

# [***Anti-Israel Protests Continue Across East Coast; Columbia Students Feels Shunned By Protesters; Anti-Israel Protesters Vow To Stand Firm; Polls Show Tight Race In Key Battleground States***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BV8-P3B1-F072-X2F1-00000-00&context=1516831)

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**Guests:** Archie Gottesman, Lisa Daftari, Vik Bajaj, Jesse Lee Peterson, Emily Austin

**Body**

TYRUS, FOX NEWS HOST: Reagan Charleston, Michelle Tafoya, Gene, Joe DeVito, Tom and Tyrus staff and "FOX NEWS @ NIGHT" is next on behalf of Greg Gutfeld. I'm Tyrus and we love you, America.

TRACE GALLAGHER, FOX NEWS HOST: Good evening. I'm Trace Gallagher. It's 11:00 p.m. on the East Coast, 8:00 here in Los Angeles and this is America's late news, FOX NEWS @ NIGHT.

And breaking tonight, the anti-Israel, anti-American, anti-police demonstrations are continuing at Columbia University and across the East Coast with protesters acting much bolder, even saying the quiet part out loud.

(BEGIN VIDEO CLIP)

PROTESTERS: NYPD, KKK, I know that you're all the same. NYPD, KKK, I know that you're all the same.

UNIDENTIFIED MALE: Don't (BLEEP) show your face here again you piece of (BLEEP)

UNIDENTIFIED FEMALE: Oh my god.

UNIDENTIFIED MALE: Your mom is a (BLEEP)

UNIDENTIFIED MALE: The 7th of October is going to be every day for you.

UNIDENTIFIED MALE: Keep it moving you Zionist (INAUDIBLE) Keep it moving you Zionist (INAUDIBLE)

UNIDENTIFIED FEMALE: We're all Hamas, Pig. Long live

UNIDENTIFIED FEMALE: Get the (BLEEP) out of your face now.

(END VIDEO CLIP)

GALLAGHER: So far, more than 100 Columbia students have been arrested. Meantime, nine Google employees were also taken away in handcuffs and 28 were fired after storming the company's offices and holding an anti-Israel sit-in. Google CEO Sundar Pichai summed it up by saying, This is a place of business." Maybe the nation is finally signaling enough is enough. Chanley Painter is live in New York with more on this. Chanley, good evening.

CHANLEY PAINTER, FOX NEWS CORRESPONDENT: Hey Trace, here in New York protesters at Columbia University are vowing to hold the line descending on a campus lawn once again unfazed by Thursday's mass arrest at a declared Gaza Solidarity encampment. Today, demonstrators, including activist actress Susan Sarandon marched to the university chanting with signs and flags. Watch.

(BEGIN VIDEO CLIP)

PROTESTERS: NYPD, KKK, I know that you're all the same. NYPD, KKK, I know that you're all the same.

PAINTER: While the university officially dismantled the "encampment students" who remain in the "liberated zone are calling on the school to cut ties with Israeli universities and divest from companies with ties to Israel." And again, pledge to remain until demands are met despite university rules. Jewish students say it's creating a harsh and hateful atmosphere on campus.

UNIDENTIFIED FEMALE: I feel like I'm not wanted here, you know. It kind of just feels like everyone who isn't exactly like me hates me and doesn't really care what I've had to say. I've tried to converse with a lot of these people and like their response was I don't converse with Zionists.

(END VIDEO CLIP)

PAINTER: Meanwhile, the White House responding to the mass arrest calling the anti-Jewish rhetoric unacceptable.

(BEGIN VIDEO CLIP)

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: We understand that this time is incredibly painful for many Americans and at the same time, right, it's important for schools to protect students. It is one of the things that we have to do on their campuses. But students should feel safe.

(END VIDEO CLIP)

PAINTER: All indications point to protesters in it for the long haul, Trace, on campus posting that they've been told they can remain on that campus long as long as no tents are pitched. Trace?

GALLAGHER: I can't imagine one classmate saying to another, I don't converse with Zionists. It's amazing. Chanley Painter live force in New York. Thank you.

Let's bring in pro-Israel activist Archie Gottesman. Archie, it's great to have you on the show. I mean, we kind of end there. One classmate saying to another I don't converse with Zionists. I want to play this sound. You have to listen closely because it's kind of difficult to hear. This is a Columbia protester talking about October 7th happening more often. Watch.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Never forget the 7th of October. Never forget the 7th of October.

UNIDENTIFIED MALE: That will happen a number of times.

UNIDENTIFIED MALE: Not one more time, no five more times, not 10 more times, not 100 more times, not 1000 more times, not 10,000 more times.

UNIDENTIFIED MALE: The 7th of October is going to be every day for you.

