

# [***Biden Special Counsel Testifies To House Committee; Hur: Biden Shared Classified Info With Ghostwriter; Hur: I did Not Exonerate Biden In Docs Report; California Bill Proposes Taxpayers' Money For Violent Migrants; California Bill Proposes Taxpayers Money For Violent Migrants; California Proposes Home Loans For Illegal Immigrants; Oakland Businesses Threaten To Stop Paying Taxes; High Schooler Stands Ground Over U.S. Flag Display; Puberty Blockers For Kinds Banned In England; Low Enrollment And Absenteeism In U.S. School; Spying Ride: NYT: Cars With OnStar Track And Sell Driver Data***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BJ5-VCP1-F072-X0KV-00000-00&context=1516831)

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**Body**

(COMMERCIAL BREAK)

GREG GUTFELD, FOX NEWS CHANNEL HOST: Out of time. Thanks to Joe Machi, Emily Compagno, Hotep Jesus, Kat Timpf, our studio audience. "FOX NEWS @ NIGHT" with dreamy Trace Gallagher is next. I'm Greg Gutfeld, and I love you, America.

TRACE GALLAGHER, FOX NEWS CHANNEL 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 American flag still proudly flies at an Indiana High School despite the school saying old glory might be offensive, and despite telling a student to take it off his truck or else.

The student refused, and in minutes he will join us live to celebrate this American victory in a FOX NEWS @ NIGHT, exclusive.

But first, we officially have ourselves a presidential race, with President Biden now the presumptive Democratic nominee and former President Trump just moments away now from clinching the Republican nomination.

The senior national correspondent Kevin Corke is live in D.C. with the very latest on the rematch. Kevin, good evening.

KEVIN CORKE, FOX NEWS CHANNEL SENIOR NATIONAL CORRESPONDENT: Evening, Trace.

Couple of ways we can go here with this. One we can think of the pending presidential rematch is, you know Rocky II. Stallone versus Creed a second time around. Or perhaps we can think of it as, you know, Grumpy Old Men, the redox. Grumpy or old men. You know, or Matthau and Lemmon match which.

But by any measure, we have seen this play before, and we will all see it again play out this coming November.

Heading into the night, President Biden had over 1,800 delegates, needing just a few more to secure the Democratic nomination. Of course, he did that very early in the evening.

Meanwhile, former President Trump had more than a thousand, meaning just a bit over 100 to secure the GOP nomination for the third consecutive time. And, in fact, he has done so or will do so shortly. And that means he is going to be you're in the history books as having achieved something that very few of anybody else has been able to pull off certainly in modern times.

Now, there are a few contests I can tell you about tonight, Georgia, Mississippi, Washington, all holding primaries. Hawaii held a GOP caucus. Now, for both men, you can well imagine it's a clean sweep.

So, what does that mean? It means that they're now ready to go toe to toe. But with no public events tonight, Trace, we thought we might hear from both of the campaigns.

Here is what the Biden camp has to say tonight. A statement reading in part: "I am honored that the broad coalition of voters representing the rich diversity of the Democratic Party across the country and put their faith in me once again to lead our party and our country in a moment when the threat Trump poses is greater than ever."

Now, we thought we might read something on True Social, we've been watching all night, nothing yet from the former president.

But as you can well imagine the rematch is going to be not just an expensive one. Probably a pretty nasty one too. Of course, we will be watching it together. That means months and months for you and I to talk about it, Trace.

GALLAGHER: Been doing this a long time, Kevin.

CORKE: Yes.

GALLAGHER: Have never heard Carl Weathers and Stallone and Matthau Lemmon in the same phrase. It's a -- it's a great night for rematch.

(CROSSTALK)

CORKE: First time for everything. Rematch.

GALLAGHER: Kevin, thank you.

CORKE: Yes.

GALLAGHER: Meantime, we had fireworks on Capitol Hill as Special Counsel Robert Hur, testified about the findings from his investigation into President Biden holding on to classified documents. The hearing was not good for the president, maybe worse for Democrats.

Matt Finn, live with the breaking information on this. Matt, good evening.

MATT FINN, FOX NEWS CHANNEL NATIONAL CORRESPONDENT: Good evening, Trace. Robert Hur is the former special counsel who investigated how President Biden mishandled classified records.

