence of misconduct and that Henry had been targeted by his superiors, and “that there may have been an environment of racial discrimination” that led to his separation from the Army.

Fearing that things would only get worse, Henry reluctantly accepted a blue discharge, an administrative separation that avoided a court martial but also the right to an attorney or to hear evidence against him.

The “blue discharge,” neither honorable nor dishonorable, denied veterans benefits such as the right to have an honor guard at their funeral or be buried in a military cemetery. The board that reviewed Henry’s latest appeal said the discharge was treated as dishonorable.



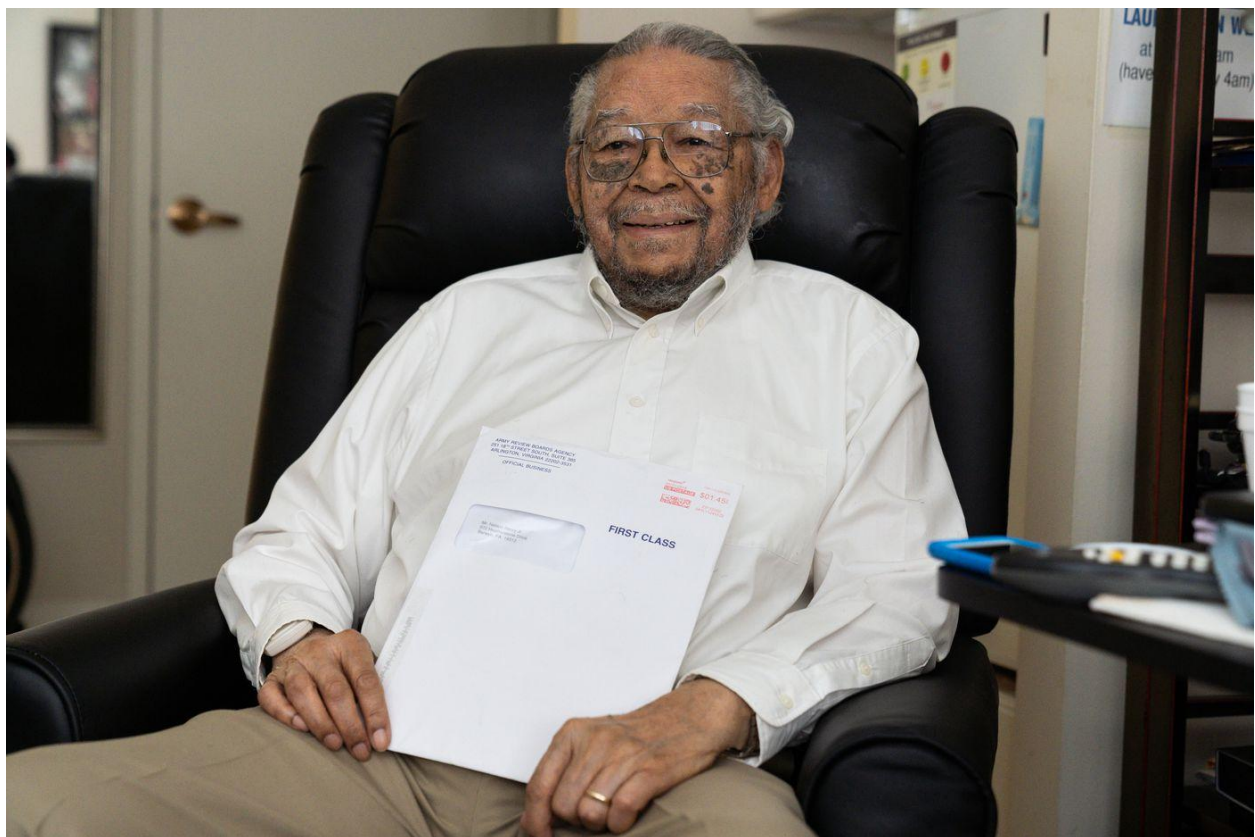
On Oct. 17, 1945, Pvt. Nelson Henry was released from the military, ending a once-promising career. He returned home to Philadelphia, where he raised three children with his wife, Lydia.

The Army never lived up to its offer to pay for him to attend [Howard University](#) Dental School, where he had been granted conditional acceptance. His GI benefits were cut off after three years, so he attended [Temple University](#) for 13 years, earning a bachelor's degree. He drove a taxi for years and later worked for the Pennsylvania state employment office.

Henry rarely talked about his military experience, but he never forgot. He kept bins of Army records, refusing to toss them when the family moved. He was hesitant about filing another appeal.

“I was reluctant because I had been burnt so many times,” Henry said. “I’ve had it on my shoulders all these years.”

It is not known how many soldiers appealed their discharges or how many who received them are alive. The military abolished blue discharges in 1947 and replaced them with two new classifications, general and undesirable. Soldiers who received blue discharges had to appeal them on an individual basis.