(END VIDEO CLIP)

GALLAGHER: If you didn't hear it, never forget October 7th. That will happen not one more time, not five more times, not 10, not 100, not a thousand, but 10,000 times. The 7th of October is going to be every day for you. Archie, what do you say to these people?

ARCHIE GOTTESMAN, PRO-ISRAEL ACTIVIST: First of all, thank you for having me. And I say that they are a few weeks ago, it was -- there was a line between pro-Palestinian and Hamas, and that line is being blurred. Those kids are -- they're saying they're Hamas. This is not like pro-Palestine. This is just, it is so outrageous. Columbia is just playing into it by allowing the kids there without their tents. Big deal. It's nice outside. I'm in New York. The weather is fine.

That is not hurting anybody. That is not hurting the protesters to say, you know, just stay out there. It is beyond outrageous that Jewish students, that all students have to be scared like that girl that you showed. It is - -

GALLAGHER: Right.

GOTTESMAN: It is -- it's ridiculous what is going on.

GALLAGHER: And to your point, I want to put this up there because this is a pro-Israel Columbia student who wrote the following in the New York Post. I had a front row seat to the liberated zone madness at Columbia University. These were no righteous freedom fighters, though they are surely self-righteous. These are radicals receiving 90,000 a year education and throwing temper tantrums. And they are getting angrier and they are getting bolder by the day, Archie.

GOTTESMAN: It's -- I don't think that the police in New York are handling this. I think that maybe they need to call in the National Guard. I don't know why the administration is allowing for it. They -- it's just like they keep playing games. These kids -- the protesters are not playing games. They said -- look at this, look at what is on this screen. I mean, they are violent.

GALLAGHER: But don't you see, Archie? My guess is don't you think that's part of the strategy is they want the police to come in. They want to be arrested. They want to just like some of these protests we saw during the George Floyd riots, the more they are arrested, the more they can say, look, we're being targeted. We don't have our free speech rights.

GOTTESMAN: They need to stop what is happening at Columbia. Let the kids go back to class. Most kids at Columbia want to go and learn. That is what they are there for and they want to go to class. They -- this -- the focus has to be taken, get the protesters out of there, however they can do it, and let the kids go back and learn. It's outrageous. If I had a student at Columbia right now, my daughter graduated from there, I mean, it is so expensive what these parents are paying and to let this go on, it's disrupting school -- I mean, it's disrupting class.

Susan Sarandon, I mean, she's there because she's not relevant anymore. So she's back there because she wants to become relevant. It is --

GALLAGHER: Yes. And she says nonsensical things. Archie Gottesman, thank you for coming on the show. We appreciate it.

GOTTESMAN: I'm so happy --

(CROSSTALK)

GALLAGHER: Meantime, fears over an escalating war in the Middle East are easing tonight as the fighting between Israel and Iran appears to be on a pause. So far there are no more threats or statements of retaliation from either side, but experts warn it is early. Matt Finn is live at the very latest on Israel's limited but effective strike. Matt?

MATT FINN, FOX NEWS NATIONAL CORRESPONDENT: Trace, today was a much calmer day between Israel and Iran after the news broke right here on the show last night that Israel had fired limited strikes on Iran. This morning, Iranian protesters in the street held signs that read down with Israel, the demonstrations coming just hours after an Israeli strike on an Iranian province, which houses a nuclear facility that's used to enrich uranium.

Our Trey Yingst reports the strike was Israel's warning to Iran that Israel has the ability to strike Iran's nuclear facilities. Today, American officials did not have much reaction to the overnight strikes. Secretary of State Anthony Blinken reiterated America's support for Israel and said Hamas holds a ultimate responsibility for deescalating the conflict.

(BEGIN VIDEO CLIP)

ANTONY BLINKEN, UNITED STATES SECRETARY OF STATE: The only thing, the only thing standing between the guys and people and a ceasefire is Hamas. It's rejected. Generous proposals from Israel, it seems more interested in a regional conflict than it is in a ceasefire that would immediately improve the lives of the Palestinian people.

(END VIDEO CLIP)

FINN: Today, the White House would not comment on whether it had knowledge of the attacks, but it did emphasize that the relationship between President Biden and Israeli Prime Minister Benjamin Netanyahu is strong.

(BEGIN VIDEO CLIP)

JEAN-PIERRE: The President and the Prime Minister have a long-standing relationship that goes decades and because of that long-standing relationship, they are able to speak very honestly with each other and have difficult conversations when it's necessary.

(END VIDEO CLIP)

FINN: And several measures have been introduced in the U.S. House and Senate to publicly condemn Iran's initial attack on Israel last weekend, Trace.

