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Their Asylum Case Seems Strong. But Instead of Hope, They Feel Despair.

Fleeing political persecution, a family hoped the United States would take them in. After the city evicted them, they questioned whether they should have come.

By Olivia Bensimon Photographs by Todd Heisler

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On the last day of 2023, Thierno Sadou Barry walked from his homeless shelter near Times Square to Harlem, looking to buy inexpensive suitcases he could fill up with all his possessions.

Mr. Barry and his wife, Oumou Barry, had fled political persecution in Guinea. Now, the couple and their baby daughter had to leave the homeless shelter where they had lived since their arrival in New York City nine months earlier, under recent city rules that limit shelter stays and have forced thousands of families to move.

As he walked, Mr. Barry cursed himself for leaving Guinea and coming to this cold, unforgiving place.

Back home, he had been at risk of death — and what use, he had wondered, would a dead man have been to his family? And so he had abandoned his aging parents, his preschool-aged daughter and his young sons. But now he was losing hope that he could ever send for them. He couldn't even send money home to support them.

"I can't even tell you how anxious, stressed and despairing I am right now," he said in French. He had heard some families were being sent to tent shelters after they were evicted. "Can you imagine, with an 8-month-old baby?"

“I came to ask God to change my situation,” Thierno Sadou Barry said while praying at a Midtown mosque.

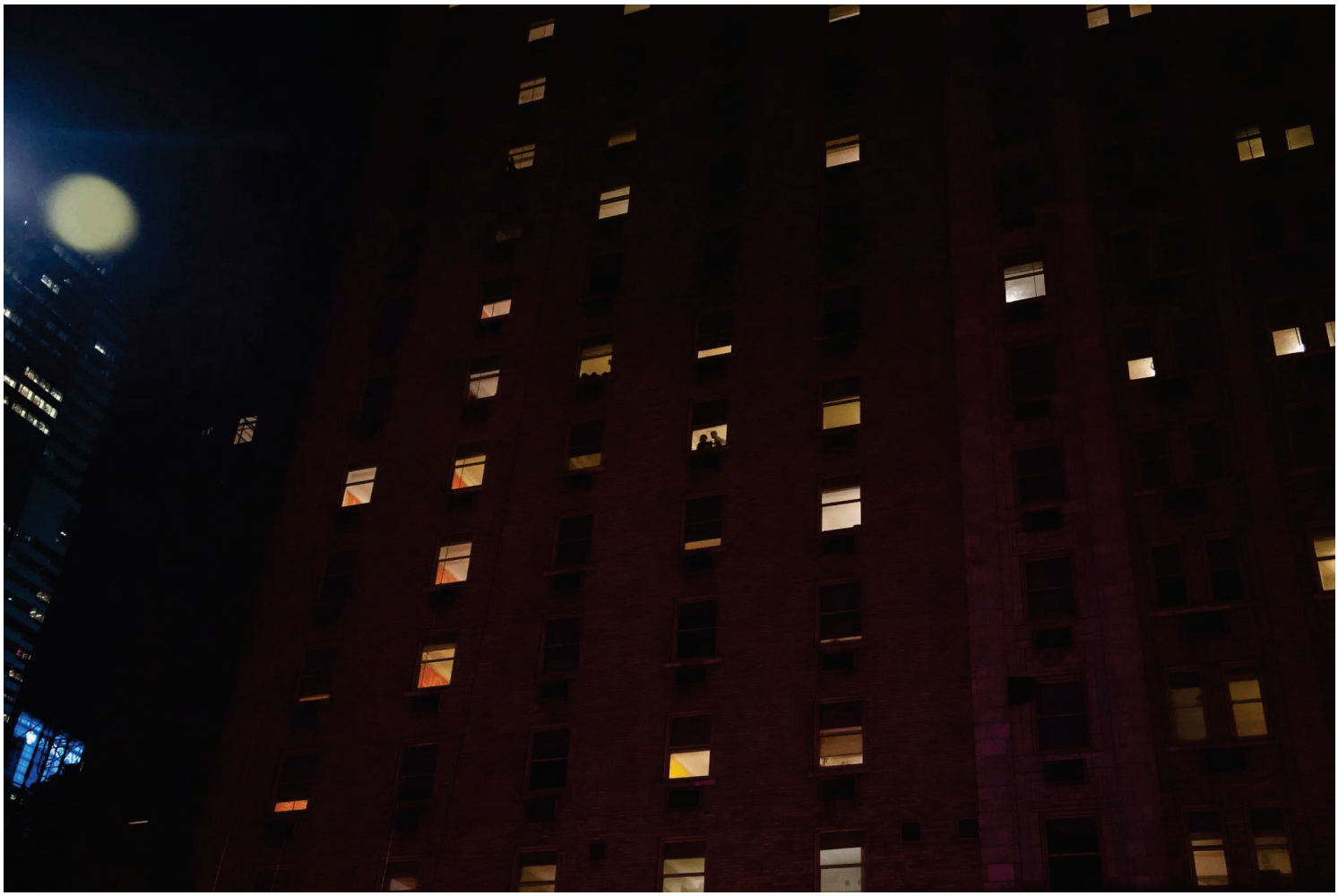
Two days after crossing the southern border, Mr Barry’s wife, Oumou Barry, had given birth to a daughter, Adama.

