

# [***Hunter Biden Trial Begins Monday; Trump Campaign Raises Big Money After Verdict; Kansas City Chiefs Visit White House; Donald Trump Speaks Out After Conviction***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6C56-6BS1-JCS1-63CR-00000-00&context=1516831)

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**Guests:** Doug Schoen, Lee Carter, Bob Cusack, Andrew Cherkasky, Noelle Nikpour, John Yoo

**Body**

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES (R) AND CURRENT U.S. PRESIDENTIAL CANDIDATE: We're going to be appealing this scam. We're going to be appealing it on many different things.

He wouldn't allow us to have witnesses. He wouldn't allow us to talk. He wouldn't allow us to do anything. The judge was a tyrant.

JOE BIDEN, PRESIDENT OF THE UNITED STATES: It's reckless, it's dangerous, it's irresponsible for anyone to say this was rigged just because they don't like the verdict.

UNIDENTIFIED MALE: We will save you, Donald! We will save you!

REP. ADAM SCHIFF (D-CA): Americans should feel somewhat assured that, notwithstanding all the stresses on the system, our democracy worked, justice was done.

PROTESTER: Go to jail! Go to jail!

REP. MIKE JOHNSON (R-LA): The Democrat Party and the left so desperate to stop him that they will risk the destruction of our entire legal system to do it.

UNIDENTIFIED FEMALE: It's the first time that I'm seeing him face any sort of consequences.

UNIDENTIFIED FEMALE: He's showing that he wants to still fight for us no matter what they try to do it at him.

(END VIDEO CLIP)

NEIL CAVUTO, FOX NEWS ANCHOR: After the verdict, the fallout, the former President Donald Trump vowing to appeal his conviction on those 34 felonies, as President Biden says no one is above the law and that it would be reckless to criticize the verdict.

We are also keeping a very close eye on the financial fallout, as the Biden and Trump campaigns try to fund-raise heavily off of all of this. What to make of that?

First, FOX team coverage with Bryan Llenas at Trump Tower on what the former president is now saying and Nate Foy outside the courthouse on the latest legal maneuvering.

Welcome, everybody. Glad to have you. I'm Neil Cavuto.

Let's get right to it with Bryan Llenas.

Hey, Bryan.

BRYAN LLENAS, FOX NEWS CORRESPONDENT: Hey, Neil.

Well, former President Trump spoke at Trump Tower for 35 minutes in what was deemed a news conference, though he took zero questions from the press, instead lamenting the fact that he was still under a gag order expected to continue through his sentencing date on July 11.

Now, Mr. Trump spoke alone today at this news conference. He had no family there, no lawyers. He was flanked by Trump Organization staff, though. He said the trial was very unfair. He called Judge Juan Merchan a tyrant and then he pivoted his message to the voters.

And that, he basically said that the real verdict will be on Election Day, November 5, Trump portraying himself as a political martyr of sorts. He even said -- quote -- "He was honored to take on what he called the fascist state, as he vows to appeal this verdict."

(BEGIN VIDEO CLIP)

TRUMP: This is a case where, if they can do this to me, they can do this to anyone. And I don't mind being out there, because I'm doing something for this country and I'm doing something for our Constitution. It's very important, far beyond me.

And this can't be allowed to happen to other presidents. It should never be allowed to happen in the future.

(END VIDEO CLIP)

LLENAS: There were hundreds of Trump supporters and protesters outside of Trump Tower today. The big question, though, is how independent and swing state voters are going to react to this verdict.

Within minutes of the verdict the Trump campaign began fund-raising off of this verdict, the home page for the Trump Web site saying -- quote -- "Breaking news, I'm a political prisoner," asking people to donate. The campaign says they received more than 485,000 donations totaling some $35 million, doubling the last record for a single day of donations.

Now, this as Republicans are coalescing around the former president. Eight Republican senators, including Marco Rubio, Marsha Blackburn, J.D. Vance vowing to no longer cooperate with Democrats, signing a letter that said the White House has made a mockery of the rule of law.

Senator Mike Lee writing on X -- quote -- "Strongly worded statements are not enough. Those who turned our judicial system into a political cudgel must be held accountable. We are no longer cooperating with any Democrat legislative priorities or nominations, and we invite all concerned senators to join our stand."

And it's not just them, Neil. You had the House speaker, Mike Johnson, saying that he thinks this should be appealed to the Supreme Court, and you have the House Judiciary Committee led by Jim Jordan saying that they are now demanding the testimony of DA Alvin Bragg and prosecutor Michael (sic) Colangelo -- Neil.

CAVUTO: Thank you very much for that, Bryan Llenas, outside Trump Tower.