GALLAGHER: Matt, thank you. Let's bring in the Foreign Desk Editor-in-Chief Lisa Daftari and Fox News contributor and former Trump Foreign Policy Advisor Kiron Skinner. Thank you both for coming on. I want to go back to Karine Jean-Pierre if I can, Kiron, for a second here because it just baffles me that 24 hours -- the time that she spoke, it was about 18 hours, but 24 hours after this, no comment. They're not commenting about this at all. Watch.

(BEGIN VIDEO CLIP)

JEAN-PIERRE: I know there's a lot -- a lot of interest in reports from the Middle East overnight, and we understand that, we get that. I'm going to say it now, though I know you all will certainly ask me about it, that we do not have any comment on the reports at this time.

(END VIDEO CLIP)

GALLAGHER: You told Iran don't, don't, don't. You told Israel don't. They both did, and now you can't come forth and say, this is the deal. This is the strategy. Here's what's happening. Don't we deserve a comment on this?

KIRON SKINNER, FOX NEWS CONTRIBUTOR: I think we do but it's more disturbing for me was what Secretary Blinken said. This is all about Hamas. It is the one that has escalated this conflict and it's the one that can stop it. It's Iran.

GALLAGHER: Right.

SKINNER: We needed to hear it from him not the White House spokesperson that would have been good. But the fact that the Secretary of State is doing shuttle diplomacy and can't unequivocally finger Iran as the source of this conflict. Remember, Trace, at the beginning of this war in October 7th the Biden White House thought -- allowed about the fact that maybe Iran's not directly involved.

GALLAGHER: Right. That's right. That's exactly what they are --

(CROSSTALK)

SKINNER: Our Intel is telling us -- our Intelligence that Iran is we can't trace it.

GALLAGHER: Yes.

SKINNER: The reality is this is about one country and its attempt to menace not just Israel and the United States and Europe but the entire free world in the West.

GALLAGHER: And it shows, Lisa, that the White House has literally lost control of this. They're telling people don't do things and they all do these things and you wonder how do they get the control back.

LISA DAFTARI, FOREIGN DESK EDITOR-IN-CHIEF: Right. And everyone's talking about what was the conversation that happened between Bibi Netanyahu and President Biden that led to the retaliation and also going into Rafah. Israel had to do the deterrence that the White House failed to do all along. Had the White House started the deterrence at the podium and had not given the concessions to Iran's regime, taking the Houthis off the list, taking the sanctions off, giving the billions of dollars, et cetera, et cetera.

We wouldn't be where we are where Iran's regime is putting billions of dollars into its terror proxies in this shadow war that it has been conducting on Israel for more than a decade.

GALLAGHER: Yes.

DAFTARI: It did not start October 7th.

GALLAGHER: Yes. And it's amazing because they say don't, don't, don't. The administration has been wrong, wrong, wrong. Amos Harel military affairs correspondent for Haaretz writes the following. "The military -- he says it appears we're closer than ever to a broad regional war despite the fact that the international community will most likely make a great effort to de-escalate tensions." Are we closer than ever, Kiron, to a bigger war?

SKINNER: We've been in a broader regional war for a long time. October 7th just underscored the point. The Biden administration by attempting to restart the Iran Nuclear Deal. Take -- lift sanctions. I think ignored the fact that this war has been going on some call it a shadow war, others call it a twilight war, but Iran's attempt to destabilize Israel by using proxies in Lebanon, Syria, Iraq, Yemen. This is not new.

GALLAGHER: Yes.

SKINNER: This has been a wider war for a long time. And if you just think about this year, the fact that the Houthis have attempted drone and missile strikes against Iran, they haven't succeeded but what they have succeeded is in the wider conflict of disrupting global trade and the Red Sea.

GALLAGHER: And that's what everybody's kind of worried about is what's going to happen the next several days with trade and shipping and so forth. My last question to you, Lisa, would be, you know, it seems to me that Israel was telling Iran listen, we can reach you. We can reach you. This was a signal like you are not out of reach.

DAFTARI: Absolutely, and the simultaneous attacks not only inside Iran but on Iraq and Syria as well says if you want to reach us by proxy, we'll meet you there. If you want to reach us from the Iran soil we will meet you there. But the one thing I want to point to is the naivete of the American psyche and looking at foreign policy particularly the Biden administration in not deterring our enemies and not calling radical Islam what it is.

For 45 years the Iranian people have been trying to tell us that we have to get rid of the regime. But we have only wind and dine this regime to allow them to play out what they have and right now people were so worried about ISIS, the Islamic State. The original Islamic State is the Islamic Republic that is inside Iran and for 45 years we've allowed this to happen.

GALLAGHER: We have led it fester and that's for sure. Lisa Daftari, Kiron Skinner, thank you both, Meantime, opening statements in the first ever criminal trial against a president set to begin on Monday. Jury selection now complete in the hush money case against Donald Trump. Nate For live outside the New York courthouse with what we can expect. Nate, good evening.

