

[This month in history: Abortion “Butcher of Avenue A” convicted of severing the arm of a child during an abortion](#)

March 3, 2014 by saynsumthn

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In February of 1993, [NY Abortionist Abu Hayat](#) was convicted after he ripped the arm off a 32-week unborn child during an abortion. The girl was born alive.

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Doctor accused of severing arm of fetus in abortion is convicted

■ The New York physician also is convicted of assault for ejecting a woman from his office in the middle of an abortion because her husband couldn't pay the \$500 fee.

Associated Press
NEW YORK — A doctor accused of severing the arm of a fetus in a botched abortion on a woman who was nearly eight months' pregnant was convicted Monday of assault and performing an illegal abortion.

Dr. Abu Hayat, 63, also was convicted of assault for a half-completed abortion that resulted in a woman nearly dying from infection, and of minor charges including falsifying business records.

State Supreme Court Justice Jeffrey A. Stone increased Hayat's bail from \$5,000 to \$25,000 until sentencing March 12.

Third-trimester abortions are illegal in New York state.

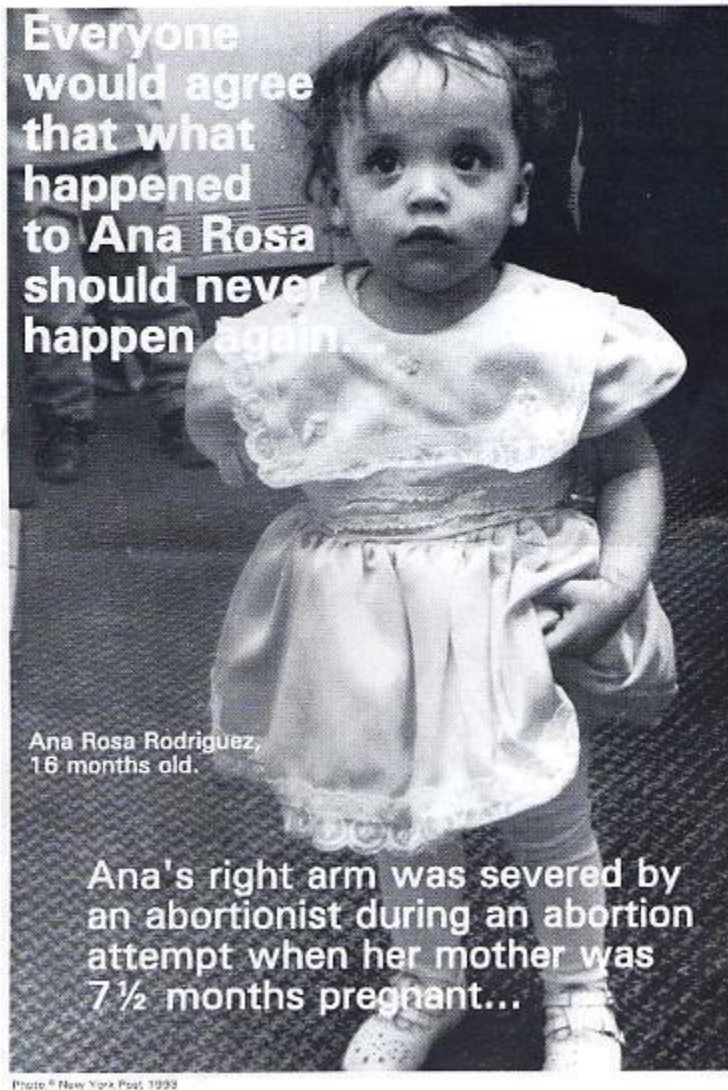
Prosecutors charged that Hayat botched an abortion for Rosa Rodriguez, 22, in October 1991, when she was nearly eight months' pregnant. The baby was born several days later missing her right arm.

The doctor also ejected a woman from his office in the middle of an abortion in March 1992 because her husband couldn't pay a \$500 fee. When hospital doctors treated her later, they found pieces of the fetus inside her, prosecutors said. The woman nearly died from an ensuing infection.