The Barrys are among the tens of thousands of migrants who have filled city homeless shelters over the last year and a half. But in recent weeks, many have gotten letters saying it is time to move out.

The evictions, which started last month, are part of an effort by the Adams administration to tamp down ballooning costs for the migrant shelters and to clear space for new immigrants who continue to arrive from the border. Migrant families must move every 60 days and return to a city facility and repeat the intake process in order to remain in the shelter system.

The Barrys applied for asylum and are waiting for a work permit. Their political persecution claim seems strong. But the process is long and uncertain. So, like tens of thousands of other migrants in the city, they are stuck waiting in a bureaucratic purgatory, increasingly worried the place they traveled so far to reach does not want them.

“The problem with all this waiting is: Waiting until when?” Mr. Barry said, adding, “Getting kicked out of the place where you thought you’d at least be safe. It’s like being told that my future is much more uncertain than I could have imagined.”



The Barrys were given an eviction notice from the hotel turned homeless shelter where they had lived for nine months.

The Barrys arrived by plane in New York City on March 26, by way of Brazil, Nicaragua and California. Though they had to leave the three children behind with family members and friends, two days after they got to California after crossing the southern border, Ms. Barry gave birth to a new daughter, Adama.

A cabdriver at the airport in New York where they arrived asked where they wanted to go, but they had no idea. The driver dropped them off at the Row NYC in Midtown Manhattan.

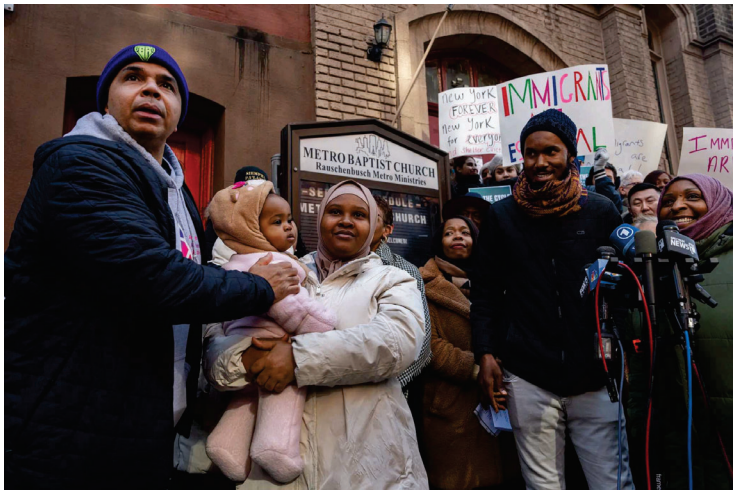
The Row was a four-star hotel that had been converted into a homeless shelter. No one there spoke French. But the Barrys found help from volunteers working at the bus station nearby. Mr. Barry got a MetroCard and signed up for food stamps. They

were connected with Andrew Heinrich, a lawyer and the executive director of the nonprofit Project Rousseau, who offered them pro bono legal assistance in managing the asylum application process.

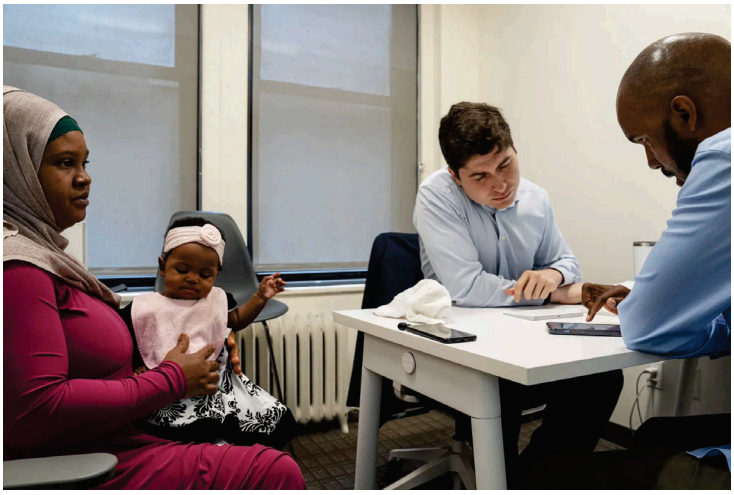
They felt lucky, but also isolated, and haunted by guilt.