NATE FOY, FOX NEWS CORRESPONDENT: Trace, good evening to you. So, you mentioned the jury is seated and opening statements will happen on Monday of next week. But so far, former President Trump is not happy with how things are going. He posted on Truth Social saying that he feels like he's being railroaded and that tension between he and the judge as well as his lawyers appeared to be on full display at the end of court today.

There were a few notable moments. The judge told Trump's lawyers that they can no longer challenge all of his decisions in an effort to delay the trial. And then former President Trump stood up at the end of court, perhaps too early. And Judge Juan Merchan told him to sit right back down. After court tonight, Trump talked about how he feels he's being treated unfairly and how he thinks this is election interference directed by President Joe Biden.

(BEGIN VIDEO CLIP)

DONALD TRUMP (D) PRESIDENTIAL CANDIDATE: What's happening here with the judicial system is an outrage. This is a giant witch hunt to try and hurt a campaign that's beating you, the worst president in history.

(END VIDEO CLIP)

FOY: Trump is also a frustrated, Trace, with the court's gag order. He said today that others can talk about him, like his former lawyer Michael Cohen but he can't respond. Despite that, the D.A.'s office accuses Trump of violating that gag order several times on social media. Judge Merchan will decide on any possible punishment on Tuesday of next week. But Trump has also upset, Trace, with the pace of the trial. His team filed a motion to delay today, but it was denied. And Trump says that's no coincidence.

(BEGIN VIDEO CLIP)

TRUMP: The trial starts on Monday which is long before a lot of people thought the judge wants us to go as fast as possible. That's for his reasons, it's not for my reasons.

(END VIDEO CLIP)

FOY: You mentioned, Trace, the rounding out of the jury. Today, the court selected five additional alternate jurors, four women and one man. That means all 12 jurors and six alternates are now sworn in and ready for those opening statements on Monday. Now check this out, Trace, a disturbing moment this afternoon. A man lit himself on fire outside the courtroom, and we have mug shots from his prior arrest in Florida last year. Take a look at this.

As of last check tonight, Max Azzarello is in critical condition at the Cornell Burn Center. Police say he came to New York from Florida within the past week and posted conspiracy theories online.

(BEGIN VIDEO CLIP)

JOSEPH KENNY, NEW YORK POLICE CHIEF: He just walked directly into the park and began to throw the pamphlets in the air and then lit himself on fire.

TARIK SHEPPARD, NYPD PUBLIC INFORMATION DEPUTY: We do not believe he is -- this was talking in any particular person or any particular group. We just right now labeling as a sort of a conspiracy theorist and we're going from there, but the investigation will continue.

(END VIDEO CLIP)

FOY: Very, very disturbing trace. You heard there, police don't believe that he was motivated specifically by this trial involving former President Trump. But you mentioned opening statements happening on Monday. Judge Merchan promises a decision before then on what prosecutors can bring up if Trump ends up testifying which is something that he has indicated that he plans on doing. We'll send it back to you, Trace.

GALLAGHER: Nate Foy live outside the courthouse. Nate, thank you. Let's bring in criminal defense, attorney and federal litigator Vik Bajaj. Vik, great to have you. Nate was saying the former president's frustrated about the gag order. Here's what he had to say about the gag order.

(BEGIN VIDEO CLIP)

TRUMP: I have to be released in the gag order. They've taken away my constitutional rights to speak and that includes speaking to you. I have a lot to say to you and I'm not allowed to say it. It's very, very unfair that my constitutional rights have been taken away.

(END VIDEO CLIP)

GALLAGHER: It's very unusual, Vik, that he can't say anything about Michael Cohen and Stormy Daniels, yet they can go on their podcast and MSNBC and say anything they want.

VIK BAJAJ, CRIMINAL DEFENSE ATTORNEY: That's right. It is very rare to have this, especially in a criminal trial. Now, the basis of this type of objection or control is to make sure a potential jury pool is not tainted. We have a jury already selected, so that's not a concern, but also witnesses. We don't want witnesses to be swayed or threatened or dissuade from testifying. And in this case, there's no evidence of that. This is a very clear attempt, successful attempt thus far to violate Donald Trump's constitutional First Amendment right. It's as clear as day. It's black and white.

GALLAGHER: Yes.

BAJAJ: You know, I've only been doing it a little bit over 22 years, and I'll tell you, I've never had a case where this has happened especially within the microcosm of the prosecution grabbing the microphone every opportunity they can. Right?

GALLAGHER: Yes. It seems like a lot of firsts in this case. Foxnews.com writes the following. Alvin Bragg's office said, unless they are ordered to, they will not share witness names with Trump's defense. Prosecutor said they would agree to release one name to Defense Council on Sunday night. I mean, I know it's a courtesy for attorneys and they often extend it. I mean, this doesn't seem like a trial that there's going to be any courtesy between the two sides.

