

# [***Trump Attorneys Attempt To Delay Hush Money Trial; Lawmakers Grill Alejandro Mayorkas Over Border Security; Interview With Sen. John Kennedy (R-LA); Biden-Netanyahu Tensions Escalate; Stocks Retreat As Inflation Stays Hot; Interview With Rep. Dan Crenshaw (R-TX)***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BS9-XSY1-JCS1-6001-00000-00&context=1516831)

Fox News YOUR WORLD WITH NEIL CAVUTO 4:00 PM EST

April 10, 2024 Wednesday

Copyright 2024 Fox News Network LLC All Rights Reserved

**Section:** NEWS; Domestic

**Length:** 8940 words

**Byline:** Neil Cavuto, Bryan Llenas, Trey Yingst, Scott Martin, Aishah Hasnie, Nicole Parker

**Guests:** John Yoo, John Kennedy, Frances Newton Stacy, Dan Crenshaw

**Body**

NEIL CAVUTO, FOX NEWS HOST: All right, we are waiting for that Philadelphia presser on this Ramadan shooting event. When they start speaking, we will take you there.

First, I do want to draw your attention to the corner of the Wall and Broad. We had a major sell-off on indications inflation is far from an old problem. It remains a sticky one for the Federal Reserve, prices year over year running at about a 3.5 percent clip at the retail level, that versus the 3.2 percent rate we were seeing year over year in the prior month. So it's picking up steam.

And that has some thinking there's a good possibility the Federal Reserve holds off on cutting interest rates. In fact, some are the opinion that its next move, whenever that is, might be to hike rates, but fewer and fewer now thinking it's possible the Fed will make good on cuts this year.

Now, that might be premature, but that's the way Wall Street works, the Dow selling off about 422 points, interest rates backing up to the highest they were since last fall, again on concerns prices are stubborn and getting even more so.

In the meantime, some other developments we are following, to the rift that just will not quit, Israel digging in, despite resident Biden airing his frustrations out yet again, now saying that Israeli Prime Minister Benjamin Netanyahu is making a mistake, in his words, in Gaza and not doing enough to make good on his commitments to sort of tone it down.

The president says he wants to cease-fire now.

Why White House Intel Committee Republican Dan Crenshaw says that would be the biggest mistake right now. He is coming up.

Welcome, everybody, on a busy news day. I'm Neil Cavuto. Happy to have you.

Let's get first a couple of things straight. On Israel, they're not all on the same page on this, and neither are they in Washington when it comes to those questioning the president and his constant jawboning of Israel. We're going to go to Congressman Crenshaw in a second.

First to Trey Yingst in Tel Aviv with how they're reacting there -- Trey.

TREY YINGST, FOX NEWS FOREIGN CORRESPONDENT: Yes, hey, Neil. Good afternoon.

We start, though, with a big development out of Gaza today, where Israel reportedly struck and killed six relatives of Hamas leader Ismail Haniyeh, including three of his sons. Haniyeh was in a hospital in Doha, Qatar. He was visiting injured Palestinians when he got the news.

His reaction was stoic and he thanked God for honoring them as martyrs. This speaks to the religious beliefs that Haniyeh has, seeing their deaths as honorable. That strike comes amid these political disagreements, though, on how the war should end.

Once again, there's a massive rift between President Biden and Israeli Prime Minister Benjamin Netanyahu over a planned Rafah offensive. The Israeli leader said multiple times this week his troops would enter Gaza's southernmost city, where more than 1.4 million Palestinians are sheltering.

The move would require a huge evacuation of civilians that currently have no other safe place to go. In an interview with Univision on Tuesday, President Biden expressed his clearest opposition to the plan yet. In recent days, Israel has ramped up aid trucks to Gaza, with more than 1,000 loads entering the enclave in recent days.

Israeli officials have blamed the U.N. for not distributing the aid once the supplies make it inside. Now, tonight, we are also following reports out of the region that indicate American officials are worried an Iranian attack against Israel could be imminent, this after a strike earlier this month against the Iranian consulate in Damascus, Syria, that killed two top Iranian generals -- Neil.

CAVUTO: Trey, thank you. Be safe.

Trey Yingst in the middle of all of that in Tel Aviv.

To Congressman Dan Crenshaw of Texas right now. He's on -- sits on the House Intelligence Committee, feels a lot of other things that are hot and pressing issues now, to put it mildly.

Congressman, the president once again reminded, if anyone had any doubts, that he has serious differences with the way Benjamin Netanyahu is conducting this war. Do you?

REP. DAN CRENSHAW (R-TX): Yes, well, look, President Biden is not a tactician.

And so it's -- and he's giving very mixed signals as well on what he actually wants from Israel. You hear other statements from the administration that say, well, we're not for a cease-fire unless they give our hostages back, things like that.

Look, a cease-fire has to be a two-way cease-fire. And in a situation like this, where Israel is essentially under existential threat, has been for a long time, they have had enough. They had a massive attack on October 7, which killed over 1,000 Israelis, murdered, raped, burned babies.

Should remind everyone that, on October 6, just a day before that, there was a cease-fire. So Hamas' strategy is pretty simple, and they're quite clever. They give Israel an impossible choice. Either don't defend yourself or attack us, and they're going to use human shields to protect themselves.

That's what Hamas does. And then they try to draw out the fight as long as possible and watch international support wane. That's their strategy. It has been for a very long time, and Biden should know that by now, right? He's been around, what, for way too long in ***politics***.

And he should know and understand the ***politics*** of the Middle East by now. You have to eradicate Hamas. So a cease-fire should look like Hamas surrendering. That would be the best thing for the Palestinians in Gaza. That's for sure.

CAVUTO: In the meantime, Congress, we do know from Benjamin Netanyahu that a Rafah invasion is on. Now, we don't know the timing of that, when it's going to happen, what it might look like.