Now to Nate Foy outside the New York state Supreme Court, where all of this went down. Nate has been enjoying it so much there, he's not leaving.

But, Nate, tell us the fallout for this, because, obviously, Donald Trump has to return there, but there is the issue of the sentencing, and there's a lot going on.

NATE FOY, FOX NEWS CORRESPONDENT: Yes, Neil, former President Donald Trump said today that he will appeal his conviction that we saw play out yesterday, and he will have 30 days to do that after his sentencing hearing here coming up on July 11.

Keep in mind that's just four days before the Republican National Convention in Milwaukee. So take a look at this timeline, Neil. Here's what we have ahead. Trump's lawyers and prosecutors can file any post-trial motions until June 13. Those will be issues that they'd like to bring to Judge Juan Merchan.

Then, after Merchan sentences Trump on July 11, Trump has until August 10 to appeal his conviction. Now, Trump lawyers have signaled some of their possible grounds for appeal, including their perception of Judge Merchan's bias. The judge donated to President Joe Biden's 2020 campaign. His daughter also works for a Democratic political campaign firm.

Trump's lawyers could also revisit key rulings during the trial, like Merchan's denial of a mistrial motion after salacious testimony from Stormy Daniels. Trump's lawyers argued it was prejudicial testimony. Trump also plans to challenge the trial's fairness, given its publicity and, of course, his status as a celebrity and former president.

The credibility of his one-time lawyer Michael Cohen's testimony could also be questioned. Now, another key issue that Trump brought up today at Trump Tower, Neil, was the fact that they did not bring to the witness stand former FEC Commissioner Brad Smith.

Trump's lawyers wanted to question him about campaign finance law, but Judge Merchan said that it's his responsibility to explain the law to jurors and he didn't want to confuse jurors. So Trump's lawyers ended up not calling Smith to the stand. That is another thing to keep an eye for as possible grounds for appeal.

We will send it back to you, Neil.

CAVUTO: All right, Nate, appreciate that. Nate Foy, great job this week, my friend.

All right, in the meantime, I want to get our legal eagles to weigh in on what's at stake right now for Donald Trump and indeed the nation, Andrew Cherkasky, the former federal prosecutor. We have got John Yoo back with us, former deputy assistant attorney general, Mercedes Colwin, criminal defense attorney, lawyers all, and darn good ones.

Andrew, I began with you.

Your take on this July event that's getting a lot of scrutiny now because, at that hearing, the sentencing will go down. A lot of people have been saying, given the sort of bad blood between Judge Merchan and the former president, there could be some surprises there. Could you see among those surprises the judge insisting he spends some time in jail? Or is that unlikely?

ANDREW CHERKASKY, FORMER FEDERAL PROSECUTOR: Well, New York law and the standards in New York demand that he not go to jail. That said, there is some discretion that is given to a judge in a situation like this.

This is a first-time offense. There's -- it wasn't a violent offense. Judge Merchan could, though, say that the past issues with the gag order violations, as well as some of the things that he complained about Donald Trump doing throughout the course of the trial, including potentially even his own defense counsel's closing argument, where he made a comment about the jury if they found him guilty, that that might see him go to prison.

All of that could motivate Judge Merchan to give some sort of jail sentence, maybe even short, a number of days, keep him away from the Republican Convention, or a number of weeks or months, just shy of the election. So there's no saying, but I will say confidently that, in the state of New York, the rules and the standards are that he should not see jail time.

CAVUTO: Does that have anything to do, John Yoo, with the inevitable appeal, that, if you're in an appeal process, such a sentence, if there was one, is put off?

JOHN YOO, FORMER DEPUTY ASSISTANT ATTORNEY GENERAL: Usually, in a case like this, again, as Andrew just said, nonviolent felony, no criminal background, I wouldn't expect that a judge would deny Mr. Trump the right to be free during the pendency of the appeal.

And in that case, I think the Trump lawyers should press hard to get the appeal done quickly, not even to wait for the deadlines. They have a lot of good issues to appeal, not just really factual issues, which appellate courts usually defer to trial judges, but legal issues, the most important of which is, how was the DA here allowed to try to enforce federal election law, which is only under the Constitution given to the federal government?

I think that issue alone would allow President Trump to win if he can get to the U.S. Supreme Court.

CAVUTO: That might be a tall order, to your point, John.

But, Mercedes, I want to bring up something the former president brought up earlier today, when he was supposed to be at a press conference, but ended up being not quite a press conference, but him going on for a better part of half-an-hour, about not only this case, but his case to be elected president on November 5.

Having said that, though, he did bring up this issue of his not testifying. I want you to respond to this, Donald Trump earlier today.