BAJAJ: It's courtesy on the one hand, but it's also a guarantee of our due process rights, Trace. The defense has to be prepared. The government has just a myriad information from which they can select the pieces of evidence they want to present to the fact finder. The defense, much like in federal cases where there is no right to defense discovery until the witnesses are sworn in and testified, that's what's happening in this case. And there is no way to deny the fact that this severely handicaps the defense.

GALLAGHER: Yes. Lastly, Nate Foy was talking about a man who lit himself on fire today outside of the Trump thing. And it wasn't long, of course, before the media would blame it on Trump. Watch.

(BEGIN VIDEO CLIP)

TERRY MORGAN, ABC NEWS ANCHOR: It seems then that the gravitational pull of the Trump melodrama that has gripped the nation since he came down the escalator is now, it appears, resulted in someone coming to that spot where protesters have gathered and lit himself on fire.

(END VIDEO CLIP)

GALLAGHER: The gravitational pull, Vik, and it all of a sudden it -- the melodrama that's been going on caused that mental light himself on fire. It's -- it get -- it gets tiresome.

BAJAJ: It's right. It is tiresome. But if heard enough, he have a tendency to believe it, Trace. And this is the danger with this type of misinformation being put out there. This is an individual who clearly has mental illness. Now, you look at his employment history. He was actually working for a couple of Democrat legislators. That's his history. So if he's claiming there's a deep state or some conspiratorial theory, one would query what that is founded on.

But, you know, heart goes out to his family to see that sort of thing happening and quite a distraction, but clear side of mental illness.

GALLAGHER: Vik Bajaj, great to see you as always. Thank you, sir.

BAJAJ: Thank you. Coming up, what are brand new Fox News polls -- presidential polling reveals about key battleground states. And in all of those states, nearly half of all voters say they are falling behind in their finances. Bad news for Biden? We'll see.

And later in the Nightcap, Uber has rolled out a quiet mode. It's a new feature for Uber X and Uber Black users allowing riders to specify the level of conversation they'd like their ride to have, choosing between quiet, preferred and happy to chat. What do you think of this? You like chatting with your ride share driver or do you prefer a silent ride? Let us know X and Instagram @TraceGallagher. We'll read the best responses in The Nightcap. We are coming right back. Friday night. Stay with us.

(COMMERCIAL BREAK)

GALLAGHER: Brand new Fox News Polls show how tight the presidential race is in some key battleground states. But when it comes to the economy and your personal finances, the president is getting pummeled. The senior national correspondent Kevin Corke live in D.C. with the numbers. Kevin, good evening.

KEVIN CORKE, FOX NEWS SENIOR NATIONAL CORRESPONDENT: Evening, Trace. Good to be with you as always. The bottom line here is the former president is fairing pretty well, actually, in early polling, especially when compared to some losses in key swing states from back in 2020. But what's even more striking, the former president tonight is actually expanding his lead over his successor, Joe Biden, and brand new Fox polling.

You talked about it and some of these are really interesting. The former president is actually up across the board when compared to 2020 in Georgia, in Michigan, in Pennsylvania, and he's tied in Wisconsin. And if that weren't troubling enough for the White House, consider this, Trace. Mr. Trump's trending upward even more so. Mr. Biden continues to slide, especially when compared again to say April of 2020. In Michigan, for example, Mr. Trump's lead is now plus three.

That's an improvement over February and an 11-point swing when compared to April of 2020. In Georgia, the former president's lead has slipped a couple of points since January, but still he's well ahead of schedule when compared to again the 2020 vote. In Pennsylvania, it's still a dead heat with Biden picking up a couple of points just as he did in Georgia, although still neck and neck. While in Wisconsin, again, according to the latest Fox News survey, it's a dead heat. Pretty much as it has been since 2020.

Now, there are a couple of other interesting notes I want to share with you tonight. Robert Kennedy Jr.'s impact on the election could be significant if early polling holds up. You see, he's actually landed a spot on the Michigan ballot and he's nearing double digit support in some surveys, including in Pennsylvania. And clearly, the Biden campaign has noticed because they have actually launched a six figure ad campaign in that state defending Biden's mental acuity after recent gaps about his uncle being eaten by cannibals and an awkward appearance at Wawa.

GALLAGHER: Prince Worthy, my friend. It was pretty bad.

CORKE: I saw. Yes.

GALLAGHER: We're going to show one of those. Kevin Corke live for us in D.C. Kevin, thank you. Let's bring in Fox News Contributor Steve Hilton and founder of BOND, a Christian ministry for young black men, Reverend Jesse Lee Peterson.

