

# [***Democrats Wage Lawfare Against Trump***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6C4T-P5C1-JCS1-6473-00000-00&context=1516831)

Fox News FOX HANNITY 9:00 PM EST

May 29, 2024 Wednesday

Copyright 2024 Fox News Network LLC All Rights Reserved

**Section:** NEWS; Domestic

**Length:** 6903 words

**Byline:** Sean Hannity, Jonathan Turley, Jeanine Pirro, Newt Gingrich, Tammy Bruce

**Guests:** Eric Trump, Ted Cruz, Alina Habba, Mike Huckabee

**Body**

SEAN HANNITY, FOX NEWS HOST: And welcome to "Hannity".

And tonight, we begin with the obvious. Joe Biden, well, he's a train wreck both mentally and physically. His presidency -- well, that's an unmitigated disaster both at home and abroad. And his campaign -- well, it's a joke with a few, well, cringe-worthy events, actually one a day at least, small crowds, no enthusiasm whatsoever.

Attending a Biden rally is more of a punishment for Democrats filled with anxiety. You know, is Joe going to be able to string two coherent sentences together and then successfully walk off stage which is why nobody shows up? Kind of like today, in Philly.

Oh, and Jill Biden said on the view either Joe is elected or evil will win. We got the tape.

Democrats they are in a state of panic, they are desperate. So in lieu of any traditional campaign or running on the novel idea of the answering the question, are you better off than you were four years ago -- well, the Democratic Party, they are now relying on another political tactic. You can call it the weaponization of our Justice Department or simply just call it lawfare.

In New York City, Alvin Bragg and Judge Juan Merchan's bogus case against Trump has all the elements of a left-wing lawfare campaign, including a politically driven D.A., prosecutors who are active in the Democratic Party, a jury pool from one of the most anti-Trump Republican conservative districts in the entire country and, of course, a partisan hack judge who heavily and obviously and clearly favors the prosecution. What we have seen from New York Judge Juan Merchan is a disgrace to our Constitution and our system of justice.

He hasn't just tipped the scales against Trump. Time and time again he has acted as the prosecution's friend and ally and as I've been saying, basically, here's the scale of justice he's throwing cinder blocks on the scales of justice. There's no doubt that Juan Merchan wants Trump convicted and he's doing everything damn well possible to make that happen.

And tonight, more damning evidence of Merchan's judicial misconduct, to put it politely. His jury instructions were -- well, not only unconstitutional but rather insane. Here's former U.S. Attorney Andy McCarthy explaining Merchan's latest gift to the prosecution. Take a look.

(BEGIN VIDEO CLIP)

ANDY MCCARTHY, FORMER U.S. ATTORNEY: What's supposed to happen in a in a criminal trial is a prosecutor has to prove every element of an offense beyond a reasonable doubt what this judge is telling this jury in this kind of make it up as you go along New York state prosecution of federal law is that when they get to the end of the rainbow and we get to the elements of the offense, the jury doesn't have to be in agreement on what it is exactly that Trump did or what he was trying to commit or conceal when he allegedly falsified his business record. So they're going to give the jury a menu of choices and tell the jury that some of them may believe that this was a criminal objective, some of them may believe something else was but that they don't have to be unanimous on that. I actually think that's pretty outrageous.

(END VIDEO CLIP)

HANNITY: A novel criminal charge and a novel approach to jury instructions.

So according to Judge Juan Merchan, the jury -- they don't need to reach unanimous decision on that phantom election allegation the prosecution was never even able to really describe, an unspecified federal election crime that was never charged or tried anywhere ever in America.

Apparently, Judge Merchan believes he's above the law, and was perfectly willing to trample on our Constitution at will. Now, we know from the 2020 Supreme Court ruling, Judge Merchan, you may want to pay close attention. Somebody will tell you about this show, it's called Ramos versus Louisiana. I'm sure you've heard of it, you're ignoring it but you've heard of it.

Let me quote it for you: There can be no question either that the Sixth Amendment's unanimity requirement applies to state and federal criminal trials equally.

And the law doesn't stop there. Here is the U.S. Supreme Court ruling from Andres v. United States. It says, quote, unanimity in jury verdicts is required where the Sixth and Seventh Amendments apply. That would be our Constitution, Judge.

