

# [***Testimony Begins In Donald Trump Criminal Trial; Safety Concerns Over Growing Anti-Israel Protests; President Joe Biden Condemns Protests And Promotes Green Agenda; Dave McCormick Vying To Unseat Bob Casey; Suspect Arrested Over Break-In At Mayor Residence; State Controls Proposed Voter Initiative Language; Republicans Divided After Johnson Supports Foreign Aid; Some House Republicans Criticize Speaker Mike Johnson for Allowing Vote on Ukraine Aid Package; Trial of Donald Trump for Falsification of Business Records Related to Hush Money Payments Commences; California Governor Gavin Newsom Claims If Trump Elected President He Would Sign National Abortion Ban; Large Pro-Palestinian Protests Continue at College Campuses Across U.S.***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BVX-9R21-F072-X4SW-00000-00&context=1516831)

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**Guests:** Douglas Heye, Stef Kight

**Body**

MARIE HARF, FOX NEWS CHANNEL CONTRIBUTOR: Claiming her 5th consecutive LPGA tour win. Time the record, she did the traditional cannonball into the water in Woodland, Texas after she won.

What a gold -- what a golden age for women sports.

DANA PERINO, FOX NEWS CHANNEL HOST: Are there alligators there? I mean, I don't know.

Anyway, that's it for us have a great night.

BRET BAIER, FOX NEWS ANCHOR: Dana, have you ever wanted to touch Jesse's hair?

PERINO: I wouldn't -- no.

BAIER: No, OK. I'm just asking.

(CROSSTALK)

BAIER: Thank you. Good evening. Welcome to Washington. I'm Bret Baier.

Breaking tonight, we're following two major stories this evening. Anti- Israel protests pop up at more schools across the country despite efforts by administrators and police. Columbia University canceled in person class amid concern about violence. We'll bring you there.

But we begin with opening statements and the start of testimony in the historic trial of former President Donald Trump. Correspondent Nate Foy is outside the state Supreme Court in New York with the latest today, day one in this trial. Good evening, Nate.

NATE FOY, FOX NEWS CHANNEL CORRESPONDENT: Good evening, Bret. During opening statements, the Manhattan D.A.'s office accused former President Donald Trump of conspiring to influence the 2016 presidential election while Trump and his lawyers maintain he did nothing wrong and they say this trial is an effort to influence this year's election.

(BEGIN VIDEOTAPE)

FOY (voice over): During opening statements in former President Donald Trump's Manhattan criminal trial, prosecutor Matthew Colangelo said, "This case is about a criminal conspiracy and a cover up involving Trump, his former lawyer Michael Cohen, and the state's first witness, former American media CEO and President David Pecker.

Prosecutors argued the three engaged in a publication practice known as catch and kill were people with damaging stories about Trump received money in exchange for silence.

Cohen paid adult film actress Stormy Daniels $130,000 to suppress her story about an affair that Trump denies. Prosecutors say Trump then reimbursed Cohen but fraudulently listed those payments as legal expenses.

DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES: The case as to bookkeeping, which is a very minor thing in terms of the law.

FOY (voice over): Trump's lawyer Todd Blanche said today all payments to Cohen represented legitimate legal expenses, adding Cohen received $420,000 from Trump over three times more than the 130,000 Cohen paid Daniels.

Blanche also explained to the jury that nondisclosure agreements are not illegal, and neither is trying to influence an election. Blanche called that, "democracy." While Trump maintains the Manhattan D.A.'s office is interfering with this year's election.

TRUMP: This has never happened before. When the state tries to insert itself in federal elections, never nobody's ever seen it.

(END VIDEOTAPE)

FOY (on camera): Tomorrow before David Pecker's testimony continues, Judge Juan Merchan will rule on whether or not former President Trump violated the court's gag order with several social media posts and if so, what is possible punishment might be. Court will end early again tomorrow at 2:00 p.m. if the schedule holds because of the Passover holiday, Bret.

BAIER: Nate, today the former president's lawyers also reached this agreement with the New York Attorney General's office over the $175 million bond in his civil fraud trial just down the road. What are you hearing about that agreement?

FOY: Yes, Bret, that's right. The $175 million bond will need to be held in cash. Knight Specialty Insurance Group will not be able to move any of that money and will need to provide financial statements every single month to the New York Attorney General's office to prove that that cash is there. The New York Attorney General's office said this hearing was necessary while Trump's lawyer Alina Habba said today it was a total waste of taxpayer money and time, Bret.

BAIER: Nate Foy outside the courthouse. Nate, thank you.

We are in the second week of large scale anti-Israel protests at Columbia University in New York. Demonstrations are also being held at several other schools, NYU added today. Those protests are raising safety concerns and more security is being added to campuses.

Correspondent Alexis McAdams is at Columbia tonight. Good evening, Alexis.