Thank you both for coming on. Steve, to you first. We saw the overall poll. I can put this up on the screen for you. You can see in Georgia, Michigan, Pennsylvania, and Wisconsin, the former president is leading or tied in all of those polls. But the interesting part about this is if you look, there it is.

That's the one I was talking about. 51-45 is the biggest lead in Georgia. But when you go to who do you trust to do a better job on the economy? Look at these numbers, in Georgia, Trump plus 22; Michigan, Trump plus 11; Pennsylvania, Trump plus 12; Wisconsin, Trump plus nine points here. I mean, something doesn't mesh with this Steve, what do you think?

STEVE HILTON, FOX NEWS CHANNEL HOST: Exactly, and the problem for the Biden campaign is that the economic news is getting worse not better. They thought at the beginning of the year that we turn the corner on inflation, interest rates were going to be coming down. That doesn't look like it's going to be happening. Certainly, not in time to affect this sentiment.

In fact, it's likely to make it worse. The other really important point about all of these polls, national and at the state level, is that traditionally ever since he's been in ***politics***, Donald Trump has always performed better than the actual polls, because there's all those people who may not want to admit to the pollster that they're supporting Donald Trump because of all the attacks on him from the media.

So, if that comes to pass this time around, then these small leads for Donald Trump actually could turn out in reality to be much more significant.

GALLAGHER: Yes, it's a very good point. Reverend Peterson, now to you. The battleground families financial situation. Look at these numbers. I look at the bottom line because the bottom line is really the important thing, or let's look at the right-hand line. Falling behind, 45, 44 percent in Georgia, 48 percent in Michigan, 44 percent in Pennsylvania, and 41 percent in Wisconsin. That's a lot of families falling behind. That's bad news if you're President Biden.

REV. JESSE LEE PETERSON, CONSERVATIVE RADIO HOST: Very bad news. I have to honestly tell you, I do a lot of traveling around the country. I deal with families. My ministers deal with families. And these people are not happy. They're not happy and Joe Biden and his administration are trying to convince them that there is no economic problem You have money you're doing fine, but they're like no, no, I remember when Trump was in office, gas prices were lower.

I could buy food for my family; every two weeks go shopping. Now, they can hardly go and feed their full family. All races do it, not just the Blacks, not just as White, but families are suffering. They're feeling the pitch. And you cannot convince them that it's not real. You cannot convince them that it's President Trump's fault, because they know the difference now.

GALLAGHER: Because it is real for them.

PETERSON: Yes.

GALLAGHER: Talk about policy now, Steve Hilton. The Biden administration finalized their Title IX regulations, but they left out any mention of transgender athletes. I want to play some video. This is West Virginia. This is a student, a female student pulling out of the track meet because there was a transgender student also involved in this. And here's the big key on this whole thing is they left out the transgender stuff, Steve, because it's an election year. And so, I just don't, you know, I don't have an answer for this, but think there's a reason they left it out.

HILTON: Yes, but the consequence of the policy is just the same because they're absolutely eliminating the special protections that were there for women. So, what was strongly fought for all those years to put women on equal footing. And now what you see is the Democratic Party. They are the ones who are fighting a war on women. That's what's happening with all of these measures.

GALLAGHER: Yes, it really is. Lastly, I want to play this Biden sharp as a knife, campaign ad, watch.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: I love to tell the story about meeting President Biden because when you meet him, this guy's as sharp as a knife. They have nothing else to attack because they can't attack the things that he's doing that are so good for this country.

(END VIDEO CLIP)

GALLAGHER: Let's not talk about the economy, Reverend. Let's not talk about any of this. Biden is sharp. I mean, it's. it's, it's, it's laughable. Your final thoughts.

PETERSON: It's funny, man. I think they mean a butter knife. He's not even smarter than a butter knife. Even the butter has to be really already hot and melted. He's not sharp as a butter knife. They don't know what to do with him. They can't run on anything good that he's done. If you've got to say that, if you've got to promote yourself in that way, you know something is wrong.

GALLAGHER: Sharp as a butter knife. Steve Hilton, reverend Peterson thank you both of the ladies who appreciate it thank you California is billions of dollars in debt those billions more to the federal government spent billions on homeless programs the state lost track of is now pushing to spend hundreds of billions on reparations. The "COMMON SENSE DEPARTMENT" has advice on this next.

Plus, you know what they say about the elephant in the room, right? But what about the elephant in the road? And a heroic man's selfless decision saves his neighbor's lives. The best "VIRAL VIDEOS, "next. But first, live look. Troy, Ohio, named after the ancient Greek city of Troy. We are coming right back with common sense and a few surprises.