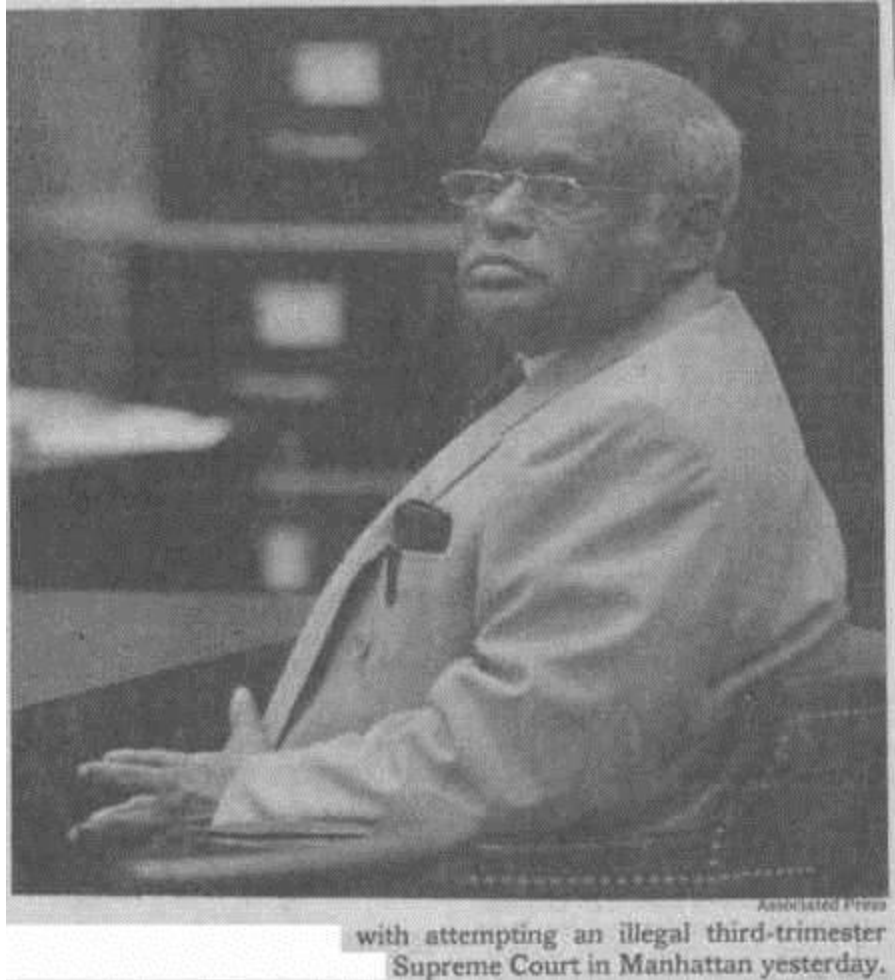
Hayat's medical license was lifted in April. At his license revocation hearing, a doctor told the state Health Department's Board of Professional Medical Conduct that a 17-year-old girl died in 1990 from an infection after Hayat punctured her uterus during an abortion.

Hayat still faces an additional charge of sexual abuse. The judge ordered a separate trial on that count.

This is Ana Rosa Rodriguez.



The East Village doctor was convicted of performing an illegal third-trimester abortion in which he severed the arm of a fetus. The doctor was the first person convicted of conducting an illegal abortion in New York State in more than a decade.



In Feb of 1993, after four and a half days of deliberation, a jury in State Supreme Court in Manhattan found Dr. Abu Hayat guilty of assault on Rosa Rodriguez and her baby, Ana Rosa. He was also convicted of two counts of assault on another patient.

In her testimony Rodriguez describes how she was strapped in stirrups and held down by Hayat and his assistants while she pleaded with him to stop the abortion. She [testified](#) that she changed her mind about the abortion after Hayat stuck a four inch needle inside her stomach which she claims was dirty, and that she could hear other women in the clinic screaming. She asked the abortionist why the women were screaming and she testified he responded, “Not everyone can pay for anesthesia.”

Abortion 'butcher' is guilty

NYC doctor blamed for maiming baby

By SAMUEL MAULL
The Associated Press

NEW YORK — Dr. Abu Hayat, known to critics as "the butcher of Avenue A," was convicted Monday of illegal abortion and assault in an operation that resulted in the birth of a maimed baby.

He also was convicted of assault for a half-completed abortion that resulted in a woman nearly dying from infection.

The jury of nine men and three women told state Supreme Court Justice Jeffrey Atlas on the fifth day of deliberations that it was deadlocked on two of the 11 charges and could not deliberate further.

Hayat, 63, showed no emotion as the verdict was read. He also was convicted of offering a false instrument for filing, falsifying business records and other minor charges.

Atlas increased Hayat's bail from \$5,000 to \$25,000 while he awaits his March 15 sentencing. He faces a maximum of 5 to 15 years in prison on each of three first-degree assault counts, the most serious charge. The maximum sentence for illegal abortion is 16 months to four years.

Atlas said he would order Hayat held in medical segregation because of high blood pressure and mild heart problems. The judge did not address the defense's request for a suicide watch.

It was charged in the three-week trial that Hayat, 63, began an abortion on Rosa Rodriguez, 22, on Oct. 25, 1991, when she was nearly eight months pregnant. The baby, Ana Rosa, was born maiming her right arm.

The doctor also kicked Marie Moise, 46, out of his office in the middle of an abortion on March 17, 1991, because her husband, David, could not pay \$150 prosecutors said.