(BEGIN VIDEO CLIP)

TRUMP: I would have testified. I wanted to testify. The theory is, you never testify, because, as soon as you testify, anybody, if it were George Washington, don't testify, because they will get you on something that you said slightly wrong and then they sue you for perjury.

But I didn't care about that. I wanted to.

(END VIDEO CLIP)

CAVUTO: I just have this image of George Washington in that courthouse. Should I testify? Should I not testify?

Anyway, what do you make of that, Mercedes?

MERCEDES COLWIN, FOX NEWS LEGAL ANALYST: ... sight, Neil.

No, I mean, certainly, that is the key issue in any defense case like this. Will you put your client on the stand. And President Trump, right, this is very -- this is very difficult when you look at some -- a situation like this. Do you want to put your client in the thick of a cross-examination that could have brought up anything regarding not just the case, but any inconsistent statements?

So, with former President Trump not taking the stand, it was completely in his right to do so or not to choose to do so. Obviously, he did it in consulting with his defense team. And, frankly, the defense team really did give him the right counsel. Don't take the stand. You are going to put yourself in the thick of this cross-examination that could really be very problematic for him.

CAVUTO: Andrew, stepping back and looking at the enormity of this case, the unprecedented nature of it, for now, Donald Trump is a convicted felon.

I believe convicted felons cannot vote. And I don't know, in this case, if that applies because it's going to go through appeals and all that, but what are the rules on that?

CHERKASKY: Well, the consequences of a conviction has start at the point of conviction.

And so there's a number of different things that this bars him from. It bars him not only from voting. It bars him from owning firearms and other consequences that happen from state to state. Donald Trump is going through something that many people across America go through when they're convicted of a crime.

It is -- even if you don't go to jail, there's many consequences. In fact, he has to report in to do a preliminary report, I believe, next week before the sentencing hearing. And they're going to ask him questions like, do you currently have a job? Are you applying for any jobs?

And so one of the things that I have heard kind of joked about today is, he will have to check on there that he's applying for the president of the United States.

(LAUGHTER)

CAVUTO: I didn't know that. That's -- the's wild.

John, obviously, this is not any normal citizen here. This is the guy running for the highest office in the land that -- as Andrew pointed out. So what allowances are taken for that, even entertaining the possibility about probation or jail, which, again, I understand, highly, highly unlikely? He has Secret Service protection.

There's a lot involved with this one human being, right?

YOO: That's the problem here, I think, is that the Constitution concentrates all of the executive power, including the power of law enforcement, in the president.

So here you have a president who's been prosecuted and now convicted. This is going to create terrible incentives for future presidents, who are always going to have to be worrying now when they make difficult decisions for the country, am I going to be prosecuted by my successor someday?

Also, Trump is not just a president. He's also the major opposition candidate for president who happens to be leading in the polls. This is even, in my mind, more important than the fact that he's a former president and he has Secret Service protection, because it creates the possibility that in the future you're going to have incumbent presidents launching criminal investigations against their main rivals, things that happen, it feels like, in banana republics.

I actually like Banana Republic. I shop there, but I don't want to live in a banana republic.

CAVUTO: I see what you did there.

Mercedes, how likely is that, though? I know that has been raised and concerns that this could spread and all of that, but how likely is that?

COLWIN: In terms of having a former President Trump actually go to jail. There is a possibility.

(CROSSTALK)

CAVUTO: No, no, no, I'm sorry. I wasn't clear on that, but future presidents or future gunning for those and actions that had many years, in their case prior, to when they were president in the first place, that this could open up a hornet's nest.

COLWIN: Oh, Neil, I think anybody -- there are laws that are established in this country. Anybody is subject to follow those laws. And those who don't, there might be a jury of their peers who believe that they violated the laws. It's pretty -- that simple.

Is there always going to be an overriding concern in the future that someone who holds public office and the highest office in the country will be subject to greater scrutiny and a heightened sense of they have to comport themselves differently than the ordinary citizens? Probably so.

There will be a heightened scrutiny, especially if you are the president of the United States. But in terms of if you're a law-abiding citizen, you presumably don't have to be concerned about how the laws are applied. They will be applied universally, honorably, and done so under the Constitution.

CAVUTO: Got it. Guys, thank you all very much.

We will be looking at the political fallout from this as well and the money this is raising for Donald Trump, off-the-chart numbers. Joe Biden hopes to get the same with money he hopes to raise.

But, at the corner of Wall and Broad, different issues having nothing to do with this, propelling the Dow to its best performance of the year and all the major averages closing out the month of May, which can oftentimes be a dicey month, with some very good numbers, the best May we have seen for a couple of these averages in the better part of two years, with the Dow advancing a little bit more than 2 percent, the S&P 500 almost at 5 percent, and the Nasdaq at 6.7 percent, almost 7 percent, when all is said there, so a very good month for technology.