(COMMERCIAL BREAK)

GALLAGHER: Well, the FOX NEWS @ NIGHT "COMMON SENSE DEPARTMENT" has an update on the California reparations effort for compensating the descendants of slaves. So far this year, the California legislature has introduced 14 reparations bills, including the brand-new call for a genealogy office to determine who is and is not eligible. You know, to make sure the right people get the money.

But common sense has a question, what money? California has a $73 billion deficit. The state owes the federal government an additional $21 billion that it borrowed to cover unemployment benefits during and after COVID. California is also cutting state funding, including $500 million from schools. That should help the test scores.

The state has so little money, the mayor of Los Angeles, Karen Bass, is asking rich people to buy houses for the homeless. And even if the rich pay most of the taxes and pay for the homeless, the reparations bill is estimated at 800 billion. Not even Cali has that many rich folks.

And 800 billion might not be enough because the categories keep shifting. Now, we're hearing about the quote racial wealth gap, racial terror, racial trauma. Trauma could mean trillions. Common sense looked up reparations -- it means to make amends. But it's hard to make amends when you can't even make ends meet.

Let's bring in the Fox Nation host, Abby Hornacek, and TV personality and activist Emily Austin. Thank you both for coming on. The genealogy office, Abby, it's to figure out who gets reparations in California and who doesn't. But the big dream here is where and they going to get $800 million they don't have.

ABBY HORNACEK, FOX NATION HOST: I heard you're going to give them 700 million.

GALLAGHER: Well, yes, but they're -- where are they going to get the rest?

HORNACEK: I don't know. No, it's -- I didn't even realize until this moment. That would be the first thing that you establish, right? The genealogy task force to make sure that the right people are getting the money. But I mean, you said it all right there in your intro, you have the test scores not even half of the students in California are meeting the standard of California's standard in English.

You have more than a 180,000 people who are experiencing homelessness and you also have people questioning this in general. You're billion dollars in debt, the inflation is, is getting larger, and larger, and is it going to stoke a divide between people? Where do the reparations stop? What about Asian residents and what about Native American residents? So, at this point you do have to wonder where this is all going to come from, but I'm really happy to hear that you're going to help out.

GALLAGHER: Yes, big time. Big time help. So, the headline from FIRE, Emily Austin, is Foundation for Individual Rights and Expression, quoting here, "A third of Stanford students say using violence to silence speech can be acceptable. I mean, we see all these protests and these people saying, we've got to have free speech. And now Stanford students are like, it's OK if you want to punch somebody to shut them up.

EMILY AUSTIN, TV PERSONALITY AND ACTIVIST: You know, I'm here on the East Coast and I am tired, but let me tell you what I am more tired of. Delinquency being tolerated on college campuses. You know, I remember, and I'm sure Abby remembers as well, when we were applying to college and we were always taught that it's for the best of the best and the students who show the most, utmost excellency in the country and now it's being run by morons and is being tolerated by the administration.

And I just can't help but to think why is this all happening? Now, whoever made that poll at Stanford, I'd really like to know if that was anonymous or public because if there are students that are, are not ashamed to admit that they would refer to violence because there is speech that doesn't promote their agenda, they should not be students, let alone students at Stanford. That is embarrassing and that is the most humiliating thing as a university that can possibly be released and it's a stain on their reputation.

GALLAGHER: You want to hear about humiliating in California. This is true. I thought it was the onion, Abby. I'm not kidding you. In California, buying a child for sex is a misdemeanor, punishable by as little as two days in jail. CBS News says the following here, "Democrats on the Public Safety Committee amended the bill to exempt 16 and 17-year-olds from the penalties and reduce the punishment from two years in prison to up to a year in a county jail." So, what they're saying is they want to amend this if they're going to make it against the law a felony to get a child for sex, to pay for a child for sex. 16-year-olds are out. We can, you know, they're 16.

HORNACEK: They said it was too broad, Trace.

GALLAGHER: Too broad.

HORNACEK: What is too broad about child sex trafficking? I am, I thought this was the onion too. I had to read it over and over, and over again. And then you look into people. I mean, I brought, I have friends who live here permanently in California and like, oh, that has to be a joke. I'm like, no, this the, you know, the Republican versus Democrat, and this situation is one says it's too broad and the other says no, let's at least make it a felony. Is it not already a felony? That just blows my mind. And it makes sense that when you look further into people's happiness here in California, not even half of the people are satisfied with living here and that's part of the reason why.

GALLAGHER: Axios writes the number of homicides plummet in major U.S. cities except Los Angeles and Atlanta saw noticeable jumps in homicide. You think it's because they stopped putting people in jail? Emily, I've got about 15 seconds for you to wrap us up.