In criminal cases, this requirement of unanimity extends to all issues, character or degree of the crime, guilt and punishment which are left to the jury. Again, quote, in criminal cases, this requirement of unanimity extends to all issues. I'll repeat, all issues. There's no carve out for Biden donating judges like Judge Merchan who hate Donald Trump.

Here's another violation of Trump's civil liberties carried out by Judge Juan Merchan and the prosecution. According to Cornell law -- well, the Sixth Amendment of our Constitution, it grants all Americans, quote, the right to know who your accusers are, the nature of the charges and evidence against you. So what is the election crime that Trump is being accused of, and who's making the allegation?

The prosecution, they never answered the questions and now the judge is allowing the jury to choose -- well, pretty much their own adventure, pick whatever crime works for you as long as there's 12 of you, it doesn't matter the reason. You don't have to agree on that, just agree that you hate the guy and want him to be guilty. It doesn't even need to be unanimous.

This is totally unconstitutional, beyond unethical. Judge Merchan is clearly trying to help the prosecution, get this, across the finish line, despite no evidence of any crime. Now this after constantly favoring the Constitution, sustain -- the prosecution, sustaining objections, allowing irrelevant, immaterial, dishonest testimony, including misleading speculation that Cohen's prior campaign finance violations are somehow tied to this trial.

Oh, and you really can't blame him for stealing. You know, he felt like he was treated badly, and not really a big deal. And Trump's guilty (ph) by the way.

And when it came to the defense, Judge Merchan lashed out at Trump's attorneys, berated Trump witness Bob Costello, blocked testimony from an expert witness on election law, Bradley Smith, former FEC chair, overruled most objections. He placed the restrictive gag order but only on Donald Trump and then he threatened to throw him in jail if he dared to violate it.

This judge is out of control and now the cards are stacked against Donald Trump. Take a look.

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER U.S. PRESIDENT & 2024 PRESIDENTIAL CANDIDATE: Mother Teresa could not beat these charges. These charges are rigged. The whole thing is rigged. You have a trial like this where the judge is so conflicted, he can't breathe. He's got to do his job, and it's not for me that I can tell you. It's a disgrace and I mean that Mother Teresa could not beat those charges, but we'll see. We'll see how we do. It's a very disgraceful situation.

(END VIDEO CLIP)

HANNITY: Now based on the four questions the request for from jury deliberations today, it appears the jury you know is closely studying the testimony and smear campaign presented by the prosecution. Some believe that is, you know, a conviction that that might be forthcoming. Make no mistake, a conviction, it won't be a surprise. As a matter of fact, no outcome here will surprise me.

This is a jury selected from New York City and their voter rolls, where Biden won just shy of 90 percent of the vote. This is a jury tainted by a Judge Juan Merchan who has been anything but fair.

Democrats have weaponized your system of justice. They have shred your Constitution in the process. And just imagine for a second if a deep blue - - deep red state like let's say Wyoming, Idaho, I don't know, Alabama, cooked up a felony charge against Barack Obama, they used the novel legal theory then tried the case before a judge who donated to Donald Trump and on top of that dumb cinder blocks on the scales of justice and pretty much let the prosecution say anything they want even accuse the defendant of a crime he's not accused of or constantly say he broke the law when in fact that should not have been admissible. You think that would sit well with the Democratic Party and the mob and the media? I don't think so.

But tonight, some good news, if Trump is convicted this case will go to appeal and Trump will, in the end, win. And if he is elected, he will have an important opportunity to restore America's system of justice.

And you know what? I don't care who the president is. If it's a Republican president, I would never want this type of lawfare, this weaponization of our justice system to be used against anybody I disagree with politically.

Anyway, here with reaction from the Trump Organization, Eric Trump. He's been in the courtroom for a better part of uh this trial.

You know, I'll let you take it from there, but you know, everything this judge does in this particular case, Eric, to me -- you know, at this point, I expect it. It's not even a shock anymore.

ERIC TRUMP, TRUMP ORGANIZATION VICE PRESIDENT: You know, Sean, sometimes I'm angry, sometimes I'm numb to it. I mean, I watch my father go in there every single day and fight for his life, literally fight for his life, against bogus charges. I've said it on the show, I've said it on others, no one believes that $130,000 from eight years ago for a perfectly legal NDA booked -- a legal expense to a personal longtime lawyer booked as a legal expense is a crime where a former president and the frontrunner for Republican Party is charged with 34 felony counts. No one believes it.