“Leaving your children behind, it’s really not easy to live with that,” Ms. Barry said. “I want to speak with my children, but it’s so difficult. So I look at pictures of them. I settle for that.”

On the August day Mr. Barry filed for asylum, he told his lawyer that it felt like a new birthday. The day he would receive his papers would be like a baptism.



Speaking at a rally against limits on shelter stays for asylum seekers.



The Barrys working with their lawyer, Andrew Heinrich, on their asylum application.

But first, there would be months of waiting for an uncertain outcome. About half of asylum claims were denied last year.

Many migrants work off the books while they wait for legal clearance. The Barrys did not, terrified of jeopardizing their case. “I’m not going to go against the law,” Mr. Barry said.

Instead, the Barrys signed up for English classes, so they would have more options once they had work permits. They expected the permits to arrive in March, 180 days after they submitted their asylum claim.

In English class one day, Mr. Barry said his teacher explained the phases of culture shock that people can experience when they arrive in new places. First comes the honeymoon. “It’s the excitement phase. You see the big buildings, you’re really over-excited,” Mr. Barry recalled one day in October, walking up a noisy stretch of Eighth Avenue next to Port Authority as Times Square glowed nearby.

The second phase was frustration, Mr. Barry said, which by late fall he was feeling acutely.

His lawyer, Mr. Heinrich, encouraged him to focus on gathering evidence for his asylum case. So in December, Mr. Barry recounted his story as Mr. Heinrich typed.

Coming to New York City had never been his plan. Mr. Barry attended university in Conakry, Guinea’s capital, for four years, and afterward opened a shop selling imported textiles from China.

Mr. Barry waits in line for pizza. In the beginning, he found the sights of New York City exciting.

But by January 2023, he and his wife knew they needed to leave as soon as possible. There had been a coup in September 2021, and a military junta promising reforms had instead ramped up political persecution of opposition groups. Mr. Barry had participated in protests, and members of the military showed up at his house looking for him.

Mr. and Ms. Barry's relatives had also been pressuring them to have their 4-year-old daughter's genitals cut. "The parents say it's tradition, that we have to do it, too," Ms. Barry said. "To this day I'm still suffering. I don't want my daughters to go through the same thing I did."

Mr. Heinrich asked if Mr. Barry could think of any evidence of political persecution that he could present to a judge, and he suggested news reports.

"I think with articles, it's possible," Mr. Barry answered, adding, "Many markets were set on fire. That's known by everybody, you can Google it."

Mr. Barry looked through his phone for pictures. Sometimes he stopped and stared into space, his hands clasped on his lap. When they began to discuss his 4-year-old daughter and female genital mutilation, Mr. Barry began to cry. He brought his right hand to his temple, covering his face and eyes.

"Every time I talk to her, she asks me, 'Why did you abandon me, why did you abandon me?'" he said quietly.

The Barrys could not bring their older children with them when they fled Guinea.