AUSTIN: I think it's because people need to start believing others when they show you their intention to harm others. Meaning, I've been reading a lot of articles about criminals who committed violent acts and you will always, not always, but most of the time see that there -- these criminals have already previously done these crimes so they are repeat offenders so why are you giving them a second and a third and fourth chance to prove to you what they've already proved? That they are criminals? Stop releasing dangerous people out on the streets and crime will go down. It's quite simple.

GALLAGHER: it's quite simple. Thank you for articulating that. Emily, Abby, thank you both.

In the meantime, first up in tonight's "VIRAL VIDEOS", talk about the elephant in the room. Butte, Montana residents were shocked when a lost elephant from a traveling circus decided to take a stroll around town. Viola, the elephant, caused a few traffic jams and dined on some neighborhood lawns before being loaded back onto the trailer. After her adventure, Viola still starred in two performances that day. That's the elephant.

And Oscar Rivera made a heroic split-second decision when he heard a loud boom from his backyard. His neighbor's home caught fire. You can see he climbed onto the roof and struggled to pull an elderly man from the smoky window. In total, Oscar saved the lives of two people. That is a hero, and they're clapping for a reason.

If you have a viral video to share, share it with us @TraceGallagher or @FoxNewsNight on social media.

Coming up, you're riding home in an Uber. Would you like some peace and quiet or do you want to pass the time talking with your driver? Let us know. The "NIGHTCAP" next.

(COMMERCIAL BREAK)

GALLAGHER: We are back with the "NIGHTCAP" crew. Kevin Corke, Chanley Painter, Matt Finn, Abby Hornacek, Vic Bajaj, and Steve Hilton. Tonight's topic, rules of engagement. Uber has rolled out, you know, slow rollout, a quiet mode feature for UberX and Uber Black users, allowing riders to specify the level of conversation they'd like during their ride, choosing between quiet, preferred, and happy to chat. What do you think? You want chatter? You want silence? Kevin Corke, your Uber ride, is it chatty or quiet?

CORKE: Chill and quiet, although I have to admit, on rare occasion I'll have a conversation and the drivers have been terrific, but generally I like it quiet.

GALLAGHER: Really? OK, Chanley Painter, quiet, chatty?

PAINTER: I think it's good to have options. You never know what someone's going through, and usually in an Uber I'm working, and so you can hit quiet, or if I'm in the mood to talk, I can have a conversation.

GALLAGHER: Yes, I guess you do have that option. Steve Hilton, your Uber ride, is it quiet today?

HILTON: Well, Trace, first of all, it's a very excluding topic for me. I don't have a smartphone, so I can't even use Uber in the first place. But every now and again someone orders one for me and I think it all depends on how long the trip is. Short trip, good for a chat. If it's a long ride, don't start because it'll never stop.

GALLAGHER: I think that's tomorrow night's "NIGHTCAP" or Monday's, Steve Hilton doesn't have a cell phone. How do we get a hold of him? How are we getting on the show? Matt Finn.

FINN: For years I have engaged the quiet mode on Uber.

GALLAGHER: What?

FINN: If you pay just a little bit more for comfort, you can choose if you want to be talked to, and also the temperature preference.

GALLAGHER: Yes. You know, two things on that. Matt, one, he likes quiet, and two, he just busted us. And this is not a new program that Uber has just rolled out. So, there you go on that. Abby Hornacek, quiet mode.

HORNACEK: I think it depends. I feel bad saying quiet, but I am not outwardly social, I think, sometimes. But you do learn sometimes. You get a lucky one. I just met a gentleman recently, started chatting, and he was the first recipient of the Wounded Warrior Project. I was like, you'd make a really good story for my job. And then I got his contact, so now I have a contact that I am going to explore further for the show.

GALLAGHER: Vic Bajaj.

BAJAJ: Well, the reason why I take an Uber is because I don't have the time to park myself, and I'm usually in a rush, running between groups or engagements, so quiet and cold, Matt.

GALLAGHER: Yes, no, not me. Listen, me and my wife get in an Uber and we are chat, chat, chat, chat, chat, chat, all the way, chat, chat, chat. Here we go. You like chatting with your ride share driver or silence? Chatty, 36 percent, silent 64 percent. Man, y'all are -- Instagram, chatty, 40 percent; silent, 60 percent.

Kev, "I'm Irish. You'd have to sew my mouth shut to keep me quiet. I end up knowing the driver's life."

Jimmy, "If I wanted a weird conversation with one I had no desire of chatting with, I'd invite Kamala over."

Frank, "Silent. Let me be with my thoughts before I have to go back into the wild."

Adam, "A silent ride is like the starting of a murder film."

Carla, "I'm just there for the ride up before the driver keep their hands on the wheel, eyes on the road. I don't really want to chat with the bus driver or airline pilot either."

Have a great weekend. Thank you for watching America's late news. Thank you all. We'll see you back here.

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