The president has made it clear that also would be a very big mistake. He's seemed, through a lot of his surrogates, Congressman, to hold out the possibility that aid could be on the line here as a result. What do you think?

CRENSHAW: Again, I think that would be a foolish mistake and would be a signal to our enemies like Iran, it would be a signal to Hezbollah that all bets are off. America's leaving the stage.

The only thing that has kept entities like Hezbollah and Iran from actually entering this war and making this the great war that they have always talked about to eradicate Israel is the threat that the U.S. will stop them.

If you take that threat off the table, that's a very, very dangerous path to go on, and it eventually gets us into a war. Let's be honest. That's the thing about peace through strength. If you want peace, you actually have to exhibit strength and you have to demonstrate that you're going to stand by your allies.

A lot of people forget the strength part, because the strength part's very, very uncomfortable, and you have to say things that feel uncomfortable, right? But that's the world we live in. I'm sorry. I wish I could write a fiction novel about a different world where everyone just plays nice, but that's not the world we live in.

CAVUTO: All right, that's kind of echoing what Benjamin Netanyahu has said.

Of course, he's gotten to be increasingly unpopular with his own country, and some of his coalition are bolting from him are increasingly challenging him. I'm just wondering what you make of that, especially now as they await fearfully an Iranian attack on Israel in response to Israel's attack on an Iranian consulate in Syria.

Israel seems to have indicated, Congressman, that it would target in response Iranian nuclear positions in Iran. What do you think of that?

CRENSHAW: Mm-hmm.

Well, Israeli ***politics*** are complicated, just like they're complicated here. Netanyahu's unpopularity doesn't necessarily mean that Israelis do not want action in Gaza and would not want to respond against Iran. There's actually quite a bit of unity on that particular subject.

Now, they differ wildly on other subjects, like their judicial reform, for instance. So you have to parse through which issues are popular and unpopular when you're talking about Israeli domestic ***politics***.

CAVUTO: In the meantime, I don't want to be remiss here, but this whole FISA reauthorization move, you were offering an amendment, a bipartisan one, at that, that would add narcotraffickers, drug runners into a category that FISA then can surveil and spy on, essentially.

But it looks like it's potentially stuck. What's the latest?

CRENSHAW: The entire thing is stuck right now. The entire reform process is stuck.

So my amendment, in particular, would simply add that category to FISA. Right now, we cannot actually use FISA to target a lot of the affiliates of cartels, the bankers, the accountants, the drug runners.

All of the people that actually make the business possible, you cannot -- and these are foreigners in foreign countries, by the way. These are not Americans. Under FISA, you can't actually target them. And even that amendment is being opposed by the people who oppose FISA.

And, by the way, those are a lot of the same people who love to tweet about how much they hate the cartels and how we should bomb the cartels and make them -- and all that, so talking tough, but not really -- not really supporting the actual legislation, that would be extremely helpful here.

You can't even target the Chinese precursors. I mean, that's a real, real problem. And so, like, this amendment would simply fix that. But, right now, everything's at a standstill.

And, look, there's a lot of antics up here, Neil. And usually I'm not that worried about them. This one, I'm worried about. If you gut FISA, if you make FISA unworkable or let it expire, you are seriously endangering our nation. A mass amount of our intelligence about what our foreign adversaries are doing and terrorist plots around the world want to do here, a mass amount of that comes from FISA-derived intelligence.

If you gut that program, we are in for a very, very dangerous next few years, let me tell you

CAVUTO: Congressman, real quickly. You mentioned antics, and a lot of people are looking at what could be another fight over the speakership and whether Mike Johnson hangs onto his job.

What do you make of that?

CRENSHAW: Right now, I'm not sure that there's a real appetite by enough people to just oust Speaker Johnson. I think some people want their -- a little bit of fame, a little bit of attention. That's usually kind of antics we see up here.

But, look, Johnson's got a tough needle to thread on a lot of very, very tough issues. And he's just got to do it. And he's got to get this FISA reauthorization across the goal line as well. Today was a major failure. They need to have a plan B. We have to stop waiting until the last second to get everything done. We know we have to get these things done.

There has to be a supplemental that we have to vote on soon, or else Russia just subjugates Ukraine, and we lose our global deterrence for the next 50 years.

CAVUTO: Yes.

CRENSHAW: These are big decisions that we actually have to deal with.

And so I encourage our leadership to stay the course and actually figure out how to deal with it.

CAVUTO: Is Marjorie Taylor Greene, taking the action she wants to take against the speaker, not serious then?

CRENSHAW: You would have to ask her, I mean, really. I mean, I...

CAVUTO: Well, what do you think? She thinks the speaker should go.

CRENSHAW: I just...

CAVUTO: Do you?

CRENSHAW: No, I don't think the speaker should go...

(LAUGHTER)

CRENSHAW: ... if you're asking me that.

CAVUTO: Do you think she has much support for that? Because there are some who are sympathetic to it.

CRENSHAW: No, I don't.

CAVUTO: You don't?

CRENSHAW: I don't. I don't think so.

CAVUTO: So why do you think she's doing it?

CRENSHAW: Like I said, for attention. I mean, I'm not sure what the other possibility would be.

I mean, we have gotten to this point in our ***politics*** where, any time you disagree with somebody, they have to -- you have to push them off a cliff, which is a pretty absurd tactic, but that's, I guess, become the norm in D.C.

And the unfortunate reality is that too many people actually cheer it on. There's an incentive structure in place to actually do that. So I think that's why it happens. But there's real support for it? I'm not seeing it right now.

CAVUTO: All right, Congressman, thank you.

I know we had to cover a lot of ground there. I do appreciate it, as well as your service to this country, Congressman Crenshaw.