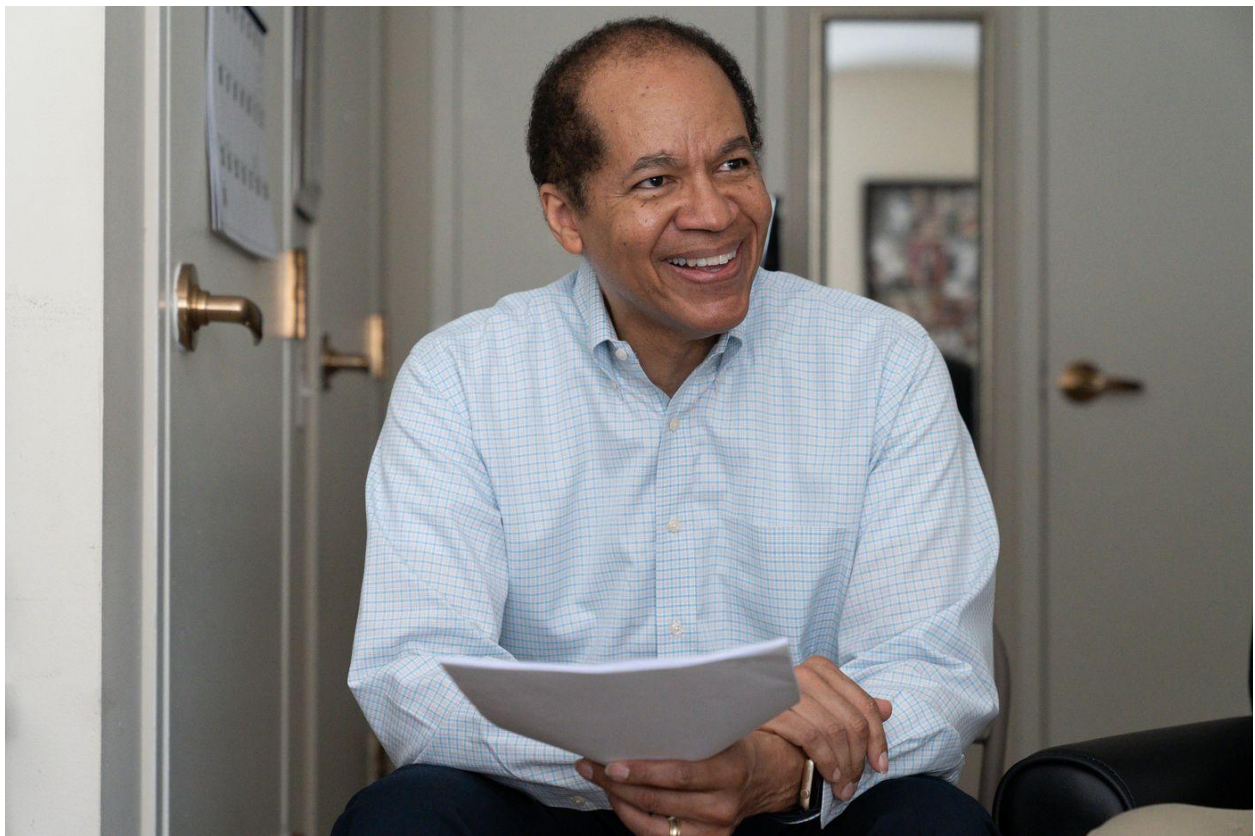
JESSICA GRIFFIN / Staff Photographer

Nelson Henry, Jr., 95, shown here in his home in Philadelphia, holds the official letter from the Army, upgrading his discharge. In 1945, Henry received a discriminatory "blue discharge," which was given to thousands of black soldiers.

A breakthrough on Henry's discharge came when his son, Dean, saw [a segment](#) on NBC about Helen Grace James, a lesbian 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. Sens. Bob Casey and Pat Toomey also appealed on Henry's behalf.

"Nelson Henry served our nation admirably during World War II, and I am pleased that he is finally receiving the honorable discharge he's waited decades for," Toomey said in a statement. "It was an honor to play a small role in this effort."

Dean Henry, 66, of Berwyn, broke the news to his father Monday that the Army had ruled in his favor. With his wife, Karen, he prayed over the packet before opening it.



JESSICA GRIFFIN / Staff Photographer

Dean Henry, shown here with the paperwork from the Army regarding his father's discharge, in his father's home in Philadelphia.

"Talk about praising God," Dean Henry said. "I was shocked."

Nelson Henry has one regret, that his wife died before the Army cleared his name.





Family handout photo of Nelson Henry, Jr., and his late wife, Lydia.

“After 71 years, I thought she would be here to celebrate with me,” he said tearfully. “That’s the thing that hurts more.”

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