ALEXIS MCADAMS, FOX NEWS CHANNEL CORRESPONDENT: Bret, good evening from Columbia University where those protests continue tonight and they're spreading across the country and other campuses. You can see it behind me with that major encampment here on this campus in New York. Now there are growing calls here at Columbia for the president to step down as the president of America Joe Biden says that he is disappointed and also says he condemns the anti-Semitic rhetoric, watch.

(BEGIN VIDEOTAPE)

MCADAMS: Do you condemn the anti-Semitic protests on college campuses?

JOE BIDEN, PRESIDENT OF THE UNITED STATES: I condemn the anti-Semitic protests. That's why I've set up a program to deal with that.

I also condemn those who don't understand what's going on with the Palestinians (INAUDIBLE).

MCADAMS: Should the Columbia University president resign?

BIDEN: I didn't know that. I'll have to find out more.

MCADAMS: Should she resign?

MCADAMS (voice over): The protests all started here at Columbia University leading a rabbi at the Ivy League school to tell Jewish students to go home because they're not safe.

And now that fear may be spreading as protests are popping up at campuses across the country, Columbia, NYU, Yale and the University of Michigan all today, and more still coming in.

This morning, chaos on campus at Yale, Bret, you can see it here, groups of students waving flags and chanting pro-Palestinian slogans there. Police at Yale gave students a warning to get out or get arrested and there were dozens of arrests, watch.

UNIDENTIFIED MALE: (INAUDIBLE) high street or Wall Street? No one's stopping you from leaving. If you do not leave, you will be arrested. If you can't leave, if you do not leave, you will be arrested.

MCADAMS (voice over): Hundreds of tents are back on Columbia's campus. Last week the university called in the NYPD to sweep the so called Gaza solidarity encampment. More than 100 students were arrested for trespassing. And those students were then suspended from school.

This afternoon, former President Donald Trump posting to Truth Social saying in part, the Palestinian protests at Columbia University have closed that college down. But the area surrounding the courthouse in downtown Manhattan has closed up like a drum with New York site finest all over the place. Why not send some to Columbia to protect Jewish students and others.

(END VIDEOTAPE)

MCADAMS (on camera): Back out here live, we have seen lots of police out here, Bret, they're on standby. NYU and Columbia University have not asked the NYPD to come in to help clear out these encampments. But they're ready if they get that call, Bret.

BAIER: All right, Alexis, thank you.

As we just showed you, President Biden condemned the anti-Israel protests after promoting his green agenda today to one of his core support groups on this Earth Day. White House Correspondent Jacqui Heinrich has details tonight live from the North Lawn. Good evening, Jacqui.

JACQUI HEINRICH, FOX NEWS CHANNEL CORRESPONDENT: Good evening, Bret. Celebrating Earth Day at a national park, President Biden framed himself as the biggest defender of environmental justice in announcing $7 billion in grants to bring solar panels to low income communities and he played up the jobs factor as the schism between environmentalists and businesses grows widens on multiple fronts.

(BEGIN VIDEOTAPE)

HEINRICH (voice over): Just five percent of registered voters think climate change is the most important issue the country is facing, according to a new NBC poll, but President Biden is trying to engage young voters with the ***politics*** of it.

BIDEN: Despite the overwhelming devastation in red and blue states. There's still those who deny climate is in crisis. My MAGA Republican friends don't seem to think it's in crisis.

HEINRICH (voice over): Biden may need support wherever he can get it. That survey also showing interest in the upcoming election is at its lowest point since 2012. And though Biden has narrowed Trump's lead from five points to two, he's still trailing on the issues like inflation by 22 points.

Biden trying to connect climate change to jobs, even as some in his party say appeasing environmentalists has real costs. Pennsylvania's governor nervous about Biden's ban on new exports of liquefied natural gas.

GOV. JOSH SHAPIRO (D-PA): I think if the pause goes on for a long time, it has the potential to cost us jobs. That's why I want this to be as quick as possible.

HEINRICH (voice over): Celebrating Earth Day with the president progressive Democrat Alexandria Ocasio Cortez turn the conversation to the Middle East.

REP. ALEXANDRIA OCASIO-CORTEZ (D-NY): It is especially important that we remember the power of young people shaping this country today of all days, as we once again witness the leadership of those peaceful student led protests on campuses like Columbia, Yale, Berkeley and many others.

BIDEN: You know, I learned a long time ago, listen to that lady.

(END VIDEO CLIP)

HEINRICH (on camera): So, Biden later issued a both sides condemnation denouncing anti-Semitic protests as well as people who, "don't understand what's going on with Palestinians." He declined to weigh in on whether Columbia University's president should resign.

Tomorrow he heads to Florida to campaign on abortion, the biggest single issue in that poll where he leads Trump, Bret.

BAIER: Jacqui Heinrich live in the North Lawn. Jacqui, thanks.

This is the final day before tomorrow's primary election in the key swing state of Pennsylvania. Voters there, well, they're already focused on the big U.S. Senate race in Pennsylvania in November. Correspondent Bryan Llenas is in Allentown tonight.