All right, in the meantime, we're getting more details and we will be getting a statement from police, two shot amid a celebration to mark what was essentially the end of Ramadan in the Parkside section of Philadelphia.

Bryan Llenas has more for us right now Bryan.

BRYAN LLENAS, FOX NEWS CORRESPONDENT: Hi, Neil.

Well, this happened at about 2:30 this afternoon at a meal service celebrating Eid, which is the end of breaking of Ramadan, the holiest month for Muslims. It was breaking the fast. It happened outside in a park and outside of the Philadelphia Mosque in West Philadelphia, which is located on 46th and Wyalusing Avenue.

We now know, at this point, according to The Philadelphia Inquirer, at least two people were shot at what was supposed to be a celebration with many children and families that were there. They were taken to Penn Presbyterian Medical Center, which is a Level 1 trauma center.

And one of the two, according to The Inquirer, is being treated as a prisoner. A police officer also fired their service weapon at the scene, but that is the latest information we have in terms of what The Philadelphia Inquirer is reporting.

Our Steve Keeley, who works for our FOX 29 affiliate, says that there have been numerous arrests and that at least four guns have been recovered at the scene of this shooting during the Eid celebration. In fact, a general manager of Girard Meat Market, who is there, who has his business at that location, says anywhere from a dozen to 30 children came running into his store seeking shelter during this shooting.

There were kids as young as 2 years old to 14 years old that were at this event. There was a meal service being held by the Philadelphia Mosque, again celebrating Eid there. This meal service was running from 10:30 a.m. to 3:00 p.m., when, all of a sudden, shots rang out at 2:30 p.m.

The FBI is -- says they are now assisting in this investigation. There are at least two -- about two dozen police vehicles that have shown up, and as you see these live images, we have -- we worked -- we have been told by local reports anyway that a family reunification center has been set up at 48th Street and Girard.

You can imagine, when this chaos broke out, and as we're seeing this, families were divided. There were children that were completely separated from their parents. And now there is a reunification center, as we're seeing this helicopter shot of the mosque and that white tent where this celebration was happening.

So, bottom line is at least two people shot, according to The Inquirer. One of those shot is now being treated as a prisoner, four guns recovered at this scene, and our FOX 29 affiliate reporting that there were multiple people shot.

The ABC local affiliate is the only one now reporting that there are at least four people in custody. So we're trying to get information from the primary sources, the mayor and the Philadelphia police, and we have not heard yet from them as they, are trying to obviously gather the information, Neil.

CAVUTO: All right, we're waiting for that, updates from you and from them.

Bryan, thank you as always, my friend, Bryan Llenas on top of that.

We are on top of what a major sell-off at the corner of Wall and Broad today. Remember this idea that inflation is getting better, it's coming under control, the gains are getting less and less and less?

Well, that all stopped in the latest month, and that has some folks wondering, not only are those interest rate cuts delayed, they might be denied, and, get this, some thinking now the next move of the Fed could be to raise rates -- after this.

(COMMERCIAL BREAK)

CAVUTO: All right, back to Philadelphia we go on this shooting today. Let's listen in.

(JOINED IN PROGRESS)

KEVIN BETHEL, PHILADELPHIA, PENNSYLVANIA, POLICE COMMISSIONER: ... and got them out of harm's way.

It was a collective effort today for those attending the event, as well as our police officers, to be able to minimize the number of incidents we had.

What we do know -- and it will change, and it may change significantly. And so we're going to be very broad in our conversation today.

But at 2:30 today, there was an after-Ramadan celebration here at the park. We had about 1,000 individuals out there. And things were going well. We had a detail assigned to this event, and they were working the outsides.

During that time period, there were writing tickets. There was tickets. Cars were parking on the gas station behind us. And they were writing tickets. At some point, they hear a large volley of gunfire. They say approximately 30 gunshots.

What we do know is, there appear to be two factions within the park who are now exchanging gunfire. As the officers start to deploy into the park, they observe three males and a female running. And they stop those individuals and we recover four weapons.

At that same time, we have one of our officers who was assigned to the area engage a 15-year-old male who has a weapon. She fires, and that male is -- receives a gunshot to his shoulder and his leg. The officer secures that weapon and then transfers that child to the hospital.

We have another individual who showed up who's 22 years old. He has a gunshot to his stomach. And we believe that may have happened during the gunfire. We also have another juvenile who showed up shortly after, within the last half-an-hour, at the hospital who has a gunshot wound to his hands.

And so, in total, we have five individuals under arrest, four who were carrying weapons, as well as the individual that our police officer fired and struck, as well as an individual adult. That's the numbers, right? So that's the numbers in total.

So that's what we're...

QUESTION: Can you say that again? Five arrested?

BETHEL: So, we have a total of five -- four, three males and a female, who were arrested carrying a weapon. And then we have another individual, the 15-year-old, who was shot by our officers. Recovered a weapon in that scenario as well for a total of five.

QUESTION: (OFF-MIKE)

BETHEL: Three now. We now have three individuals shot, one by the police officer. One we believe in the exchange of gunfire. What is unknown and not determined now, the child, the juvenile who was shot in the hand how they - - but we do know that they were here at this event.

QUESTION: What do you want to say to the folks out here obviously who are, as you know, concerned and can't believe this happened at such a spiritual spot?

BETHEL: Well, listen, I walked through this event and we know that the majority, 99 percent of the individuals at this event are good people who wanted to have a good time.

And once again we have young people engaging in gunfire who just really destroyed -- the same thing what happened. There was a man -- a gentleman who I was walking by said, we have to learn how to love each other, and he was really frustrated.

One thing I do know, the mayor was on location, as many of you saw, saying, come down here not just to support us, but to also support the community. She is actively engaged now in reaching out to our Islamic community and make sure that they have all the supports they have.