The entire city of New York is shut down. You have half of the NYPD guarding the Lower Half of Manhattan around this trial. They're shutting down the FDR Drive every single day, no one believes it.

And then you have this judge, and I've watched the conduct. And, Sean, you have to watch it from the front row, from front and center, as so many of the FOX reporters have. When you're in there and he is literally sustaining every single one of their objections, he will not give us a single thing, he's disqualifying our witnesses, he's not letting the head of the FEC testify that there is no crime here. He's not letting Costello speak, not letting him get a single word out.

He's saying that my father testifies, they can go back to every single thing he's ever said or ever done, even if it's not related to this case. The thing is stacked, Sean. You've never seen anything like it.

It wasn't until this morning did they actually outline six months later what the actual crime reportedly was. There is no crime here, but they didn't even give us the decency of telling my father what it was until they dragged him through the mud every single day, wasted his time, put him in the ice box for weeks and weeks and weeks and weeks. And that's what this is.

This is corruption. This is a judge that donated to stop Republicans. This is a judge that reportedly you've reported, everybody reported, has a daughter who has raised millions and millions of dollars based on fundraising for Democratic causes. This is a judge just somehow gets every single anti-Trump case.

Is that really interesting? You got -- you know, the first Trump case and he gets this case then he gets --

(CROSSTALK)

HANNITY: There was no jury poll in this case. He was selected. He was selected, Eric.

E. TRUMP: Well, of course. Sean, that's no different than Fulton County, right? I mean, in Georgia, why do they go to Fulton County? Because it's as about as far left as you can get. Why did they go to downtown New York? Because it's about as far left.

Why did they pick this judge? This isn't random. It would defy every law of every statistical model in history to get this judge on every single Trump case, especially a judge that wasn't even voted in. This was an appointed judge. He's not even on the list of 24 judges but yet he just somehow miraculously ends up with every Trump case, and his daughter is reportedly making millions and millions of dollars, and reportedly has a screenshot on her you know social profiles of my father behind bars, and he won't recuse himself after voting to stop Republicans.

And you have the entire D.A.'s office, Sean, front row and they're laughing about this. They're laughing about $130,000, where every single day you have another person getting stabbed in the chest on the streets of New York and the city is going to hell and it stinks, and there's homelessness all over the place, and this is their focus.

The reason it's their f focus is Donald Trump is winning, Sean. He's winning. He's winning in the polls. Biden is incompetent. People realize -- the Democrats finally realize that the guy will not make it to the finish line, they're panicking.

And so, what they do? They weaponize the legal system against Donald Trump as they've done every day since he's come down that escalator and honestly, it's frustrating as a son to watch him go through this hell and this torture and the guy is incredible and honestly, kudos to him. No one else could deal with this crap, no one.

HANNITY: Every, I -- I don't know many people that could for sure, and it's certainly true that you and your family have been through a lot, and your father, you know, seems to have a capacity to deal with it unlike anybody else that I would know.

We'll watch. We'll see what happens tomorrow and, you know, you got to hope that maybe there are people on this jury that see through this. That is -- that would be my best hope. I'm not expecting an acquittal. Hopefully a hung jury, but, you know, when you put those many cinder block on scales of justice, you know, at some point, you risk tipping the balance completely, which I think is what the aim has been from day one.

Eric Trump, thank you, sir.

All right. Here with reaction, FOX News contributor, George Washington University law professor, our friend Jonathan Turley is back.

Let's get your take on the request for instructions by the jury on these four separate items. Pecker's testimony about the phone conversation with Trump, his testimony about the decision regarding the assignment of the Karen McDougal's life rights, his testimony about Trump's -- in the Trump Tower meeting, and Michael Cohen's testimony about the Trump Tower meeting.

I know we shouldn't read into these things, but I read into it a thousand different ways. I did everything that I'm -- I know that I shouldn't do, but I want to get your thoughts.

JONATHAN TURLEY, FOX NEWS CONTRIBUTOR: Well, Sean, as you've noted, you know, we're all speculating here. But, heck, there's nothing else to do. I'm surprised that some other networks have said, look, this is really great news, that they sent this out. I got to tell you, as a criminal defense attorney, I would not view this as clearly good news for the prosecution.

The only reason why a jury would send out a request to hear the instructions again is if there's a disagreement about what the instructions are. That indicates that there may be a conflict with jurors in that room about what their standard is, how they're supposed to look at the evidence. There's various reasons why these particular parts of the testimony would be demanded by the jury, among them is a rather intriguing one.