(BEGIN VIDEOTAPE)

BRYAN LLENAS, FOX NEWS CHANNEL CORRESPONDENT (voice over): At a sporting clay shooting range in the Lehigh Valley today, Pennsylvania's Republican Senate hopeful Dave McCormick alongside Congressman Jim Jordan took political shots at his opponent more than six months before the general election.

DAVE MCCORMICK (R), SENATORIAL CANDIDATE OF PENNSYLVANIA: Don't think that Bob Casey being so passive means he's not dangerous.

LLENAS (voice over): Three term Democrat Senator Bob Casey is facing an uphill reelection battle amid concerns about inflation and waning democratic enthusiasm from young voters.

Just yesterday, dozens of pro-Palestinian protesters interrupted Casey's campaign event.

In an exclusive interview with Fox News, McCormick reacted to the growing anti-Semitic protests on campuses.

MCCORMICK: I think it's a disgrace really a disgrace. I think it's really important our public officials be very clear and strong with their moral clarity. I think John Fetterman is example in Pennsylvania has been very strong, very clear voice. Bob Casey, my opponent has been very unclear.

LLENAS (voice over): McCormick a combat veteran and former hedge fund CEO is endorsed by former President Trump.

But in 2022, Trump endorsed his opponent Dr. Oz who went on to lose to Democrat John Fetterman, in part, thanks to relentless attacks calling Oz a carpet bagger. Casey says McCormick is just like us.

SEN. BOB CASEY (D-PA): First of all, he doesn't live in Pennsylvania. He lied about living in Pennsylvania.

LLENAS (voice over): A claim McCormick denies.

MCCORMICK: I'm a seventh generation in Pennsylvania and I've lived the majority of my life in Pennsylvania.

LLENAS: What do you make of them using the Dr. Oz playbook against you?

MCCORMICK: I think it's not going to stick. I think they're trying to make something true that's not true.

(END VIDEOTAPE)

LLENAS (on camera): McCormick says he sometimes lives in Connecticut because his daughter from another marriage lives there. The Republican says he'll beat Casey because ultimately voters care about the issues inflation and immigration. The result of this race will likely decide which party controls the U.S. Senate, Bret.

BAIER: Bryan Llenas in Allentown. Bryan, thanks.

The U.S. Supreme Court is refusing to hear an appeal brought by Republican Arizona Senate candidate Kari Lake and a Republican state Senate candidate challenging the use of electronic voting machines in Arizona. Lake wanted the court to require paper ballots and a hand count. Arizona's Democratic Party says the decision is the latest blow to Lake's signature talking point about election denial.

Tech and financial stocks led the way on Wall Street ahead of a busy week for earnings reports, the Dow gained 254, the S&P 500 was up 43, the NASDAQ jumped 169 today.

Up next, a break in at the home of the mayor in one of the country's largest cities. We'll bring you there.

First, here's what some of our Fox affiliates around the country are covering tonight. Fox 5 in Las Vegas with the groundbreaking ceremony of the Brightline West high speed rail project. It aims to connect Nevada with Southern California. The estimated completion date is Summer of 2028, right around the start of the Los Angeles Olympics. Brightline will receive a near record federal grant to a private company of $3 billion.

Fox 45 in Baltimore where a 200 ton hydraulic salvage grab is helping with the recovery operations of the Francis Scott Key Bridge wreckage. The equipment completed a week long barge journey from Galveston, Texas to arrive at Sparrows Point this weekend. It will help recover some of the 50,000 tons of wreckage at that disaster site.

And this is a live look at Hilton Head Island. One of the big stories there tonight from Fox Carolina, finished his off a four shot victory at the rain delayed RBC heritage tournament on Hilton Head Island. Play was concluded this morning. He has now won four of his last five starts and the Masters do.

That's tonight's live look outside the Beltway from SPECIAL REPORT. We'll be right back.

(COMMERCIAL BREAK)

BAIER: "BREAKING TONIGHT", a suspect is in custody following a break in at the home of Los Angeles Mayor Karen Bass, Sunday morning. And we're learning it's not his first serious brush with the law.

Chief Correspondent Jonathan Hunt has details tonight from outside the mayor's home.

Good evening, Jonathan.

JONATHAN HUNT, FOX NEWS CHANNEL CHIEF CORRESPONDENT: Good evening, Bret.

We have learned tonight that the man arrested here at the mayor's official residence, 29-year-old Ephraim Hunter was charged in 2015, with attempted murder and kidnapping in Massachusetts, and ultimately served seven years in that case. We are also being told by officers investigating the break in here that it was not random.

They believed that Hunter knew this is where Mayor Bass lives. And we told, the mayor, seen here on the grounds of the property, just hours after the break-in, run to what is essentially a panic room in the house.

Police arrived within minutes and arrested Hunter, who had cut his hand while breaking in.

It's unclear at this point, whether he was armed with any type of weapon. Now, Mayor Bass was at an event to unveil her new budget proposal today. She thanked the LAPD during a brief mention of the break in.