Immediately after this incident, I contacted her as well, and we were able to bring support services. So we do have support services at our recovery center over here at the Clara Mohammed School to be able to have trauma services there.

But the mayor clearly has sent her message to the community how important it is for her to be on location and she knows that we are here to support them.

We would ask, though, at this time, that anyone has any information, that they would call 215-686-TIPS or call our homicide division. We did not have a homicide in this situation, but considering the magnitude of the situation and their capacity to deal with, we wouldn't -- we have our homicide shooting investigation team working collectively on this.

We asked them to call 215-686-3334.

QUESTION: Two weeks ago, you had a panel and you were talking about the study you were finding that young people were often shooting around the time that this happened.

And you were really trying to dive into the context that can prevent more things like this happening. Judging from what you have learned from that study now, what would you apply to a situation like this?

BETHEL: I don't know in this case we would apply it to this scenario, only because school is closed today.

QUESTION: Right.

BETHEL: And so -- because of the holiday.

And in this situation, until we get the true understanding of what the context over here, we won't know -- be able to answer that. Clearly, the data shows us the types of incidents that I shared previously was happening after school time.

I don't know if this translates into this scenario here, but just because of the dynamics and the way it played out today.

QUESTION: Commissioner, as far as injuries, was there also a child that was hit by a vehicle?

BETHEL: Oh, yes. I do apologize.

Yes, so, unfortunately, unfortunately, during our large response, at the time when we were responding, there were multiple calls coming over the air. For those of you know, we have our assist officer. I think we went to three or four assists in this. And we had a large portion of the city deployed.

Unfortunately, during this incident one of our patrol wagons struck a young child, and she recovered a fracture leg in that scenario. And, clearly, we send our prayers out to her and her family. That is not our intended purpose. And we will make sure we will be following up with her and her family to let them know that.

QUESTION: And we also heard reports somebody had a harm attack, that maybe they were -- that was running during the commotion.

BETHEL: I don't know. I mean, it is one of the most traumatic situations.

I was able to take a quick glimpse of the film, and just to see the massive people running away from the park. Clearly, I'm sure there may have been some kind of underlying medical issues that may have resulted from that. But we have no information at this point that anyone suffered a heart attack that was transported from here by us or rescue to the hospital.

(CROSSTALK)

BETHEL: We have no information on the car involved at this point.

QUESTION: Commissioner, do you have any message for parents if these young people were involved in the shooting, minors? Is there any message to parents looking after kids who are wrapped up in things like this?

BETHEL: Well, listen, I have made this message multiple times about parent engagement and their responsibility and all of this.

If you're not engaged with your child and trying to figure out what they're doing, where they're hiding the guns in your house, and the activity involved, then you're not doing your duty, right? And so -- and it may not even a parent.

We have to understand that many of our kids are being raised by second generation and grandparents, who don't have the capacity oftentimes to do the things that we ask them to do. But we always want to lean on a true adult to be able to engage these young people.

But the stuff we see out here, I mean, the guns that we're recovering, I think we're in a totally different process now. Can't make excuses for all these kids. Some of them are out here actively engaging in gunfire, actively wanting to be involved in shootings and want to -- and as you see today, do that. And there's no -- zero tolerance for that, right?

And we're not going to make any excuses for that. And we're going to do everything. We now have four in custody, and we will be looking for those others that were involved.

(CROSSTALK)

QUESTION: But can you just, for clarity's sake, the events, prayer in the park, that was going on, it's been described to us separate from the incidents that happened on the street with the shootings or...

BETHEL: It's all -- I mean, we don't have any disconnection of the two. We have the incident.

Our showcases are here in the park. So there's not a -- the incident was happening as a result of the celebration that was going on, not that the celebration caused it. Individuals coming -- it was a public event. Anyone can have access to come into this event. So it was not a ticketed event.

And so, clearly, we had some individuals who decided to use this as a way to -- I mean, just like anything else we see, when we see individuals who are beefing and going at each other, oftentimes, they don't care where they see them at -- see each other at. And so, in this case, clearly, they saw something going on in the park.

What that was that caused two factions to start to pull out guns and shoot at each other, the investigation, we will be looking into that.

(CROSSTALK)

QUESTION: ... 15-year-old coming into eye contact with this Philadelphia police officer, still having the officer have to shoot?

BETHEL: Well, listen, I mean, I met with the officer. I commended for her actions.

We're fortunate today that she was not fired upon and, at the same time, fortunate that she did not have to take a juvenile's life. But the bravery that she displayed and the valor that she displayed played by taking -- not only engaging the individual, but also recognizing that she had a child in front of her, and did her due diligence to put her -- him in their car and transport to a hospital, it's a testament to the men and women who work for me.

And I applaud her efforts and the work that she did.

QUESTION: And, to be clear, so the 15-year-old shot (OFF-MIKE)

(CROSSTALK)

BETHEL: No, we did not. No. We're still investigating all of that. We don't know if that weapon was discharged at this point. I do not want to get into the police shooting part of it. What I can tell you is that my officer did shoot that juvenile two times, one in the shoulder and one in the leg.

As far as any other information related to that, we will not be providing that at this time.

(CROSSTALK)

QUESTION: Is he in stable condition?

(CROSSTALK)

BETHEL: Yes, all the people -- the individual shot in the stomach -- 22- year-old's in stable condition. The 15-year-old's in stable condition.

(CROSSTALK)

QUESTION: Other partners working with yours right now on the investigation?

BETHEL: We always engage our partners. Commissioner Vanore is here. We will always engage our federal partners. ATF was already on the ground with us. FBI, the district attorney's office is here as well.

All the partners that we customarily have seen us actively engaged with are on station here to support us in every efforts we need.

QUESTION: What about the safety plan?