The judge told the jury that if Cohen lied any material fact, the jury could disregard all of his testimony. Now, he noted that that means that you have to look for corroboration of Cohen because he is a -- someone who obviously is not just a serial perjurer, but he's an accomplice. So they happen to have requested the Trump meeting which the government cited as corroboration for Cohen.

So it may have been that they started logically and say, first of all, can we consider anything that Michael Cohen has said and that would lead them to corroboration which would lead them to the Trump Tower meetings. It would also lead them to the instruction. Now, that's what what's going on? Not necessarily. That's one possibility.

The other possibilities include that they're looking at this evidence and they're trying to figure out what they can establish as fact, not just to insinuate or assume the facts. So I don't consider this such a clearly positive thing for the prosecution. As a defense attorney I would welcome this type of request they were only in there for a few hours and asked to hear the instructions again and asked to hear court testimony.

The problem that Trump is having remains those instructions. They are very one-sided and they have converted this into something of a can hunt. You know, that what Judge M Merchan has said is that you could divide 4, 4, 4, you could have three groups of jurors who view the facts materially differently they could disagree as to what crime was behind this effort to falsify business records, and Merchan will still treat that as the unanimous verdict.

That is pretty chilling for people that believe strongly in the criminal justice system and the very high standard of proof that's required.

HANNITY: Well, let me ask you about that. The judge saying the underlining -- underlying election charge doesn't have to be unanimous, to me would be a reversible error. And what's interesting, I did quote two Supreme Court cases, Andres versus the U.S., Ramos versus Louisiana, which by the way a fairly recent case, that was a 2020 case and the Supreme Court held that unanimity in a jury verdict required -- is required under the Sixth and Seventh Amendments, and the requirements extends to any and all issues. To find someone guilty, jurors must always agree without dissent on every necessary element of the purported crime.

Now, that is in -- I -- that could not be any more clear. Why would he set himself up for such a reversible error?

TURLEY: Yeah. He's claiming that, look, they're still unanimous that there was some crime behind all this I don't think that's adequate. We haven't seen the jury verdict form or what they will fill out.

It's not clear. I've been in that courtroom. It's not clear once they vote whether we'll actually know what was the crime that they found to elevate this dead misdemeanor back into life and convert it into a felony. It's -- he's -- we haven't seen those documents in this system.

So do I think this is potential reversible error? Sure. It's rather a long list now of what I think are reversible errors by this judge. I expected him to do more of an effort to cure it. But the judge also has to look at this transcript when they read it tomorrow.

You know, at the very end of the hearing, the judge was questioning the defense who wanted to include in the transcript something I thought was obviously material. The jury wants to hear what Pecker and Cohen said about the Trump Tower meeting. One of the things the defense wants to point out is what was said that was not included in the meeting.

Merchan indicated he didn't think that is something they needed to hear and my jaw dropped that seems clearly material. So we'll see if he comes to a different conclusion in the morning.

HANNITY: Jonathan Turley, thank you as always.

Joining us now with more is Texas Senator Ted Cruz.

Well, Alan Dershowitz says you're one of his favorite law students of all time and one of his best and brightest. Your take on all the things we've been discussing?

SEN. TED CRUZ (R-TX): Well, listen, Sean, I've got good news and bad news. The good news is the exchange you were just having with Jonathan Turley is exactly right. We now know to a virtual certainty that no conviction will be upheld on appeal. That the judge today committed I think clear reversible error. These jury instructions were nonsense.

Now, here's the bad news. The bad news is this has been a kangaroo court from the beginning. This is a wildly partisan prosecutor who hates Donald Trump, who came with a political objective of going after Donald Trump and we now know from these jury instructions that this judge is every bit the partisan that the prosecutor is.

And he knows this is reversible error. As you noted, Ramos versus Louisiana clearly held in 2020 that every element of the crime must be proven beyond a reasonable doubt, must be unanimous by the jury and yet this judge says it doesn't matter, not in New York. The Constitution does not apply in New York, which means if we get a conviction, it will be reversed on appeal, but the judge doesn't care.

The prosecutor doesn't care. Nobody cares because this is not about law. This is not about criminal justice. This is about ***politics***.

This is all about the press conference, the national address that Joe Biden has scheduled to give from the White House where he gloats, we've now convicted Donald Trump. This is all about November. We are watching election interference. This is the most blatant case of election interference that we've ever seen in our country's history.