(BEGIN VIDEO CLIP)

KAREN BASS, MAYOR OF LOS ANGELS, CALIFORNIA: I am fine, my family is fine, and we are going to do everything we can to keep Angelenos safe and I believe our budget makes significant contributions and investments toward keeping Angelenos safe.

(END VIDEO CLIP)

HUNT: It's not the firs- time bass has been a victim of a break-in. Back in 2022, when she was running for mayor, her private home was broken into, and two guns stolen.

Now, what we don't know, in this case, Bret, is what the intruder's intentions were. Simply to steal from the mayor's residence or to find and harm her in some way. Bret.

BAIER: Tune in, and follow that. Jonathan, thank you.

Speaking of California, there's a growing controversy in that state tonight over the title of a ballot initiative aimed at addressing gender issues in schools. National correspondent William La Jeunesse, shows us from Los Angeles.

(BEGIN VIDEOTAPE)

ROB BONTA, ATTORNEY GENERAL OF CALIFORNIA: You're not allowed to discriminate based on gender identity in California.

WILLIAM LA JEUNESSE, FOX NEWS CHANNEL NATIONAL CORRESPONDENT (voice over): And that's where the battle over parental rights begins.

NICOLE PEARSON, ATTORNEY, PROTECT KIDS CALIFORNIA: This is a national issue. And in terms of fighting in California, I believe that we are at war.

LA JEUNESSE (voice over): A war over 100 words that define a parental notification bill sponsored by the group, Protect Kids California. By statute, however, the attorney general, in this case, Democrat Rob Bonta, controls the title and summary of an initiative he opposes.

BONTA: This policy puts them in harm's way: emotionally, psychologically, mentally, physically.

LA JEUNESSE: Supporters say the initiative would require schools to notify parents if a child wants to identify as a different gender. Block transgender athletes from female sports, and require students use facilities consistent with their birth, gender.

DEAN MCGEE, EDUCATIONAL FREEDOM ATTORNEY, LIBERTY JUSTICE CENTER: A majority of Californians we know support the idea of parental notification.

LA JEUNESSE (voice over): By law, Bonta is required to prepare a "true and impartial title and summary." Supporters of the measure say he's not doing that.

He changed Protect Kids of California Act to restricts rights of transgender youth initiative. He also changed female students should have fair and safe opportunities to compete. Two, prohibit transgender female students from participating in female sports.

UNIDENTIFIED FEMALE: It's inflammatory, it's prejudicial, it's incomplete, and it's inaccurate.

LA JEUNESSE (voice over): The parents' group took Bonta to court, where the judge, a former lawyer for Democratic Governor Jerry Brown tentatively agreed with Bonta.

(END VIDEOTAPE)

LA JEUNESSE (on camera): Now, if the judge sides instead with the parents' group, that would force a rewrite, triggering a new 180-day window to gather signatures.

Otherwise, it's unlikely this initiative will make it onto the 2024 or 26th ballot. Bret?

BAIER: William, thank you.

Up next, an update on aid to Ukraine and whether the House Speaker can hold on to his job.

First, "BEYOND OUR BORDERS" tonight. The head of Israeli military intelligence resigns over the failures surrounding Hamas's unprecedented attack last October.

Major General Aharon Haliva is the first senior figure to step down over his role dealing with the deadliest assault in Israel's history.

Japan reports North Korea launched at least one ballistic missile toward the north east today. The weapon reached a maximum altitude of 30 miles, and flew as far as 155 miles before landing in the waters east of the Korean Peninsula.

Japan says the launch violates U.N. Security Council resolutions.

And this is a live look at Earth from the International Space Station. What of the big stories there tonight. Six new astronauts are introduced by the European Space Agency. Five are from Europe, the six is an Australian. They are now eligible for missions to the International Space Station. They have just graduated from a year of basic training. Congratulations.

Just some of the other stories, way "BEYOND OUR BORDERS" tonight. We'll be right back.

(COMMERCIAL BREAK)

BAIER: U.S. Supreme Court appeared deeply at odds today over a small city's ban on homeless people sleeping in public places. The case involves Grants Pass, Oregon it featured emotional statements from the bench over society's competing civic responsibilities.

At issue is whether the enforcement of generally applicable laws regulating camping on public property, but targeting the homeless constitutes cruel and unusual punishment prohibited by the eighth amendment, we'll follow this.

The Ukraine aid bill that passed the House over the weekend is now on its way to the U.S. Senate for debate and possible passage tomorrow.

This comes as House Speaker Mike Johnson continues to resist calls for his ouster. Senior congressional correspondent Chad Pergram is on Capitol Hill with the latest tonight.

(BEGIN VIDEOTAPE)

CHAD PERGRAM, FOX NEWS CHANNEL CONGRESSIONAL CORRESPONDENT: The right furious at House Speaker Mike Johnson.

UNIDENTIFIED MALE: We expected a more conservative Speaker.