(CROSSTALK)

QUESTION: ... four in custody?

BETHEL: We have a total of five -- of five in custody.

QUESTION: Five in custody.

BETHEL: Yes.

QUESTION: Before you walk away, can you break that down one more time? Five arrested.

BETHEL: We have three...

QUESTION: Three males.

BETHEL: ... males and one female who we arrested as they exited the park, pursued them and recovered a total of four weapons from them.

We have a fifth weapon -- a fifth individual arrested. That is a 15-year- old juvenile who was shot by police. And we recovered a gun in that scenario. So we have a total of five individuals in custody. And we have a total of five guns, five guns.

QUESTION: The 15-year-old who was shot by the officer...

BETHEL: That's correct.

QUESTION: ... is in stable condition?

BETHEL: That is correct.

QUESTION: Shot in the shoulder.

BETHEL: And the leg.

QUESTION: And the leg.

BETHEL: That is correct.

QUESTION: And there was a gun found on that teen?

BETHEL: Found a gun. Yes, he had the gun. She saw the gun.

QUESTION: She saw it.

QUESTION: Commissioner, any words about the safety plan?

BETHEL: I think we will move on from that.

I mean, at this point, we're going to deal with the situation here and we will discuss that at another time. But thank you for the question.

QUESTION: (OFF-MIKE)

BETHEL: I think we have three juveniles and maybe one adult out of that four -- grouping of four, three juveniles and one adult out of the group of four that we recovered four guns.

All right, we're going to end it there. Listen, I appreciate you guys. And we're going to move out.

(CROSSTALK)

QUESTION: (OFF-MIKE) I got here late. Can you just give me a thumbnail?

BETHEL: No, man. I can't do it, baby. I appreciate you.

(LAUGHTER)

QUESTION: OK. All right.

CAVUTO: All right, we got some details here, a scant few, five under arrest, three shot attending an event celebrating the end of Ramadan.

This occurred a couple of hours ago, when all of this started. We don't know what was behind it or why the shooting started as we ended the 30-day Ramadan holy month of Eid al-Fitr. Again, everything seemed to be going as planned. This is a public school day off. So there were a good many at this, although the officer was not able to tell us exactly how many, but it was open to the general public.

You didn't need tickets or anything to get in. Again, five are under arrest. Three were shot. Everyone's expected to be OK.

Nicole Parker, a former FBI special agent, what she makes of all of this.

Nicole, always good to have him, I'm sorry under these circumstances. But what do you make of this?

NICOLE PARKER, FOX NEWS CONTRIBUTOR: Well, the first thing that I noticed is that this was obviously a preplanned event, a Ramadan prayer in the park event with, I think he mentioned around 1,000 attendees, open to the general public, right?

So there's that public -- when it's open to the public, it's difficult for law enforcement to control the area. But I did note that he said that they had a detail in place. That is so important for people to understand. When there are large events that there are going to be many attendees, law enforcement does intelligence work going into the event.

They know that these are potential targets for terrorism, for violence, for active shooters. They were prepared. As he mentioned, the officers were giving tickets, parking tickets. They hear gunshots and immediately they respond, and this female officer that he referenced who engaged and neutralized the threat.

And that's a very heroic and courageous thing to do, especially in a large group of individuals. I think also what's important to note is that it involved many juveniles. We're seeing such an influx in crime involving youth and involving minors, those under the age of 18.

Five individuals were arrested. I believe that one of them was an adult. And this is something that definitely needs to be addressed in this country.

The other thing is that it involved two factions. Was this just a violent crime event that happened to come across a large existing event that was occurring in the park? Or was this the preplanned event where multiple shooters picked this date, picked this location, the fact that it was the end of Ramadan?

That is something that law enforcement is going to delve into. The other thing that's important to note is that there are multiple law enforcement agencies on hand. And that is the beauty of our law enforcement in this country. They back one another on the local, state and federal level.

The perimeter of this crime scene, based on what we see on television, is extremely wide. This was a park, a very wide area, the perimeter shut up -- set up with the caution tape. And now law enforcement is going to be going in, and they're going to likely send evidence response teams and they're going to gather every single shred of evidence, the shell casings and everything, the interviewing of the witnesses, the victims.

One of the shooters is now in custody, but is in the hospital. You know, I have seen that many times. And that person is going to be questioned even in the hospital while they're receiving care likely.

But what I'm glad to hear so far is that there have been no fatalities. These shootings are happening entirely too often. And, sadly, I hate to say it, but they're not going to slow down, unfortunately. Many people are using these events to deal with their own personal grievances, their own arguments, discussions between individuals that end up in fights.

And people are getting harmed. Young children were having to run for their lives. That's evil. That is wrong. And I am glad that there are individuals in custody. And I hope that the full justice is served on those that intended to harm anyone. Whether it was a random act of violence that happened to come across the large event or if it was a preplanned event, this is unacceptable, and they must be held accountable.

The only way to slow down these types of events in our country is to have consequences. We all have the right to make our own choices, but there's a consequence that comes with your behavior. And when there are consequences, hopefully, we will see a decrease in this type of crime.

CAVUTO: It's interesting too.

You touched on the possibility, Nicole, that even though this was a Ramadan-ending event, this attack, whatever you want to call it -- I don't want to overstate that -- might have had nothing to do with that. It might have been, as one Philadelphia paper was noting, a possible gang-related issue. We don't know.

But we do know that, given the nature of the event, as soon as we heard it was an end-of-Ramadan event, that many Muslims were going to be gathering for this -- they're not just Muslims, I should point out -- that it immediately raises concern, even panic, within the community.

How do you handle that as a legal authority and trying to keep people calm?

PARKER: Well, rightly -- rightfully so. I mean, it would be quite naive to not consider that as a true possibility.