HANNITY: But everything seems to backfire and if you look, for example, and I've heard different takes on the issue of the questions that the jury will -- are asking and there'll be a read back tomorrow. But I've got to wonder -- could those questions be rooted in disagreement in that, you know, jury room.

CRUZ: Look, Sean, I'm holding out hope. I got to say, I believe in our justice system. I believe in our Constitution. I believe in the rule of law.

(CROSSTALK)

HANNITY: I don't believe -- I don't believe in this system. Senator, I don't -- I said in the beginning, he can't get a fair trial in New York. Mar-a-Lago is not $18 million either, and I stand by it and he didn't get a fair trial in New York regardless of what the outcome is, that's a fact.

CRUZ: This judge is partisan and wildly unfair. The previous judge was partisan and wildly unfair. My hope is the best outcome is that the jury acquits, that there's some common sense that comes through now.

As you noted this jury pool is wildly Democratic, so they're gambling that they have partisans on that jury who don't care about the facts and law and, by the way, the judge gave him such a biased view of the law that can have different theories of the crime and convict. That will be reversed, but even so -- even if they don't acquit, one juror can stand up and say, I will not be part of this travesty of justice.

I hope and pray that happens. That would be good for the country if they ended this ridiculous charade and they let the voters decide in November.

HANNITY: I agree. Well said, Senator. I appreciate you being with us, as always.

When we come back, MSDNC and their love of the Trump trial, Judge Merchan officially went a little bit over the line today. We got to tape. More legal analysis, Alina Habba and Judge Jeanine Pirro as we continue.

(COMMERCIAL BREAK)

HANNITY: All right. Today, the media mob, their coverage of the Trump trial on MSDNC -- well, let's say got very weird, very fast, As former Mueller pit bull, remember, Andrew Weissmann, anyway, he took a moment to declare his deep abiding love for Judge Merchan. Take a look.

(BEGIN VIDEO CLIP)

ANDREW WEISSMANN, MSNBC ANALYST: As you noted, with respect to Judge Merchan, I mean, I am -- I am like now, you know, I have like a man crush on him. He is such a great judge, that it's hard to see that the jurors wouldn't have the same impression. I mean, he's just -- you just keep on thinking, if you looked in a dictionary for like judicial temperament, that's what you get.

(END VIDEO CLIP)

HANNITY: He's one of those guys that peddle the Russia conspiracy hoax, lie for three years on a network that peddle conspiracy theories for three years. Isn't that sweet?

Here now, Trump legal spokeswoman Alina Habba is back with us.

All right. Let's get your take on all of this today, Alina.

ALINA HABBA, FORMER PRESIDENT TRUMP'S LEGAL SPOKESWOMAN: Well, Sean, you know I know intimately the Mueller and Russia hoax, and this is the epitome of it. He's like an advertisement for Hillary Clinton and the B.S. that they peddle and they got away with, and God knows if it was Trump, no chance.

That -- by the way, that's a perfect example, Sean, of an FEC investigation that actually results in a fine unlike President Trump, unlike the hoax that we're dealing with right now in New York. He should be ashamed of himself --

HANNITY: Well, by the way, Alina, let me remind people.

HABBA: I mean, that was just the most ridiculous.

HANNITY: That -- that's when she took money and funneled it through a law firm that hired an op research firm that hired a guy by the name of Christopher Steele, that put together a dirty Russian disinformation, lying dossier that was used to get not one but four FISA warrant approved, lying to a FISA court. Nobody seems to pay a price in those cases.

HABBA: Most importantly, Sean, what did she do with that money. She funneled it through her law firm, and the law firm was a guise, sounds a very familiar.

Don't forget what they're doing here, don't forget what trial we're dealing with here. If they're saying that he's doing it, it's because they've done it themselves. President Trump has done nothing wrong. Who has done something wrong was exactly the example of what we just saw.

This man has a crush on this judge. Why? Because he peddles the false narrative that the Democrats right now need, because President Biden cannot win on policies, he cannot win on immigration, he cannot win on anything.

So they have somebody come up who's from back in the day and fail to acknowledge the fact that Hillary Clinton actually got an FEC violation for funneling money through a law firm for booking it as a legal expense. That is the person that should be sitting on trial right now, not President Trump.