We will sort of pick it apart tomorrow on our weekend show and say how these two relate, because there is a possibility, the longer this drags on and some of the legal questions around Donald Trump, it might, might have an impact, so far, very little that we could see thus far.

In the meantime, we're going to be taking you to the White House. You might have heard that the Kansas City Chiefs are going to meet the president of the United States, including that fellow, Harrison Butker, who has been very critical of Joe Biden. He said that the president's delusional on abortion, doesn't like what he calls a hypocrisy on that.

But the president didn't take that against him, said he and the entire team are welcome at the White House. So we will see how that goes.

More after this.

(COMMERCIAL BREAK)

CAVUTO: All right, I want to take you to the White House right now, a big event going on.

The Kansas City Chiefs, the Super Bowl champs, two years running, they want to make it a third year running. They're all invited to the White House. Usually, that's a big shindig when it happens. There is a little bit of controversy this year with one certain player who you might know.

And it's not Peter Doocy, but Peter Doocy can tell us because he's there.

Hey, Peter.

PETER DOOCY, FOX NEWS WHITE HOUSE CORRESPONDENT: And, Neil, this is going to be the last chance for anybody to possibly get a question to President Biden about the news of the day, like the Trump convictions yesterday.

It seems like he really doesn't want to take any questions about that, though, given his kind of awkward reaction to these.

(BEGIN VIDEO CLIP)

QUESTION: Donald Trump refers to himself as a political president and blames you directly. What's your response to that, sir? Do you think the conviction will have an impact on the campaign? We'd love to hear your thoughts, sir.

QUESTION: Should he be on the ballot, sir?

(END VIDEO CLIP)

DOOCY: OK, nothing.

The Super Bowl Chiefs are -- the Super Bowl-winning chiefs are here right now, Taylor Swift not spotted boarding the charter by TMZ's photographers. She's not expected to take a break from her European tour to be here, but Harrison Butker, the kicker, is about two weeks after delivering a commencement address that criticized President Biden's policies on abortion for being in conflict with his Catholic beliefs.

(BEGIN VIDEO CLIP)

QUESTION: So can you confirm -- you said everyone on the team is obviously invited? Is the Chiefs kicker, Harrison Butker, welcome at the White House?

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: What I can say, you would have to -- obviously, what I can say is, we invite the entire team, and we do that always. I don't have anything beyond that.

(END VIDEO CLIP)

DOOCY: So, nobody singled out. And if there is any kind of bad blood, we should know in the next few minutes. They should start any time now -- Neil.

CAVUTO: All right, so the president turned around and looked at the reporter, I mean, did he have an answer? He just didn't say anything. It didn't look like he said anything.

DOOCY: I don't know. I'm sure he has an answer.

CAVUTO: Sure.

DOOCY: And I'm sure also before he went out there somebody told him we're going to put everything that you need to say in the prepared remarks.

But his glance back there...

CAVUTO: Yes.

DOOCY: ... is potentially a problem because there are lots of people who paid attention just yesterday when this story was coming out, and they heard Donald Trump saying Joe Biden did this to me intentionally. He used lawfare to bruise a political opponent.

President Biden could have when he stopped and very clearly heard the question said, no, that's crazy or, no, I didn't do that, because that was kind of the idea of his prepared remarks.

CAVUTO: Right.

DOOCY: But he didn't do it. And so the chance for a clear rebuttal off the script, the kind of thing that people will see on TV right now or on social media over the weekend was missed opportunity.

CAVUTO: Sure, opportunity -- opportunity gone. Peter, thank you very much.

Peter Doocy at the White House.

In the meantime here, as you know, the verdict is in and the fund-raising is on, but, man, when I say on, this is really on -- after this.

(COMMERCIAL BREAK)

CAVUTO: I'm showing you this stock.

It is Trump Media Technology Corporation. It operates Donald Trump's TRUTH Social side. He is the brains behind that. And that had been all over the map, tumbled when we got first news of the convictions, stabilized somewhat by the end of the day.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

HAL LAMBERT, FOUNDER AND CEO, POINT BRIDGE CAPITAL: Well, I think it's going to continue for quite a while.

I mean, I had multiple friends actually texting me last night with screenshots of the Web site down.

CAVUTO: Yes. Yes.

LAMBERT: They were trying to go in and contribute, and the Web site was down. So...

CAVUTO: Was that a problem, where so many were trying to do it, that it actually sent the thing down?

LAMBERT: That's exactly what happened.