PERGRAM: Marjorie Taylor Greene, still threatening to take out the Speaker.

REP. MARJORIE TAYLOR GREENE (R-GA): Mike Johnson has betrayed America. He's betrayed Republican voters. Some Republicans exasperated at the infighting.

REP. MIKE LAWLER (R-NY): To all of my colleagues, cut your crybaby nonsense out, focus on the task at hand.

PERGRAM: Over the weekend, Greene never triggered her resolution to oust Johnson. He likely would have lost because she liked the votes.

The Ukraine bill served as a de facto vote in favor of Johnson, especially from Democrats.

REP. AMI BERA, (D-CA): I think Speaker Johnson has been sincere, been honest in reaching across the aisle and working together.

PERGRAM: Johnson appeared today in McAllen, Texas, but the right is fuming over what the foreign aid plan lacks.

REP. CHIP ROY, (R-TX): I'm frustrated there was zero border security in the bill.

SEN. RICK SCOTT, (R-FL): We have terrorists, drugs, criminals flocking across our southern border. There is nothing in this bill.

PERGRAM: Conservatives demand the chance to add border security to the plan.

SEN. MIKE LEE, (R-UT): Under no circumstances would I vote for the bill as passed by the House of Representatives. This is a good deal for Ukraine and Zelenskyy. It's a really good deal for Hamas.

PERGRAM: Ohio Republican J.D. Vance opposes helping Ukraine. He faces a backlash from Ukraine advocates.

SEN. LINDSEY GRAHAM, (R-SC): I challenge J.D. Vance to go to Ukraine and get a briefing from the Ukrainian military and talk to the Ukrainian people, then tell me what you think.

(END VIDEO TAPE)

PERGRAM (on camera): Also in the bill, a provision forcing China to drop its investment in TikTok. A final vote comes Tuesday or Wednesday. Bret?

BAIER: All right, Chad, thank you.

(BEGIN VIDEO CLIP)

REP. HAKEEM JEFFRIES, (D-NY) HOUSE MINORITY LEADER: You can choose democracy or autocracy.

REP. MIKE JOHNSON, (R-LA) HOUSE SPEAKER: We did our work here, and I think history will judge it well.

UNIDENTIFIED MALE: America is going to defend democracy.

SEN. LINDSEY GRAHAM, (R-SC): This would not have passed without Donald Trump. I want to thank the House speaker and Hakeem Jefferies working together in a bipartisan fashion.

(END VIDEO CLIP)

BAIER: Supporters of that Ukraine aid bill speaking out. "The Washington Post" says this in an op-ed, "The evolution of Mike Johnson on Ukraine. The Speaker's tortuous path to embracing Ukraine aid is the result of many factors. High level intelligence briefings as a House leader, his faith, the council of three committee chairs named Mike, and a realization that the GOP would never unite on Ukraine. Ultimately Johnson put a Ukraine bill on the floor and he may lose his job because of it."

And just so you know, the three Mikes mentioned there, Michael McCaul, Mike Rogers, Mike Turner. We are told there's a fourth Mike, Mike Pompeo may have been part of those briefings as well.

Let's talk about where things stand for the House Republicans and the House speaker tonight. Joining us, FOX News chief political analyst Brit Hume. Brit, good evening. Your thoughts?

BRIT HUME, FOX NEWS SENIOR POLITICAL ANALYST: Well, I think Johnson is at the moment in a stronger position than one might have imagined to this date, largely because the bill was passed with a great many -- the Ukraine bill with a great many Democratic votes. Democrats are grateful that he brought it to the floor. It was a priority of the administration and of a great many Republicans, resisted by a subset of the Republican caucus. And Democrats may very well be prepared now to vote with -- vote for him in any measure to try to deprive him of his job. So I think he is in a stronger position. He is being praised by "The Washington Post," which is not always a good thing for a Republican, but nonetheless, there it is.

And the thing that's so clear about this, Bret, is that this bill and supporting Ukraine is really kind of a no-brainer, when you think about it. Russia is clearly an adversary of the United States. Russia mounts this attack. Ukraine resists more effectively than anyone thought possibly at first, has inflicted enormous damage on Russian military forces and the overall Russian military. And all of this has come at a cost of to American dollars to some extent, of course, about a-sixth of the Pentagon budget is what it's been, but at no cost in American lives. There aren't any American soldiers fighting there. So when you hear complaints about an endless war, remember this. It may be a long war, but there are no Americans fighting in it. That's a pretty good deal, when you think about it, or at least it ought to be, a fact I think is lost on too many Republicans trying to oust the speaker.

BAIER: There are Republicans who specifically had problem with Ukraine aid and that number and all of the details of it, but several Republicans in that caucus that had a problem with the legislation pointed to the border not being a part of it, or leading the way. Here is Congressman Chip Roy, again.