HANNITY: Let me ask you. What was your take and your read on the questions that are being asked by the jury and jury instructions that as we pointed out actually go against not one but two separate Supreme Court decisions.

HABBA: Yeah, I think that we have to be honest about what's going on here. For me to sit here and give America false hopes would be disingenuous. I think that realistically, this judge is going to manage these questions the way he wants.

Number one, their questions are about Pecker and Cohen's testimony. Personally, I wouldn't even be looking at Cohen's testimony, Sean. I can't imagine a world in which I would care what that man said.

Number two, we've got Pecker's testimony about stories but all of them are missing one thing, President Trump who was in the White House running what he needed to run. So I'm confused by it. I honestly know better at this point than to assume that a New York jury is doing anything other than looking at it and assuming, you know, I always assume the worst in New York, I'll be honest with you.

But hopefully, this jury is taking this case seriously. To me, it should have been acquittal. I know for you the same, but we're in New York, and that was by design. So let's see what happens. We're giving them the evidence they needed, they will reread the jury instructions tomorrow, I'll be there and we'll report back on what happens.

HANNITY: All right. Alina, thank you for the update. We appreciate it.

Here with more reaction is the co-host of hit show "The Five", our own Judge Jeanine Pirro.

By the way, she was watching jury instruction being given out today.

Judge, your take on all of this. There's a lot of ground to cover.

JEANINE PIRRO, FOX NEWS CHANNEL HOST: There is a lot of ground to cover and I want to start by saying that this case is riddled with error. It will be reversed on appeal.

Having said that, it doesn't matter. I heard one of your guests say earlier that they're hoping that one juror will stand up and say I'm not going to take this, but let me make something perfectly clear to you -- jurors are very connected to the judge. I was a county judge. You know that, I handled cases in New York just like this.

This is a scenario where the jurors are listening to the judge, he sets the schedule, he gets them lunch he asks them when they want to come back. There's a whole connection there that nobody's talking about but it's real.

So let's you and I get real. Michael Cohen and David Pecker were both allowed to discuss the fact that Cohen pled guilty to a federal election campaign violation and that David Pecker was involved in a non-prosecution agreement with the Federal Election Commission. Why was that testimony allowed, Sean? It was allowed because they say, the judge said it affects their credibility.

First of all, you don't need anything else with Michael Cohen. He's a serial perjurer, pursuant to a federal judge's commentary and he stole $60,000 from the defendant in this case. All of a sudden, they needed to bring that in. Why did they need to bring in the election crime vi -- federal election violations, because they now are telling us that part of this case depends upon whether or not there was a violation of federal election.

Now, follow me on this. The judge then goes and says Michael Cohen is an accomplice of Donald Trump and Michael Cohen is an accomplice of Donald Trump because he participated in a crime based upon the conduct involved here in the allegations against Trump. The judge is basically telling this jury that Michael Cohen who pled guilty to federal election crimes is an accomplice of Donald Trump, ergo, guys, I'm telling you Donald Trump is guilty.

Now, let's make another thing clear. The New York state judge, as I was, has absolutely no jurisdiction to ask a jury to discuss a federal election law crime. New York state judge like myself had no jurisdiction to ask a jury to make a decision based on a federal tax act, which this judge did. And all of a sudden, this defendant now is finding out what the other crime is, he was denied his Fifth Amendment right to know the charges against him in the indictment the bill of particulars, discovery and in the opening statement and throughout the crime -- throughout the trial.

And when the defendant tries to defend himself and say please let me bring in if you're going to impugn me and say that I'm basically involved in a federal election campaign violation, the judge says you cannot bring in that evidence. That is reversible error right there.

It is also reversible error that this -- that the defense Donald Trump was not allowed to get an adverse witness charge because the prosecution had control over Weisselberg, Allen Weisselberg, the CFO of the Trump Organization. They have control of him, he had material information based upon the invoice the vouchers and the checks, and no one allowed or no one testified that Donald Trump had anything to do with any of that stuff.

This is -- this is a sad day, not just for this country but for judges across the nation who are seeing this and are embarrassed by this judge.

HANNITY: Well, they should be, and the country should understand the damage that has been done here and is being done every day.

PIRRO: Terrible.

HANNITY: With that said, I hope for hung jury at least. That would be nice. That would be -- well, not quite justice, but certainly wouldn't give them the win that they want.

Not that I think it matters, Judge. I don't think it's going to impact the election the way they think. Everything they do backfires.