I mean, it's been, it's out there. Terrorism alerts are at an all-time high in our country. We know this. We have heard the FBI director, Christopher Wray, out there testifying before Congress multiple times. The terrorism alerts are at an all-time high across the board for all different factions and groups.

And so, obviously, we need to take that into consideration. If the FBI is on scene, and it is determined that this is a terrorism-related investigation or case, then the FBI takes over the investigation. If this is a random active violence that happened to come across, then it's going to be run on the local level.

But all people will be involved, and FBI and federal law enforcement will provide any resources possible that they can to the local authorities.

CAVUTO: Thank you, Nicole. Very much. Appreciated your expertise and background on this. It came in certainly handy today.

If we get any more updates again from FBI, local police, we will keep you posted. But this was looking very, very scary in the beginning, not that a few people getting shot isn't a scary development, but, again, fears that it could have been a lot worse. It was not.

All right, in the meantime, what was scary, at least for those who are worried about losing money, was what happened at the corner of Wall and Broad today in response to an inflation report that was stronger than anyone thought. And, these days, these reports on inflation, in other words, what you and I pay for goods at the retail level through something called the Consumer Price Index, it spiked a little high, and that had stock spiking a lot lower.

Was that response justified? And the fear now that the Federal Reserve isn't only going to hold off on cutting rates, but might not move at all. And if it does, there's a possibility among some who think the next one is a hike -- after this.

(COMMERCIAL BREAK)

CAVUTO: The Federal Reserve hasn't even moved on interest rates, even though there's been promise and hope that this was going to be the year they start cutting, but market rates have been backing up.

They have been going higher, and in anticipation here that inflation is a problem, and we had a report today that proved it.

Scott Martin with us, Frances Newton Stacy with us.

Scott, to you. Is that a justified concern now that rate hikes or at least rate cuts are off the table? One Fed governor was talking about a rate hike. But where are you on it?

SCOTT MARTIN, FOX BUSINESS CONTRIBUTOR: I will tell you, Neil, I think the market got a little ahead of itself thinking at first we're going to maybe get six cuts, then four, then two.

As you and I have talked over the years -- or over the year, we have talked about having no rate cuts or no rate hikes coming. And I think really that's still what the market needs to get its arms around. And so, when you see a day like today that perpetuates probably no rate cuts, and then we get data that will be down the pike that says, hey, there's not going to be a rate hike, the market's got to react accordingly.

And so far, it doesn't like it.

CAVUTO: All right, market rates have been backing up, Frances. And that's something over which the Fed has very little control. It can try to jawbone them to influence them, but it's not working right now.

Where do you think this goes?

FRANCES NEWTON STACY, OPTIMAL CAPITAL: Well, I think that if we don't have a credit event, I think that the Fed is going to have an extremely hard time...

CAVUTO: What is a credit event?

NEWTON STACY: Sorry. A credit event means that something in the system, you have a lot of defaulting, either on credit cards or commercial real estate or bankruptcies or foreclosures, similar to the financial crisis, though it may not be housing this time around.

But if we don't have some kind of crisis, the Fed is going to continuously have a hard time justifying this notion of cutting rates. And remember that all of these components in CPI have lagging effects. So if these commodity prices continuously go higher on a lag, CPI is only going to get worse this year, so probably won't have a rate cut and hopefully not a rate hike.

CAVUTO: Scott, the wind at everyone's back has been these strong markets, 10 percent gains of thereabouts for the S&P 500, for stocks in general, looked like a good year. To you, does it still look like a good year?

MARTIN: It does, but there's challenges ahead, Neil.

I think the market has probably gotten a little ahead of itself. And I think these hopes of a rate cut that would perpetuate more of the gains is obviously overdone and overblown. So the market actually has to go back to fundamentals. You have to watch earnings. You have to watch company announcements.

And, of course, we got this tiny little thing in November regarding an election coming up that obviously has its effect going forward. So there's a lot of pitfalls maybe ahead that we didn't experience in the previous three months and investors should be ready for those.

CAVUTO: Frances, I was thinking, if we hold around these rates for the 10- year note -- I don't want to get too arcane here, but that's kind of what mortgage rates are attached to, a lot of other rates. And that would translate roughly into a 7.25 percent, 7.5 percent 30-year fixed rate.

That could at least cool housing. What do you think?

NEWTON STACY: Yes, it could.

You have this other anomaly in housing where you just have this low supply. And the low supply comes from the fact that people don't want to sell their current houses even if they want to leave because they don't want to lose their low-rate mortgages.

CAVUTO: Right.

NEWTON STACY: So it is creating a lot of that.

In commercial real estate, you have some of those mortgages that have that are coming for maturity that are 4 percent. They're going to maybe even be 9 percent to 11 percent, depending on what kind of mortgages they are. The back-in-the-office thing hasn't totally taken hold, particularly in the small business.

You can't do A.I. from home, but that's only a small sector of the economy. So we have some -- we definitely have some headwinds ahead. But the thing that has been keeping this economy stable, despite the Fed raising rates, is, we have very high fiscal spending. Private credit has come in to backstop these loans. And people have been putting things on credit cards.

CAVUTO: Right.

NEWTON STACY: So, if any one of those things falls apart, it could change.

CAVUTO: Outside of that, everything would be perfect.

(LAUGHTER)

CAVUTO: All right, guys, thank you both very much.

Something to worry about and think about, but, again, Wall Street down about 422 points when all was said and done, all the major averages hit, and hit hard. We will see what happens tomorrow.

In the meantime, seeing what happens to this impeachment issue that takes place, supposedly, in the United States Senate, if the United States Senate ever takes it up.

The back-and-forth on with Senator John Kennedy -- after this.