So, I think the money's going to keep going. People that couldn't give last night are now up and running and giving today. So that number is going to grow.

(END VIDEO CLIP)

CAVUTO: All right, think about that.

In a span of, I think, less than six hours -- I don't know if this breaks any records -- it must -- the Trump campaign raised $34.8 million. That's not a bad haul, but that was in response to Donald Trump getting charged guilty on all 34 counts. And there was a rally around Donald Trump here.

And now a lot of people are saying, will this continue with some of the donor excitement that Hal Lambert was talking about with me. He is a big money raiser and a big donor, former backer of Ron DeSantis, now backing Donald Trump, and thinks, well, there's a lot more money where that came from.

Noelle Nikpour is a GOP fund-raiser extraordinaire. She's one of those who bundles it. Money comes in, she's the one who makes sure it comes in big old bundles, and she's pretty good at it.

Noelle, what does that tell you? I have followed this for a number of years. I don't think I have ever remembered numbers like that in so short a period.

NOELLE NIKPOUR, REPUBLICAN FUND-RAISER: Yes, Neil, one of the things that I looked at is the fact that, when you donate online, you're actually doing one or two things.

You're giving what you can afford to give and you're giving out of passion and emotion. You are very upset with what's happened and you want to show support for the president and you're doing that. The other thing, and I have talked about this on your show many, many times, that donor, that donor that's giving whatever he's giving, whether it be $25 or $1,000, that is also a vote, because this is called your momentum donor.

These are the ones that get online. They're going to give whatever they can afford to give and they are also going to vote. Unlike some of your big donors that will write you a check for $800,000, that's one vote. It's a very large check and Donald Trump needs all the help he can get, but that's one vote.

All the people that were donating with WinRed and people that were donating through the site, these are not only contributions, but these also translate into votes.

CAVUTO: So, a lot of it was coming in small denominations of $20, $21, $22. That tells you a lot of people who necessarily aren't super wealthy, but a lot of people.

It's not just a few fat cats coming together and doing that. That's pretty remarkable.

NIKPOUR: Yes, this is the same thing -- the phenomenon started with Obama. If you will remember, social media, he was one of the first to capitalize on the momentum donor, where teachers were giving reoccurring donations of $25, all they could give, and they voted.

Look what Trump has done. Trump has done the same thing, which will kind of allude to you what a potential outcome could be, because these are people that are so passionate about giving anything they can. And we're dealing with inflation and a lot of people not being able to even afford different groceries, that they're giving of their household income in these small levels.

The $20 donor is someone you should really pay attention to, because not only are they giving money that -- out of their budget, but they're going to stand in line for hours. They're going to vote. And this is telling me that there is a groundswell, there is an undercurrent of something going on.

So, regardless of what the polls are saying, look at what action is being taken on this Web site to try to clamor it so much that you can't even get through. And I do agree with Hal that today we should see another uptick on all the people that we're not able to give yesterday.

CAVUTO: What about -- I know it's hard to hear what the other side is up to, but what about -- Joe Biden, of course, is pounding the argument, I guess, all right, I'm running against a convicted felon. I'm going to raise a lot of money off this. He's not saying that. That's clearly what the campaign is implying.

What do you think the money raised totals there will be?

NIKPOUR: Well, I can't speak for the other side, but what I can tell you is, I don't see the momentum there.

I think people that are on the opposite side of Donald Trump, the Biden camp, the liberals, I think that they already feel like they achieved a victory on this. So why do they need to really give anything else? They're watching it. They think they had big victory. So I don't know if they're going to feel so compelled to give more money.

I don't really see the passion or the momentum to really give towards the Joe Biden campaign. They are going to use it to the best of their ability to hammer home, you don't want to felon as president. So they're going to use that shtick to try to get dollars.

But I just don't see a lot of enthusiasm and a lot of the small donors giving so much passion like they did for Obama back when he ran. I don't see that same passion for Biden, but I'm seeing it for Trump all day long. We're seeing this all day long. The momentum and the passion is with Trump.

CAVUTO: Got it.

All right, thank you very much, Noelle Nikpour.

There's a difference between the momentum and passion for a particular candidate, but does it translate into votes for that same candidate? We're going to explore that coming up here.

In the meantime, we're looking at the president's schedule and especially the sentencing that is apparently going to happen on July 11. Wouldn't you know, that is about four days before the Republican Convention. Awkward.

(COMMERCIAL BREAK)

CAVUTO: All right, taking you to the South Lawn of the White House right now.

President Biden is entertaining, look at -- it looks like Travis Kelce there and the entire Kansas City Chiefs team. Keeping an eye out for Harrison Butker, the kicker, of course, who's made some news criticizing the president, saying that he's delusional on issues like abortion, but no ill will on this day of celebrations for the Super Bowl champs two years running. And they hope to make it three years running.