Hayat still faces an additional charge of sexual abuse. The judge



Dr. Abu Hayat, center, is led from the courtroom by court officers at state Supreme Court in Manhattan Monday after he was convicted of illegal abortion and assault.

ordered a separate trial on that count.

Assistant District Attorney Margaret Finerty said Hayat "picked his victims carefully," preying on poor, uneducated immigrants. Rodriguez, a Dominican, said she found Hayat through an ad in a Spanish-language daily.

Defense lawyer Ronald Veneziano made no opening statement and called no witnesses.

Veneziano claimed in his summation that Jamaica Hospital doctors had severed Ana Rosa Rodriguez's arm at birth and then engaged in a massive cover-up. He also said Rodriguez "may have been a participant in the crime" by telling Hayat she thought she was three or four months pregnant.

Veneziano faulted David Moise for leaving his wife at home after Hayat refused to complete her abortion in his Lower East Side office. He sug-

gested that this inattention allowed the infection that almost killed her.

As for booting the couple out, Veneziano said the India-born Hayat and Moise, a French Creole-speaking Haitian, had miscommunicated in English.

When New York Hospital doctors treated Mrs. Moise later, they found pieces of the fetus, including a foot, inside her, Finerty said.

The state revealed after his arrest that Hayat had been investigated since 1988. His medical license was lifted last April.

At his license revocation hearing, a doctor told the state Health Department's Board of Professional Medical Conduct about the death of a Brooklyn teen-ager.

Dr. Patricia Harding said Hayat punctured the uterus of Sophie McCoy, 17, on Sept. 18, 1991. She died from infection eight days later.

Harding said she called Hayat after

the teen-ager was hospitalized and he replied, "I never touched her."

Hayat's reply was similar when the panel asked him about the two cases he was tried for, Finerty said. He denied seeing Mrs. Moise and said he refused to do an abortion on Rodriguez because of her advanced pregnancy.

Hayat even gave the Health Department panel a falsified document to show he never operated on Rodriguez, Finerty said.

Hayat, who lives in a luxury condominium, filed for Chapter 11 bankruptcy in April 1991. He claimed \$256,700 in assets and nearly \$7 million in liabilities, including the malpractice judgments.

Rodriguez's lawyer, Jeffrey Lichtman, has said Hayat's victims probably will never collect any damages because of the bankruptcy case and because he has no malpractice insurance.

Hayat was nicknamed the Butcher of Avenue A.

The child's mother said she plans to tell her daughter what happened.

Mother plans to tell daughter of botched abortion attempt

By Samuel Maull
Associated Press Writer

NEW YORK — A woman whose daughter was mutilated in a botched abortion says she'll be straightforward when the girl asks why she's missing an arm.

"I will tell her the truth," Rosa Rodriguez said. Ana Rosa Rodriguez, 16 months, lost her arm when Dr. Abu Hayat sliced it off during an attempted abortion while her mother was almost eight months pregnant.

Hayat, 63, was convicted Monday on assault and illegal abortion charges for trying to terminate Rodriguez's pregnancy when it had progressed beyond 24 weeks and for maiming Ana Rosa.

Rodriguez, 22, told reporters in her lawyer's office Tuesday that she was happy Hayat was convicted. She said she knew he would be, and she hopes for a long prison term when he is sentenced March 15.

Hayat faces five to 15 years in prison on each of three first-degree assault counts, the most serious charges on which he was convicted. The maximum sentence for illegal abortion is 16 months to four years.

Rodriguez, an unemployed waitress, testified at Hayat's trial that she found his name in a Spanish-

How to help

Contributions to the Ana Rosa Rodriguez Fund may be sent to Troilman & Glasser, 575 Lexington Ave., New York, N.Y., 10022.

language newspaper. Already a single mother of a little girl, she went to Hayat on Oct. 25, 1991, not knowing how long she had been pregnant.

A Hayat assistant, Rabia Basri, 24, testified that on the second day of what was expected to be a two-day procedure, she saw Hayat tossing flesh into a garbage pail.

Assistant District Attorney Margaret Finerty suggested in her summation that this discarded flesh was Ana Rosa's arm.

Hayat sent Rodriguez home, expecting her to return a third day. But pain overwhelmed her and she went to Jamaica Hospital where Ana Rosa was born with her right arm missing.

Jeffrey Lichtman, Rodriguez's lawyer, said Ana Rosa "crawls and plays and is a very happy, rambunctious, gregarious child" who does not yet seem to be aware of her disability.



Sixteen-month old Ana Rodriguez appeared with her mother at a news conference.

In June of 1993, abortionist Abu Hayat was [sentenced](#) to 22 years in prison, but was [released](#) on parole in 2006.

He tried to have his name changed but a judge [refused](#) his request to do so.