(COMMERCIAL BREAK)

CAVUTO: All right, we will talk to Senator John Kennedy about this. We're told the Senate is ready almost to dot the I's, cross the T's, go ahead and get this impeachment trial against Homeland Security Alejandro Mayorkas going.

That is in the eye of the beholder, but we do know that, timing being everything, Mayorkas up on Capitol Hill taking the heat, had to make things doubly awkward for him.

Aishah Hasnie following all of that -- Aishah.

AISHAH HASNIE, FOX NEWS CORRESPONDENT: Hey, Neil.

Well, the secretary just left because those hearings have now wrapped up, and we're really not sure if we're going to see him next week, because, as you say, we don't know if Senate Democrats will allow an impeachment trial.

I will say that a vulnerable Democrat, Montana Senator Jon Tester, was pretty happy about taking Mayorkas to task today. Watch this.

(BEGIN VIDEO CLIP)

SEN. JON TESTER (D-MT): Does the administration have any plans to use any additional executive powers to address the situation at the southern border?

ALEJANDRO MAYORKAS, U.S. SECRETARY OF HOMELAND SECURITY: Senator Tester, we continue to consider what additional executive actions we could take that would survive legal scrutiny and have an impact on border security.

TESTER: Well, it's apparent the status quo has not worked and is not working currently. And I would also say that this proposal for funding for Homeland Security is inadequate, and we need to work on this.

(END VIDEO CLIP)

HASNIE: So, the House articles of impeachment were supposed to be sent to the Senate tonight. That's been delayed by House Speaker Mike Johnson in order to give Senate Republicans some time to pressure Democrats into a trial.

Instead, Secretary Mayorkas has been pleading for more money for the border, all while being impeached for his job at the border. Here he is ignoring some of my questions about it all.

(BEGIN VIDEO CLIP)

HASNIE: Are you asking Leader Schumer to dismiss this? Have you considered stepping down, Secretary? Any comment about being impeached? You're the first Cabinet secretary in 150 years, Secretary, to be impeached. You have got to have some thoughts, Secretary.

(END VIDEO CLIP)

HASNIE: Neil, if he had thoughts about being impeached, he did not want to say them out loud.

Again, we have no idea if we will see him next week.

CAVUTO: All right, Aishah, thank you for that.

Aishah Hasnie on Capitol Hill.

Senator John Kennedy of Louisiana joins us right now.

Senator, where do you think this impeachment thing is going? Because, obviously, the speaker had to delay getting these articles of impeachment going. Some interpreted that that he's not in sync with the Senate, the Senate's not in sync with him, even within the Republican Party.

You're all not in sync with each other.

What's going on?

SEN. JOHN KENNEDY (R-LA): Well, first, I was in the hearing today with Secretary Mayorkas.

And he has -- he did say that the Biden administration is thinking about taking steps to secure the border. I don't know why they didn't do it 3.5 years ago. He also asked for more money. I think -- I guess he wants more money to buy more welcome mats.

Look, after a lengthy investigation, the United States House of Representatives -- we're not talking about some snow bro who eats chicken McNuggets and smokes weed and has an opinion. The United States House of Representatives has thoroughly investigated this and voted and they have impeached Secretary Mayorkas on two counts.

And Senator Schumer wants to violate 200 years of Senate precedent and not hold a trial. I just tried to pass a resolution setting the terms of the trial on the Senate floor. My Senate colleagues objected. It's interesting why they objected.

They said, well, the evidence doesn't support the allegations by the House. And my response was, how do you know? You haven't heard them. You haven't heard them. And that's the purpose of the trial. Why don't you want to let the American people hear the evidence?

I don't know how it's going to come out.

CAVUTO: Well, some of your -- but you know what I wonder about, Senator, whether all your colleagues, Republican colleagues, agree.

There are many people who get the sense that Mitch McConnell isn't fired up about this, but maybe you could share. Do all of your colleagues share your same rage at this?

KENNEDY: Well, I will let Senator McConnell speak for himself.

All I can tell you is that I'm pretty fired up about it. I'm not fired up about it on the basis of the ***politics***. I think the Constitution gives the United States Senate the duty and the responsibility to conduct a trial.

We have only had 21 impeachments in this country's history, and we have conducted trials on all of them, except when the official resigned before we could conduct a trial. And now Senator Schumer, because he knows President Biden and Secretary Mayorkas' policies at the border are so unpopular, he doesn't want to hold -- have a trial, so the American people can see the evidence.

And I think he's worried about the election. And I don't think violating Senate precedent for political expedience is -- exactly covers him in glory.

CAVUTO: But don't you think there's a little bit of gamesmanship going on both sides? Speaker Johnson had to sign these two impeachment charges so the trial could begin.

And I understand the House mechanics to agree with the Senate mechanics to make it happen. And he didn't. And that, of course, gets the Senate saying, well, there's real -- no "there" there. He didn't want to get lost in the sauce on this whole thing and wanted to make it a big dramatic event.

What do you think of that?

KENNEDY: I don't think that's accurate, Neil.

I don't think Speaker Johnson sent us the impeachment articles in the middle -- he didn't want to send to us in the middle of the budget fight in the House in the Senate. And the House and the Senate talked about that. And I think all sides agree.

CAVUTO: Well, you can walk and chew gum at the same time, can't you?

KENNEDY: Well, not if we hold a trial. You have to stop what you're doing and hold a trial, though we have offered...

CAVUTO: But getting the articles over would just sort of get the process going. It's not the start of the trial, right?

KENNEDY: Well, if I could just...

CAVUTO: Go ahead.

KENNEDY: If I could just finish my thought, no, once the articles are presented, we're sworn in immediately as jurors, and then we have to agree to a procedure.

Now, we have -- we're trying to make it as easy as we can for Senator Schumer. The trial doesn't have to take as long as long as medical school. We could appoint a committee, half Republicans, half Democrats...