(BEGIN VIDEO CLIP)

REP. CHIP ROY, (R-TX): It's bad for our party to go out and tell the American people you are going to secure the border of the United States when you are watching 24,000 Chinese nationals coming here, 85 percent of whom are adults, which you're watching Laken Riley get killed by somebody who was paroled by the policies of this administration. And you tell the American people you're going to secure the border. And they you get up and say, oh, I can't.

(END VIDEO CLIP)

BAIER: So what do you think of that, Brit?

HUME: You wonder sometimes if these people can count. The House passed a border security bill, very popular among House Republicans. They sent it to the Senate and it went absolutely nowhere because the Senate is controlled by Democrats and the Democrats didn't want it. Then there was a negotiation between the Senate and the Republicans and Democrats over a bill to deal with the border. It had many good things in it. It was endorsed by the Border Patrol union. And it was killed because House member, Republicans said they weren't going to vote for it and it was dead on arrival.

So it wasn't as if an effort hasn't been made. It has. They just simply didn't have the votes to pass. So now comes this, and the hope among Republicans was that they could lever the Democrats desire for the Ukraine bill and other things in a way of getting a border security bill passed. They didn't have the votes to do that, and so it failed. And now they did these other things, which are important, which are important, just as the border is, but separate.

BAIER: Slim majorities, tough to govern.

HUME: Exactly right.

BAIER: Brit, as always, thank you.

Up next, the panel with the latest on the presidential race and the trial of Former President Donald Trump.

As we go to break, former Associate Press correspondent Terry Anderson has died. Anderson was a globetrotting reporter who became one of America's longest held hostages. He was held for nearly seven years after being kidnapped in Lebanon in 1985. He detailed his experience in a bestselling memoir entitled "Den of Lions." Terry Anderson was 76.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: There are still those who deny the climate is in crisis. Our MAGA Republican friends don't seem to think it's in crisis.

DONALD TRUMP, FORMER U.S. PRESIDENT: These are all Biden trials. This is done as election interference. Once you read the poll numbers, they're very good.

QUENTIN FULKS, BIDEN DEPUTY CAMPAIGN MANAGER: Donald Trump sees the world through country clubs at Mar-a-Lago while President Biden sees it from the kitchen tables. Donald Trump is only in this campaign for himself.

SEN. TED CRUZ, (R-TX): The Democrats, the Biden Justice Department, are more than happy to abuse the justice system to try to destroy their opposition.

(END VIDEO CLIP)

BAIER: Campaigning is going to have a different look this election season. Right now, the former president is on trial. The trial started today. And obviously he will be campaigning whenever he gets on camera in New York. The president is bouncing around.

If you look at the Real Clear ***Politics*** average of polls, the recent polls, there is a slight lead, obviously within the margin of error here. it's an average of polls, so there's not really a margin, per se. But that is where you see the race, pretty much tied.

"The Washington Post" writes "The next president may be chosen by indifference. For all the buildup of presidential ***politics*** and the yearslong conversation centered on the determination of the most powerful person in ***politics***, that conversation has been awfully repetitive recently. Americans are not enthusiastic about engaging in it once again." NBC kind of matches that. Election interest is low heading into the Biden-Trump rematch, now at 64 percent compared to other years.

Let's bring in our panel, Ben Domenech, editor at large for "The Spectator" host of "The Ben Domenech Podcast" on FOX News Radio, former Republican National Committee communications director Douglas Heye, and "Axios" political reporter Stef Kight. Stef, it is interesting to see the courtroom, and whenever the former president comes out, he is essentially campaigning every time he talks to reporters in one way or another.

STEF KIGHT, POLITICAL REPORTER, "AXIOS": He certainly is. We know that Trump and his campaign are going to make the most of the fact that he is required to be in court for much of these proceedings. And he is not afraid of embracing the moment. We saw him speak directly to the camera recently during the jury selection process this week. This is moving forward despite the fact that Trump's defense has been trying to delay the start of these proceedings. It's starting anyways, and Trump is deciding to go ahead and campaign there.

And of course, he has made the fact that he is a target of the justice system a key part of his narrative, a key part of his bid to the American people. So we're going to continue to see him make that a focus.

BAIER: Doug, asked if he can get a fair trial, 50 percent of voters think he is being held to the same legal standard as everyone else. Obviously, he's in a courtroom in Manhattan. If you look at the courtroom calendar, this is like planes coming into Dulles. You've got all kinds of different things stacked up one after another. And it's going to be just a very unique election year.

DOUGLAS HEYE, FORMER REPUBLICAN NATIONAL COMMITTEE COMMUNICATIONS DIRECTOR: Obviously, we had a unique election year in 2020 when people had to campaign in a different manner. This is wholly different. Donald Trump is not going to be as active on the campaign trail as we typically define it. But we are going to see him every day that he is in trial in the microphones, and then on weekends, he is going to be a weekend warrior. He is supposed to be in North Carolina this weekend. He's going to reschedule that. It was canceled for some weather. We are going to see a lot of Friday, Saturday, Sunday Trump doing traditional campaign events. During the week he is going to be nowhere but New York, it seems.