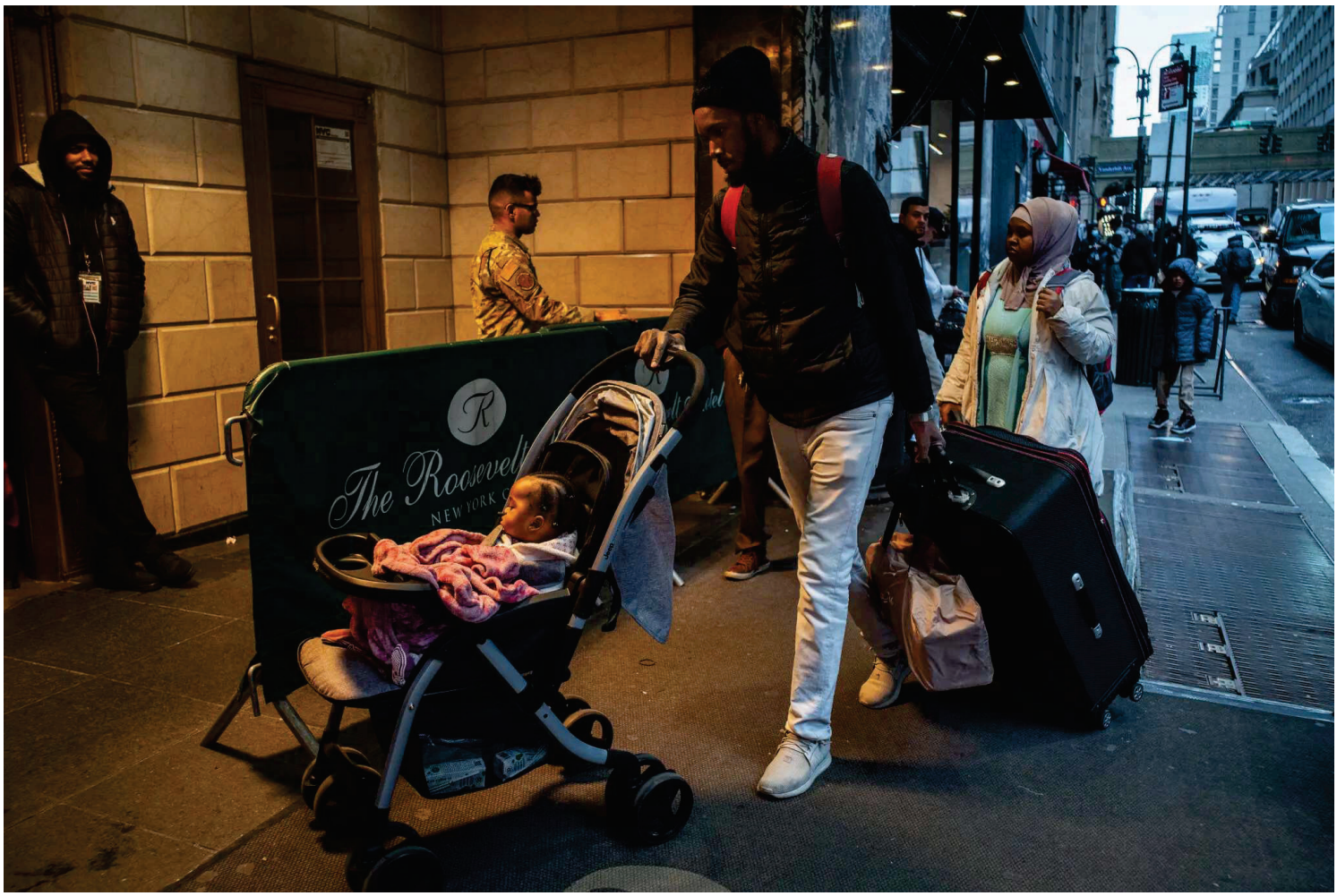
Just after 8 a.m. on Jan. 30, the Barrys left the Row hotel with most of their belongings — three backpacks, a crib, a car seat, a stroller, a large suitcase and a shoulder bag with baby necessities — and loaded them into an Uber.

Mr. Barry had heard a rumor at the shelter that if they showed up at the Department of Homeless Services family intake center in the Bronx, they might avoid another eviction notice and be given a permanent shelter placement.

There was something to that rumor. The city now has two systems for homeless families, one for migrants and one for everyone else. In January, there were 15,000 families in the new migrant system. The migrants are subject to rolling eviction notices, while families in the regular system are not.

The Barrys waited for five hours at the Bronx center, until a worker ushered them out the door. “They told us to wait, so we waited, and now they’re telling us we need to go,” Mr. Barry said.

No one told them why they had to leave, but after they gathered their belongings they were sent to board a van with another migrant family. The van dropped them on East 45th Street in Manhattan, outside the Roosevelt Hotel, the city’s main intake center for migrants.



The Barrys hoped to enter the main homeless shelter system. Instead, they were steered back into the migrant system, where they will face another eviction after 60 days.