CAVUTO: Right. Right.

KENNEDY: ... to conduct the trial. We will accommodate him. But he doesn't want a trial at all.

CAVUTO: Now, do you ever have regrets on the bipartisan measure? It wasn't perfect. I think you said that at a minimum, but that it was -- it was a strategy to deal with the border.

And now the president's contemplating executive actions that, as you said at the outset, sir, he should have considered 3.5 years ago. He didn't for whatever reason. And here we are. Any regrets about that measure? It wasn't great, but it was something.

KENNEDY: None. None.

Took two of my Republican colleagues, both of whom I respect, negotiated that deal, Senator Lankford and Senator McConnell, with Senator Schumer and Senator Murray -- Murphy. They dropped -- they dumped it on us at the last minute. I had no idea what was in it until I started looking at it.

I saw very quickly they were going to hire tens of thousands of new asylum officers to make decisions about asylum. Guess who was going to appoint those asylum officers? Senator (sic) Mayorkas, the man who believes in open borders, the man who helped create this chaos.

As soon as I saw that, I said, no mas. No way am I voting for this.

CAVUTO: Do you think any your colleagues were influenced by Donald Trump saying, don't do this, that this would be a very good election-year issue?

KENNEDY: I can't speak -- I can't speak for my colleagues.

I can tell you that, for months -- and I'm not criticizing James Lankford. He's a good man. He did the best he could under circumstances.

CAVUTO: Right.

KENNEDY: But, for months, I asked. I said, let me -- tell me what's in the bill. Tell me what's in the bill, please. Don't give it to me at the last minute.

They were worried about it leaking.

CAVUTO: Right.

KENNEDY: And they gave it to us at the last minute. And we were told, take it or leave it. And I said, no mas, man.

CAVUTO: OK.

KENNEDY: They said, how you going to vote? I said, the short answer is no. Long answer is hell no.

(LAUGHTER)

CAVUTO: OK. Well, it's a moot point now, I guess.

Senator, always good seeing you. Thank you very much.

KENNEDY: Thank you, Neil.

CAVUTO: All right, we were mentioning Donald Trump. He's in Georgia at a big fund-raiser in Atlanta, but he has a trial to look forward to, if you want to say that, for Monday.

The details on that -- after this.

(COMMERCIAL BREAK)

CAVUTO: All right, I don't know what the legal term for Hail Mary pass is, but the Trump legal folks, their arguments are over. They're awaiting a decision on seeing if they can push back this April 15, next Monday, civil trial, the hush money thing.

This was their last chance to do so. I don't know how it's going to go.

But John Yoo would know, the former deputy assistant attorney general, U.C. Berkeley law professor, former Justice Thomas law clerk. He would be the guy I would have copied everything he was writing if I sat in back event, because you just know he's acing it.

(LAUGHTER)

CAVUTO: John, help me with this. They're trying to delay this thing, right, essentially, but their argument is?

JOHN YOO, FORMER DEPUTY ASSISTANT ATTORNEY GENERAL: They're trying to come up with -- there's legal claims, like we should be immune.

By the way, I would be going like this, so that you couldn't read over my shoulder.

(LAUGHTER)

CAVUTO: I bet you would.

YOO: Actually, Neil, I would pass you notes all day long to tell you what to do.

CAVUTO: Excellent.

YOO: But what they're trying to do is come up with substantive legal arguments that would delay the trial. But a trial judge, like Judge Merchan, has a lot of discretion whether to handle those and send them up on appeal for decision or just to drive through and get the trial done first and then see about the legal claims.

So these legal claims are, for example, is President Trump immune from prosecution by states? That's a really important question that's never been resolved or even asked before, because no president has ever undergone what he's going to undergo on Monday, which is to sit for a criminal trial.

I have serious doubts also about the legal quality of the charges. For example, what the DA is trying to do is punish President Trump for concealing what he says is a campaign contribution. Usually, that's up to the federal government, not the state governments and not the cities.

But Judge Merchan has rejected those claims and said, we're going to go straight to trial. So all these other efforts that the Trump team is throwing up to try to slow down, this judge is not having any of it.

CAVUTO: So, let's say this latest action on their part to delay doesn't go anywhere. There is the final, only use this to break glass at the final moment, and Donald Trump could fire his legal team. What would that do and how likely is that?

YOO: So, judges, like the one we have before us here, what, thousands of judges like him, they have seen all the tricks of the trade to try to monkey around and slow the case down.

CAVUTO: Right.

YOO: They will have seen things like this. I don't think a judge is going to have much patience for it. Maybe he would give a week or two for new lawyers to come on board.

But if it looks like an obvious delay tactic, then the judge should just say, we're going straight on with the trial. I'm not going to allow you to manipulate my trial schedule.

And if I'm Donald Trump at this point, why not try to get the trial done now over as quickly as possible, now that you know the judge wants to go forward, so that it's decided as far away from the election as possible?

CAVUTO: All right, but there could be a conviction.

YOO: That's one of the many unprecedented things we don't know about is, one, what would a conviction do to the presidency and future presidents?

CAVUTO: Right.

YOO: And then what would it do to a race? Because the other unprecedented thing is, this is the first trial of a candidate from one of the two major parties for president during the campaign.

We don't really know what's going to happen to President Trump's support. So far, the trials have been good for him, but this could be bad for him.

CAVUTO: Got it. John, thank you very much. And thank you for letting me cheat off of you. I always appreciate that.

John Yoo, one of the best of the legal best.

All right, that will do it for us here. We have got "The Five" now.

THIS IS A RUSH TRANSCRIPT. THIS COPY MAY NOT BE IN ITS FINAL FORM AND MAY BE UPDATED.

**Load-Date:** April 10, 2024

**End of Document**