Judge Pirro, we love having you.

PIRRO: I hope so, I hope so.

HANNITY: Thank you.

All right. Rough day for Joe Biden, Kamala Harris on the campaign trail. We've got the low lights. Newt Gingrich with reaction, straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. President Biden and Vice President Harris officially launching their campaigns African-American voter outreach operation in Philadelphia. It's been going on for weeks now because, what, they're losing huge numbers of African-Americans, Hispanic Americans and young people.

Now, take a look at the small crowd and event -- it did feature a major celebrity appearance. That's Sesame Street's Elmo, and Joe is in such a good mood to see Elmo that he even took time to thoughtfully answer a couple of questions. Take a look.

(BEGIN VIDEO CLIP)

REPORTER: President Biden, will you be serving your full four-year term or handing over power to Vice President Harris?

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Are you okay? You alright?

REPORTER: All four years or handing over?

BIDEN: You're not hurt, are you?

REPORTER: I can't hear you. Could you approach?

BIDEN: I said, are you okay? Did you fall on your head or something?

Give me a break.

(END VIDEO CLIP)

HANNITY: I thought he was a nice old man.

Anyway, meanwhile, a new poll out today shows Trump and Biden tied in the state of Virginia where Biden won that state by 10 points in 2020. Here with reaction, former speaker of the House, FOX News contributor Newt Gingrich my first question to you is, okay, Virginia's tied, Minnesota's tied. He's bleeding African-Americans, Hispanic Americans and young people.

That's his answer. He looks more frail every day. And do you think this trial in New York has any impact on what happens in 159 days from now?

NEWT GINGRICH, FOX NEWS CONTRIBUTOR: I think it has a big impact because I think it's making all of us Donald Trump. I think virtually every American looks at this use of government power and realizes that, you know, Donald Trump could get out of the way by just withdrawing. But that in fact he cares enough about the country that he's taken this extraordinary beating had the whole game rigged against him risk going to jail because he actually cares.

And then they watch this doofus who is totally dishonest, clearly cognitively having problems, and I think in a pathetic way, clinging to the presidency in a way which I find pretty frightening for the country because he is commander-in-chief and it's clear that this guy couldn't possibly command.

But beyond that, if you have Kamala Harris as your vice president, and you've done everything you can to bring the Black community with you and now you find yourself having to campaign in the Black community, this is the second week they've done this, because the truth is when Donald Trump went to the south Bronx the other day, he was attracting the kind of coalition that is going to overwhelm Biden and I think potentially overwhelm the Democrats.

And all you got to do is go back and look at video of Ronald Reagan in 1980 and then look at Trump in south Bronx and you realize, we are in a different world and we have a national leader and these pathetic pygmies are doing all they can to try to put him in jail because they can't deal with him in an honest election.

HANNITY: Did you see how minuscule this crowd was in Philly today? It's like nobody wants to show up.

GINGRICH: Well, look, you think the average American is stupid. I mean, you look at this doddering guy who clearly is only half the time in charge of what he's doing. You look at his vice president who maybe cognitively fine, but she's just goofy and you say to yourself, what is it I'm supposed to get excited by. And then you look at Biden inflation which is every American experiences every day, every time you go to the grocery store, every American.

So I don't care how many ads the Biden team runs. They have -- they have trying to convince the rest of us that the things aren't as bad as we know they are because we're feeling in our pocketbooks. When you have to -- if you're a Democrat and you have to go to your base this hard, you are really on the edge of collapse. If you were a comparable deal, would be if a Republican had to try to shore up West Virginia.

And I think what you're going to see in the next few months is a -- and it really worries me, frankly, that you're going to see a desperation when they come to realize nothing they're doing is going to work, and they're confronted with the likelihood that Trump's not just going to win, he's going to win big, he's going to take in the Senate and the House. And I think all of us ought to keep Donald Trump in our prayers because I think these people are desperate and I think they're dangerous.

HANNITY: I don't disagree. Speaker of the House Newt Gingrich, we appreciate you being with us.

When we come back, well, Jill Biden was on that hard-hitting news show "The View" today, made pretty outrageous remarks about Donald Trump and not going to believe what she said. But we'll show you. We've got the tape, that's straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. Jill Biden joined the hard-hitting news show "The View" today for a full hour of Trump-bashing and when asked how the campaign plans to turn around Biden's bad poll numbers, the first lady used the Democrat's favorite fear-mongering strategy, you might not know it, Republicans are evil.