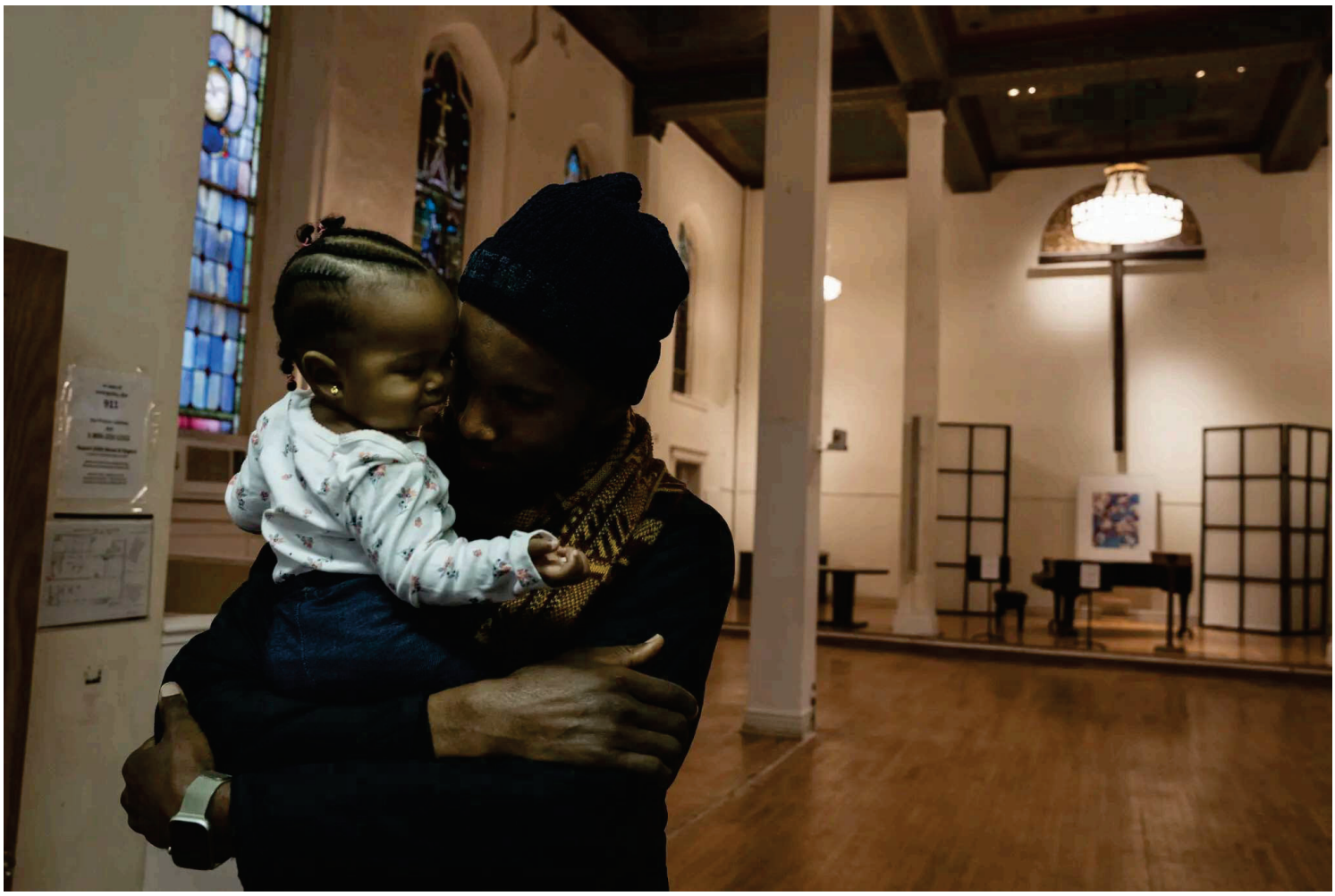
New arrivals go there for placement in shelters, but in recent weeks it has become a holding area for families who have been kicked out and are waiting to reapply for shelter assignments. When the Barrys entered the hotel, they found hundreds of families ahead of them. Hours passed.

Just before 2 a.m., a worker told Mr. Barry that the family would be assigned a room at the Americana Inn, eight blocks from where they had been staying at the Row hotel.

The room was tiny, with space for a twin bed, arranged flush against the walls, and a sink. There was no room for the crib. Mr. Barry slept on the floor so his wife and baby could share the bed.

In the morning, Mr. Barry begged hotel workers for a bigger room. They assigned him a room where they were able to cram in the crib. “We’ll do with it while we wait,” he said.

He had counted the days. By the time the next 60 days were up, his work permit would be on the way.



Mr. Barry said winning his asylum case would feel like a baptism. But it could be months, or even years, before he gets an answer.

Andy Newman contributed reporting.

Todd Heisler is a Times photographer based in New York. He has been a photojournalist for more than 25 years. More about Todd Heisler

A version of this article appears in print on , Section MB, Page 1 of the New York edition with the headline: The Road to Asylum: Delays, Evictions and Despair