We're monitoring this. See what happens, if they bolt from there, whatever. That is not likely, but it's a nice day, beautiful day, beautiful moment.

All right, in the meantime, a beautiful moment right now, but an awkward one, for Donald Trump, because he leads in the polls. He's raising a whole lot of money. But, of course, he has been dealing with these 34 accounts, in which he's considered guilty and technically a convicted felon.

Now to make matters a little bit more awkward, there's a sentencing hearing scheduled for July 11. In case you're keeping tabs on that, that is four days before the Republican Convention.

So the fallout from all of this with Bob Cusack, The Hill editor in chief, Mark Penn, the Democratic pollster, former Clinton adviser.

Mark, what do you think? It's a tough timing issue. What do you think?

MARK PENN, FOX NEWS CONTRIBUTOR: Well, of course, it all depends what the judge does in the sentencing and whether the sentencing occurs on that day.

I mean, so far, this judge has wanted to take -- obviously, wants to take Donald Trump out of the presidency. So, for all this talk that, of course, he's a first-time offender and not eligible, he's convicted of things that could send you to jail for 137 years.

I think this judge is going to sentence to some jail because he's trying to take him out of the presidential race. And so giving him a fine or community service isn't going to do that. And if he does that, I suppose Donald Trump will have another record fund-raising day.

CAVUTO: You know, for that very recent, Mark -- and I will -- Bob, I will raise it with -- you would think that the judge, if he doesn't flip over Donald Trump -- obviously, there's ill will between the two of them -- it would only be helping Donald Trump politically, right? So why would he want to even entertain doing something like that?

BOB CUSACK, EDITOR IN CHIEF, THE HILL: Oh, well, listen, I mean, I think it would be a huge fund-raising day for Trump. I agree with Mark on that point.

And I agree, though. I don't think the judge can do that. I mean, obviously, he has the ability and the power to do that, Neil. But I think that would make Trump into a martyr. And, in some ways, I think that would play into Trump's hands. But we shall see.

Obviously, this -- there's no precedent here. So -- but I just can't see Trump being sentenced to prison after this verdict.

CAVUTO: I'm just wondering too, Mark, what you make of how Donald Trump, as the nominee of the Republican Party, will be greeted then a few days later? People will have time by then to digest all of this, the significance of this.

There's a general consensus building. If all these indictments spreading across four cases haven't hurt him, this won't do much either. What do you think?

PENN: Well, remember, the Republican Convention is filled with Republicans.

CAVUTO: Right.

PENN: And Republicans both love Donald Trump and believe that everything here is being done to take him out of the presidential race.

So, he's going to get an incredible reception at that convention, unlike anything he's ever gotten before. There's no question about that. There's no question that yesterday's verdict produced record fund-raising today, a record reaction among the base.

Look, some Democrats cheered, a lot of Republicans got angry. The voters in the middle remain as perplexed as ever about what to do, and we will see how they absorb this in the coming days. But there's no question how the base is reacting.

CAVUTO: Yes, that is not too surprising right there, to your point, Mark.

But, Bob, the question then becomes whether this will make a difference in some of the battleground states where the polling is a little bit tighter between the two men, and independents and women and maybe some of the others who have not yet committed one way or the other might be less inclined now to go to Donald Trump. What do you think?

CUSACK: Well, listen, as Mark says, Trump owns his base. He's owned it for years, but he does not own independents.

Sometimes, they have been with him. Sometimes, they have not been with him, and that's the key question of, yes, he's been convicted, but will it matter? I don't think it's going to help him with independents. I do think that Democrats are going to hurt themselves if they spike the ball. We saw some of that, but not a ton of it.

But I do think that certainly the base loves Trump, but where do the independents go? They're still struggling. They're looking at third parties. They're looking at everybody, but there are a lot of people who are just not satisfied. And it remains to be seen whether this is going to hurt him in the battlegrounds, but without a doubt, in the battlegrounds, Trump is winning.

And, in some cases, some polls have him winning the battlegrounds pretty significantly.

CAVUTO: There's always the concern that you have got the party with you, that's one thing, and you mentioned that, Mark. And then there's the issue of Nikki Haley, who only last week said she would be supporting Donald Trump.

Now, that might have moved the needle with some of her supporters. I don't know if all of them are that way. This might stop it. These convictions might halt that. Do they?

PENN: Well, I will just expand on a little bit on Bob's point.

Independents -- there is one thing about independents. They don't like the government. And when they see the government, the revenuers, the Democratic prosecutors from New York coming after somebody, I think, actually, among a lot of -- there's several kinds of independents, younger independents who are too young to join a party.