BAIER: What about this trial? Today, David Pecker, former head of "The National Enquirer" and that group testifying about basically this grab effort to get negative stories out, to pay for them. It's the beginning of laying the groundwork for prosecutors using this hush money, they alleged, to influence the 2016 election.

BEN DOMENECH, FOX NEWS CONTRIBUTOR: Look, I believe this is entirely a sideshow. I don't think that the American people care about this at all. I think the president would be wise to take up doodling on his legal pad and then auctioning them off after every day to the highest bidder. I don't think that this is a situation that actually relates to the American people at all.

But I do think that he could actually turn some of this to his benefit when it comes to the attention paid, meaning if you can't go out there, if you can't have the kind of rallies that you normally have that he's used to his benefit in the past, you can at least use the fact that there are going to be all these cameras on you at the end of each court experience to make a point, to talk about something else that's happening in the country that people actually do care about. And I think that that's something that the former president should do, and do to the best of his ability.

We already know all of this is baked in. The way that people's opinions are going to be affected by this, there is just nothing that's going to change based on this trial.

BAIER: We cover it every day, Stef, and we will, all the details of each day in court. But there are some places that are obviously covered ad nauseam him and have gone through every single detail, including four times that he might have fallen asleep, everything that happens inside the courtroom. Do you think that he is going to suddenly do more events in New York, that Madison Square Garden rallies are in our future, or Brooklyn or Staten Island. Is that how this campaign is going to go?

KIGHT: You could see that happening. Of course, Trump knows. He is very aware of the fact that the media is covering every inch of this trial. He has always been very aware of how to work the media. It's something he's very comfortable with. He has always been a showman. And we're seeing that right now, the way that he is taking advantage of the fact that all the news outlets are paying attention to this trial. And this is a historic trial. You have to put it in the context of we've never seen a former president of the United States face this kind of criminal charge before. And so he is using this to his advantage, of course, and I think we're going to continue to see Trump and his campaign try to find creative ways to bring the right kind of attention to his campaign and keep the spotlight off of President Biden.

BAIER: The Democrats want to keep the spotlight on the issue of abortion. NBC on the issues finds immigration and inflation ranked the highest by far, most important issues for voters. But Governor Gavin Newsom of California, eh would like to go back to abortion. Take a listen.

(BEGIN VIDEO CLIP)

GOV. GAVIN NEWSOM, (D) CALIFORNIA: If Donald Trump becomes president of the United States, he will sign a national abortion ban, period.

When we're focusing on him, I do worry electorally that he has a slight advantage. And so I'm a little concerned about the overindulgence, the consequential nature of a criminal trial, as profound and outsized in some respect, but not more outsized than democracy, more outsized than Dobbs.

(END VIDEO CLIP)

BAIER: Dobbs, again. President Biden is going to be campaigning in Florida on the issue of abortion tomorrow. But you saw that list of issues that are important, and you wonder how much importance abortion will have.

HEYE: Clearly, in the last cycle and in special elections that we've seen, it has been a big motivator for Democrats. But those are lower propensity elections. Fewer voters come out for those. It is easier if you can raise your vote total to five percent in a district to have a bigger outcome.

But clearly this is what Joe Biden and Democrats want to be talking about, because if you go through polling on every other issue, Biden is completely underwater on the issue of crime, on immigration, on prices and inflation, the economy, and so forth. It is why Democrats are going to continue to talk about it. But let's also be honest. There is no way the House of Representatives and the United States Senate is going to send any president a nationwide abortion ban in the next --

BAIER: And you also had Former President Trump saying it's up to the states, trying to take the issue off the table.

DOMENECH: Of course, and one other thing is that if Gavin Newsom is saying that, he's basically saying the Democrats have lost the Senate. They haven't just lost the Senate. They lost it to the point of 60 votes in order to have that kind of thing happen. It's not going to happen. It's completely a joke and it's not something that I think -- at the end of the day, when we know voters, we know that they prioritize certain issues over and over and over again. And while abortion is definitely a motivator, a helper for the Democratic base, it is not going to be the deciding factor in 2024 no matter how much Democrats try to manifest it as such.

BAIER: We will see.

Up next, anti-Israel protests and the TikTok bill. Later, everybody cuts loose with one star marking a major movie anniversary.

(COMMERCIAL BREAK)

BAIER: Do we hear that? There they are.

(CHANTING)

BAIER: OK, you are looking live, Columbia University, those protests continue, anti-Israel protests. We have seen all kinds of things, pro- Hamas. We've seen 1,000 October 7ths should happen over the past few days. And there has been an effort. They had to go to virtual school, according to the Columbia University president for safety of Jewish students. This as Congresswoman Alexandria Ocasio-Cortez weighed in at an event today talking about Columbia, as did the president.

(BEGIN VIDEO CLIP)

REP. ALEXANDRIA OCASIO-CORTEZ, (D-NY): We once again witness the leadership of those peaceful student-led protests on campuses like Columbia, Yale, Berkeley, and many others.

