

# [***Fact Check: Trump Falsely Claims Roe v. Wade Allowed Doctors To Kill Babies***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BFN-JHR1-JBR6-9553-00000-00&context=1516831)

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**Highlight:** Donald Trump's falsehood about abortion was left unchallenged by Fox News' Sean Hannity in an interview on Thursday.

**Body**

Donald Trump's position on abortion is being closely monitored in the lead-up to the 2024 presidential election, with the former president facing extreme conservatives within his MAGA movement advocating more punitive measures and bans across the country.

In an interview with Fox News' Sean Hannity on Thursday, Trump suggested that he would be open to the possibility of a federal ban after 15 weeks, while also stating his opposition to the recent Alabama court ruling which said frozen embryos were the legal equivalent of children.

During their discussion, Trump repeated a falsehood that has been widely shared among conservatives about the notion of abortions taking place after pregnancy.

The Claim

During a [*Fox News*](https://www.newsweek.com/topic/fox-news?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) interview with [*Sean Hannity*](https://www.newsweek.com/topic/sean-hannity?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) broadcast on February 29, 2024, [*Donald Trump*](https://www.newsweek.com/topic/donald-trump?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) suggested that provisions in Roe v. Wade allowed doctors to terminate pregnancies after birth.

Trump said there were "radicals" who would "kill the baby" adding "under Roe v. Wade they had the right to kill the baby after birth, I mean literally after birth in some case."

The Facts

Trump confirmed, upon Hannity's prompt, that his claim was based on a statement made by the "Governor of Virginia."

Neither Hannity nor Trump explained this further. Hannity left Trump's claim unchallenged.

In 2019, former Virginia Governor Ralph Northam made comments regarding a bill that would have expanded the state's health exceptions for abortion, extending the possibility of third-trimester abortions if the mother's physical or mental safety were at risk.

Northam said in a radio interview which [*was widely misunderstood, misquoted and edited*](https://www.newsweek.com/virginia-abortion-bill-third-term-late-term-1312390?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships), "When we talk about third-trimester abortions it's done in cases where there may be severe deformities. There may be a fetus that's nonviable.

"If a mother is in labor, I can tell you exactly what would happen.

"The infant would be delivered. The infant would be kept comfortable. The infant would be resuscitated if that's what the mother and the family desired, and then a discussion would ensue between the physicians and the mother."

Some observers interpreted Northam's remarks as tacit support of infanticide, which is illegal in all 50 states. In a statement at the time, Northam's office clarified that "the governor's comments were limited to the actions physicians would take in the event that a woman in those circumstances went into labor."

The statement, reported by [*CBS*](https://www.cbsnews.com/news/virginia-abortion-bill-proposed-by-kathy-tran-third-trimester-today-2019-01-30/#:~:text=%22No%20woman%20seeks%20a%20third,those%20circumstances%20went%20into%20labor.), said, "[*Republicans*](https://www.newsweek.com/topic/republicans?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) in Virginia and across the country are trying to play ***politics*** with women's health, and that is exactly why these decisions belong between a woman and her physician, not legislators, most of whom are men.

"No woman seeks a third-trimester abortion except in the case of tragic or difficult circumstances, such as a nonviable pregnancy or in the event of severe fetal abnormalities, and the governor's comments were limited to the actions physicians would take in the event that a woman in those circumstances went into labor."

The statement, from Northam's communications director Ofirah Yheskel, added: "Attempts to extrapolate these comments otherwise is in bad faith and underscores exactly why the governor believes physicians and women, not legislators, should make these difficult and deeply personal medical decisions."

Trump has nonetheless misused Northam's remarks, telling Hannity elsewhere [*an unfounded claim that the former governor supported "executing" babies.*](https://www.newsweek.com/donald-trump-accuses-virginia-governor-being-support-executing-babies-1537706?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships)

No provision under *Roe v. Wade* provided the right to kill a baby after birth, as Trump said either.

Until it was overturned by the [*Supreme Court*](https://www.newsweek.com/topic/supreme-court?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) in 2022, Roe v. Wade established that abortion was a fundamental right, allowing women absolute rights to get an abortion in the first three months of pregnancy and limited rights between the third and six month of pregnancy.

No state, either before or after Roe v. Wade allows abortions after birth; that is infanticide, illegal in all 50 states. Conservative politicians and pundits such as Florida Governor [*Ron DeSantis*](https://www.newsweek.com/topic/ron-desantis?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) [*have helped propagate this falsehood elsewhere.*](https://www.politifact.com/factchecks/2023/jul/21/ron-desantis/ron-desantis-false-claim-that-some-states-allow-po/)

The overturning of Roe v. Wade has made access to abortions exceptionally more difficult, with 14 states that ban the procedure in almost all circumstances.

*Newsweek* has contacted a media representative for Donald Trump via email for comment.

The Ruling

**False.**

Trump's claim is false. There is no such thing as abortion after birth. This falsehood has been shared by conservatives for years.

Trump and Hannity also referred to a former governor of Virginia, Ralph Northam, who made comments in 2019 that were widely misinterpreted to mean he supported abortions after birth. Northam's comments were about what decisions physicians would make to support a mother if a non-viable fetus went past labor.

**FACT CHECK BY Newsweek's Fact Check team**

[*Link to Image*](https://d.newsweek.com/en/full/2356245/donald-trump.jpg)

**Graphic**

Donald Trump

Jon Cherry/Getty Images

Donald Trump at The Gaylord Opryland Resort and Convention Center on February 22, 2024 in Nashville, Tennessee. Trump's used an interview with Sean Hannity this week to make the false claim that Roe v. Wade, which provided national provision to an abortion in the first three months of pregnancy, allowed abortions after pregnancy.

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