But among older independents, those are classic anti-government voters. And so if you kind of look at this as those voters, I think, are more likely to vote for Trump. Will the Nikki Haley vote be turned off by this? That's where Nikki Haley's leadership and who he makes his vice president will be important, I think, in getting those voters who are not showing a direction that he's moving somewhat to the center and responsibly in picking his vice president.

And in terms of the younger independents, I don't know what they're going to make out of this. They were unlikely voters for him anyway.

CAVUTO: Yes, you can never tell. And we still have some time out.

Gentlemen, I want to thank you both on that, Bob Cusack and, of course, Mark Penn.

In the meantime, there is another big trial that's going to get a lot of people's attention for one Hunter Biden.

David Spunt has more on that -- David.

DAVID SPUNT, FOX NEWS CORRESPONDENT: Jury selection begins in Hunter Biden's federal gun trial on Monday. We will have the details, including what his defense team plans to bring into court.

(COMMERCIAL BREAK)

CAVUTO: All right, awaiting the gun trial. That is the first trial. There are two, keep in mind, for Hunter Biden. It all goes down Monday in Delaware with jury selection.

David Spunt has more -- David.

SPUNT: Well, hi, Neil.

Hunter Biden's life will change on Monday when jury selection kicks off in this federal trial. Just hours ago, we spotted him boarding Air Force One on his way from Delaware to Washington, D.C. You see him climbing the stairs right there. Now we know what some of the evidence is that will be presented.

Special counsel David Weiss' team will introduce parts of the Hunter Biden laptop as evidence, which Hunter's lawyers fought vigorously to exclude, though we don't know which parts will be brought up from the prosecution. Remember, this is the same laptop, Neil, that 51 former intel officials touted as having all the classic earmarks of a Russian information operation.

It wasn't. And the special counsel's office wrote the defendant's laptop is real, it will be introduced as a trial exhibit, and it contains significant evidence of the defendant's guilt. Moreover, the evidence on his laptop is corroborated by independent sources.

Hunter was in court last week for a final hearing before jury selection. He's charged with three felony counts of lying on a federal gun form in 2018 when claiming he was not a drug user, allegedly. Hunter's attorney, Abbe Lowell, previewed a theory in court last week that Hunter actually did not check no to being a drug user.

You see right there. He says it needs to be examined whether other people filled out this form and there may be some sort of chain of custody concern. The special counsel, though, seems confident Hunter was the one who checked no in that box in 2018.

Judge Maryellen Noreika ruled the special counsel cannot mention Hunter's indictment and pending tax case in California. That's scheduled to go to trial in September. This trial judge, Noreika, is the same one who tore up a plea deal last summer that would have gotten Hunter Biden off with that plea deal.

It's always possible an 11th-hour plea deal could be cut here over the weekend or even Monday before jury selection starts. But it seems all systems are go. Both sides are ready for a trial, at least according to the filings. This trial may last up to two weeks, possibly even going into a third week -- Neil.

CAVUTO: So it would be about half the time of Donald Trump's trial, essentially, if it pans out the way you say.

SPUNT: Exactly. Exactly.

And no word yet -- of course, we always want to know if the defendant is going to take the stand, just as we did in Trump's trial. And Abbe Lowell, his -- Hunter's attorney, said in court it is possible that Hunter may take the stand.

CAVUTO: All right, they said that about Donald Trump's trial too beforehand.

SPUNT: Yes.

CAVUTO: But, of course, he didn't do that.

OK, David, thank you very much on all of that.

SPUNT: Thank you.

CAVUTO: All right, in the meantime, when we come back, taking a look at some pressures for average Americans. If it is the economy, stupid, is that really to the advantage of the president?

(COMMERCIAL BREAK)

CAVUTO: All right, they always says, it's the economy, stupid.

And we got some news today that certainly propelled the Dow a stunning 574 points today, because a key measure that the Federal Reserve follows came in fairly tame, in other words, wasn't worse than thought. It keeps us on this steady-as-she-goes progress we're supposedly making on inflation that could prompt the Federal Reserve to eventually lower rates.

That's the hope anyway. And that's probably Joe Biden's hope.

Let's go to Lee Carter, GOP pollster, Doug Schoen, Democratic pollster, brilliant, both of them.

Lee, that is something that Republicans say just isn't happening. It's not a great economy, and voter polls seem to reflect whatever the administration's saying about how peachy things are. They don't buy it.

But this is another piece of data that I'm sure the administration will cling to say, yes, it's happening. Just be patient. What do you think?