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: I learned a long time ago to listen to that lady.

UNIDENTIFIED FEMALE: Do you condemn the antisemitic protests on college campuses?

BIDEN: I condemn the antisemitic protests. That's why I've set up a program to deal with that. I also condemn those who don't understand what's going on with the Palestinians.

(END VIDEO CLIP)

BIDEN: So both sides of that. Senator Fetterman came out with a tweet, he said "I fully agree with the White House. these protests are antisemitic, unconscionable, and dangerous. Add some tiki torches and it's Charlottesville for these Jewish students. To Columbia president, do your job or resign so Columbia can find someone who will." He's referring back to Charlottesville, and this is President Biden, then Vice President Biden, on Charlottesville, referencing formal President Trump.

(BEGIN VIDEO CLIP)

JOE BIDEN, (D) PRESIDENT OF THE UNITED STATES: He said there were, quote, some very fine people on both sides. Very fine people on both sides? With those words, the president of the United States assigned a moral equivalence between those spreading hate with those with the courage to stand against it.

(END VIDEO CLIP)

BAIER: So Senator Fetterman making that connection. We are back with the panel. Ben, it is quite something, very fine people on both sides.

DOMENECH: Look, if I was the president of any of these institutions and I saw a student who was in the midst of this type of protest, my suggestion would be that they return to their dorm room, put everything they have in a box, and then afterwards we would talk about what would happen to the box.

This is not a situation that should be tolerable on any level. It is something that is absolutely abhorrent. It violates their honor codes. It violates their own internal rules, it violates every kind of rule of decency that we can understand, and it puts the Jewish students on these campuses at risk, and it cannot be tolerated. And the fact that this is happening at America's highest level institutions, Ivy League institutions that we have looked up to as a group, as a community, for so many years is absolutely abhorrent to me.

BAIER: Robert Kraft, owner of the Patriots, came out with a statement saying "I'm deeply saddened at the virulent hate that continues to grow on campus and throughout our country. I am no longer confident that Columbia can protect its students and staff, and I am not comfortable supporting the university until corrective action is taken." So it's spreading here, Stef.

KIGHT: Yes, this would be the third president of an Ivy League university to step down if this does end up reaching that point since Hamas's attack on Israel on October 7th. And we continue to see this problem on university campuses. And we continue to see how heated of an issue this is, and how much the Biden administration really struggles to navigate this heated political issue. We've seen them kind of go back and forth, it seems, on one hand. They are supporting Israel, and then criticizing Netanyahu and criticizing Israel's attack, and then back again trying to push back on the rise in antisemitism in the U.S. that we have seen in recent weeks and months.

BAIER: Doug, you see the headlines here, "Harvard Crimson," "Harvard Yard closed until Friday in anticipation of pro-Palestine protests." "Politico", "U.C. Berkeley's campaign is in turmoil. It's unlike anything in recent memory." "Axios," "Police arrest dozens of pro-Palestine protesters at Yale." It's a number of campuses, not just Columbia.

HEYE: No, and I'm on the board of visitors for my alma mater, North Carolina at Chapel Hill, and we had an ugly day after October 7th. We had a lack of leadership that didn't respond to it. Fortunately for UNC, and this is what all of this comes down to, UNC has a new interim chancellor, Lee Roberts, who is showing real leadership. All of these schools where there's a lack of leadership, listening to all voices, and making it very clear of what is acceptable and what is absolutely unacceptable only feeds this.

And just real quickly. Congresswoman AOC said that these are student-led protests. If you look closely, all of the tents are identical, same shape, same colors. There is money funding this. These are not student-led.

BAIER: But we don't know where that money is. We haven't found that thread. We're looking, but where that money is coming from.

HEYE: It's the BSD, the boycott, divest, and sanction movement that targets Israel not just on college campuses but in public libraries and every organization that you can think of. These are organized protests.

BAIER: All right, panel, thanks so much.

And finally tonight, a special day.

(BEGIN VIDEO CLIP)

KEVIN BACON, ACTOR: Actor years, that just blows my mind. Things look a little different around here. I'd say the thing that looks the most different is me.

(END VIDEO CLIP)

BAIER: Man, 40 years. Actor Kevin Bacon returns to the Utah high school where the iconic movie "Footloose" was filmed. Payson High School is scheduled to be torn down next spring, was hosting what's like to be its final prom. Bacon agreed to return when students said they would put together 5,000 care packages for his charity, Six Degrees. Congratulations.

Tomorrow on SPECIAL REPORT, the Hunter Biden legal team takes a page out of Former President Trump's playbook. We'll obviously cover the trial in New York as well.

If you can't catch us live, set your DVR, 6:00 p.m. in the east, 3:00 p.m. on the west coast.

Thanks for inviting us into your home tonight. That's it for this SPECIAL REPORT, fair, balanced, and still unafraid. Here's, Laura

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