(BEGIN VIDEO CLIP)

JILL BIDEN, U.S. FIRST LADY: We are going to meet people where they are. We're going to go to college campuses. We're going to go to just every state that we can get into. I've been traveling every single day. Joe has been traveling as much as he's -- as possible and we're not going to take anything for granted.

And those polls are going to turn, I'm confident of it because as time goes on and as people start to focus a little bit more about what's at stake and start to become educated on the issues and the differences between the two men, I believe that Americans are going to choose good over evil.

(END VIDEO CLIP)

HANNITY: Good over evil.

Here with reaction, former Arkansas Governor Mike Huckabee, along with FOX News contributor Tammy Bruce.

You know, I've always -- the left has always believe conservatives and Republicans are evil, racist, sexist, homophobic, xenophobic, Islamophobic, transphobic, you know, they want dirty air and water and to kill grandma and grandpa, I say it all the time. However, very few people have just come out right out and said it. If anybody wins besides Joe, you're voting for evil.

Reaction, Tammy?

TAMMY BRUCE, FOX NEWS CONTRIBUTOR: Look, this is very similar to now, we're going to see this for the next over 100 days. It's an amorphous kind of thing. It does -- it's not specific.

So I guess for her, good is inflation. Good is crime. Good is world wars.

Good is Iran getting the bomb. Good is this massacre in Israel. Good is a defunding the police.

What is this good and evil? It's about real life, this is not a game.

But it's different for everyone. You don't have to talk about the details. You don't have to talk about the issues. It's this thing now about divinity. It's about life and death and God. It's what De Niro tried to do with, oh, my gosh, you know he's going to destroy, you know, the planet.

Everything is -- it's in other words, you're going to die if this -- if you don't vote for Joe Biden. At one point in her remark, Sean, she almost said Joe Biden was going to be traveling as much as he was able. She caught herself to not say about him being able or unable to travel.

But beyond that, just shame on her. This is a woman who should have -- his reputation is destroyed, any legacy he had is destroyed. This country and its people are hurting and are suffering and they're -- and they're trying to recoup their own base when Donald Trump is going out there expanding the base, and it's because the American people know that they were lied to by that woman and her husband and that entire family.

This -- and now we see with the persecution of Trump with the trial. That these people, I agree with Newt Gingrich, these are dangerous people. And when they start talking about it's evil and he's going to destroy the planet, I worry about and remember Justice Kavanagh and in front of his home. Some may want to have somebody switch into doing something awful and it -- we've got to make sure he's protected and that we in fact are heard on November 5th.

HANNITY: Governor?

MIKE HUCKABEE (R), FORMER GOVERNOR OF ARKANSAS: I just found it interesting that Jill was saying that Joe would go out there and make a lot of appearances. I'm thinking the only appearances he's going to make it's stone cold creamery. He'll make a ice cream stop once a day.

You know, the interesting thing she said on the view, Sean, that was just disgusting and outrageous was that when he gets in that debate, we're really going to see just how great he is and how Donald Trump can't put a sentence together.

And it reminded me of the scene in "Monty Python" where the guy's getting his arms chopped off and he says, I'm not hurt. It's nothing but a flesh wound. And I'm thinking that Jill Biden is on "The View" basically trying to pretend that Joe is in great shape and it's that Donald Trump can't talk.

Donald Trump goes to the podium and speaks for two hours in front of a crowd in the heat. Joe Biden can't walk through a convenience store and hold a cup of coffee without spilling it all over himself.

This is going to be a debate for the ages. Jill can go on "The View". It's the only place she can go and they won't laugh her off the stage, but we're going to see June the 27th who the real president ought to be.

HANNITY: I think you just auditioned and passed with flying colors filling in for Jimmy Failla, because that was a great rant, that was beyond funny and all true.

Anyway, Governor, good to see you. Tammy, always great to see you.

When we come back, more "Hannity" straight ahead.

(COMMERCIAL BREAK)

HANNITY: All right. Programming note, thank you for making our fourth episode of the new special "Outlaws and Lawmen". It's out today, only on FOX Nation. This is the final episode following outlaws Jesse James, Black Bart, Butch Cassidy, Sundance, we got it all, on FOX Nation.

Let not your heart be troubled, Greg is next. Have a great night.

**Load-Date:** May 30, 2024

**End of Document**