LEE CARTER, REPUBLICAN POLLSTER: I mean, I think one of the biggest problems is that this administration is talking about academic measures of the economy, and people are talking about the kitchen table issues that matter most to them.

And when you talk to the American people and you look at the polling, it's pretty staggering. About 94 percent say that the economy specifically has given them mental health challenges; 92 percent say financial stress has caused them physical side effects.

There are a number of people who say this is the worst year for financial stress in the history of their lives. And so when you have this kind of feeling and you see people feeling so, so bad about the economy, you can't just tell them that their reality is wrong.

People are feeling pain at the pump. People are feeling pain of inflation. People are feeling pain across the board. And it's not going to go away by just telling them that things are getting better or just to be a little bit more patient.

And when you look at it, most people think that Donald Trump's policies are going to help them more than Joe Biden's will; 55 percent say Donald Trump is going to help them more with the economy. And only 33 percent think that Joe Biden will.

CAVUTO: Now, Doug, as you know, Republicans are trying to turn this to their advantage. And the White House, meanwhile, is trying to say, all right, let's say you have problems with me on inflation. You should see these Republicans, if they take over, warning of an inflation bomb if Republicans get their way on extending the Trump tax cuts.

That's how they're positioning it. What do you think of that strategy?

DOUG SCHOEN, FORMER BILL CLINTON POLLSTER: Well, I don't think much.

If I were them, I would be focusing on tangible steps they could take to bring down inflation or, at the very least, to empathize with people for what the polling was showing that you just put up, Neil, is people's real concern, prices at the grocery store and prices at the pump.

People want tax cuts. I have seen it over and over. And to run against tax cuts in favor of tax increases, even if they be on the reach -- on the rich -- I'm sorry -- is a losing strategy. I think the White House is tone-deaf. What Lee is saying, unfortunately for my party, makes sense.

CAVUTO: You know, switching gears a little bit, Lee, I mean, the administration also is making clear that it's going to take full advantage of saying we are running against a convicted felon.

They keep pounding that. A number of the top Democrats keep saying that.

CARTER: Yes.

CAVUTO: How do you think that resonates? Now, I know, among the base, the Republican base, very loyal to Donald Trump, I don't think it does, but that the convictions have changed that. What do you think of that?

CARTER: You know, I think it's really interesting because if you look at your Twitter feed or your social media feed, it's basically a Rorschach test of what you believe.

On the one hand, you see him as a convicted felon. On the other hand, you see him as a political prisoner. So, depending where you sit, right, depends how you view Donald Trump. And what we see is, Republicans view it, as you say, one way, Democrats in an entirely different way.

What I'm most concerned about is how independents view it. And what I have seen from independents so far is that many of them view this case as sort of the least important case of all of them. But what's going to be the impact over time of them continuously hearing that he's convicted felon, convicted felon?

I think it could have some impact, but I'm not sure that it's going to be enough when you look at some of the other numbers. Only 4 percent of people who said that they supported Trump before are going to question that were he convicted guilty.

You know, and there's -- so I think, at the end of the day, we're going to see sort of a soft fall in Donald Trump's polls, but I don't think it's going to be this freefall that Democrats are counting on.

CAVUTO: You know, it's also how you deal with the controversy, right? Bill Clinton, of course, as you know quite well, Doug Schoen, was impeached, and he had to come back after that, and then there was the whole Monica Lewinsky thing, and he had to make things right.

Somehow, he pulled it off and left office with greater popularity than coming into it. Now, it's too soon to tell what the fallout will be for Donald Trump. But do you think, the way he handled it this morning, spending a good deal of time angry at the judge, angry at this whole sham of a trial, as he likes to characterize it -- he did mention some of the big issues that both of you outlined.

But I think it was dominated by the trial itself, how unfair it was, maybe justifiable, in his book, to say that...

SCHOEN: Yes.

CAVUTO: ... but not maybe a winnable election pitch.

SCHOEN: Neil, I couldn't agree more.

If I was advising the Trump campaign, which I most assuredly am not, I would say, the president -- the former president has made it clear what he thinks of the conviction. He's going to appeal. Talk about the issues people care about, because Lee's right.

By about an 18 to 20 percent margin, voters prefer Trump on the economy and Trump's economy over Biden on the economy and Biden's economy. There's also the southern border, again, another issue that plays to Trump's advantage. Trump should say, this is ***politics***. What's real is our future as a country, and my policies will be better.

I think, if he does that, he will minimize, even potentially eliminate the importance of this conviction today -- yesterday.

CAVUTO: All right, Doug, thank you. Lee, thank you.

We will see how it falls out, a lot on this tomorrow on my morning show on Saturday at 10:00 a.m. See you then.

Here's "The Five."

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