You may recall Hur's bombshell report, that called Biden an elderly man with a poor memory. Today, Hur testified on Capitol Hill that he did not exonerate Biden. Hur did testify that Biden was holding on to classify documents, which investigators say was confirmed through audio recordings, in which Biden allegedly told his ghost rider that he had quote classified stuff downstairs in his rental home in Virginia.

(BEGIN VIDEOTAPE)

ROBERT HUR, FORMER SPECIAL COUNSEL: We identified evidence that the President willfully retained classified materials after the end of his vice presidency when he was a private citizen.

We did not, however, identify evidence that rose to the level of proof beyond a reasonable doubt. Because the evidence fell short of that standard. I declined to recommend criminal charges against Mr. Biden.

FINN (voiceover): Today, the White House insists that decision not to prosecute amounts to an exoneration.

IAN SAMS, SPOKESPERSON, WHITE HOUSE COUNSEL: There is no case here the president is innocent, and that was the conclusion of this case.

FINN (voiceover): Now, some House Republicans insists there is a case against Biden and ultimately, they say if Biden is not being criminally charged for mishandling documents, then neither should President Trump, who is accused of storing classified materials at his Mar-a-Lago home.

TREY GOWDY, FORMER REPRESENTATIVE, SOUTH CAROLINA: On defense material handling and classified documents, the Biden facts from a former prosecutor are better than the Trump facts.

JONATHAN TURLEY, FOX NEWS CHANNEL CONTRIBUTOR: I can't see how you could draw to -- could decline these charges, and yet go forward on declassify documents charges against Trump.

(END VIDEOTAPE)

FINN (on camera): Now, today, Hur also addressed why he wrote that Biden's memory was poor in his report. Hur said he was tasked with determining whether Biden willfully held on to the documents. Therefore, he felt compelled to acknowledge his own conclusions about Biden's mental capacity. Trace.

GALLAGHER: Matt, thank you.

Let's bring in the editor of restoring America for the Washington Examiner, Kaylee McGhee White, along with criminal defense attorney and federal litigator Vik Bajaj. Thank you both for coming on.

Here is a little of Joe Biden getting caught red handed, some would say. Watch.

(BEGIN VIDEO CLIP)

HUR: We identified evidence that the president willfully retained classified materials after the end of his vice presidency when he was a private citizen.

We also identified other recorded conversations during which Mr. Biden read classified information allowed to his ghostwriter.

UNIDENTIFIED FEMALE: Why are you (INAUDIBLE) names of world leaders?

UNIDENTIFIED FEMALE (text): Mr. President, why did you share classified information with your ghostwriter?

UNIDENTIFIED MALE: Thank you, everyone. Thank you very much.

JOE BIDEN, PRESIDENT OF THE UNITED STATES: I did not share classified information. I did not share.

(END VIDEO CLIP)

GALLAGHER: So, you know, maybe a little bit of a fib on that thing. This is where an $8 million book deal. Clearly, he is not going to be prosecuted because he is the president. But what did you think about the facts of this case, as you see them with this hearing today?

VIK BAJAJ, CRIMINAL DEFENSE ATTORNEY: It's really a stretch of the imagination as a defense litigator, and I'm sure prosecutors on the other side would agree the breadth and the detail of the justifications to not charge President Biden with criminal offences that are provable, is astounding. It's very rare to have a prosecutorial agency outline all the reasons why they cannot prove a case, in essence, that 388-plus pages could have been distilled into one sentence. That is, I, Robert Hur believe President Biden is guilty. I just can't prove it.

GALLAGHER: Yes. I want to put some Democrats up there, with a lot of Democrats bashing Robert Hur today, Kaylee, and I'll get your response.

(BEGIN VIDEO CLIP)

REP. ADAM SCHIFF (D-CA), SENATORIAL CANDIDATE: You cannot tell me you're so naive as to think your words would not have created a political firestorm.

REP. HANK JOHNSON (D-GA): He didn't recall how he got the documents. And you knew that, that would play into the Republicans narrative that the president is unfit for office, because he is senile.

REP. PRAMILA JAYAPAL (D-WA): You exonerated him.

HUR: -- would be a conviction.

JAYAPAL: I know that the term willful --

(END VIDEO CLIP)

GALLAGHER: And they talked over him, Kaylee, I mean, they wanted nothing to do with the truth. It was all about ***politics*** as these hearings have become.

KAYLEE MCGHEE WHITE, RESTORING AMERICA EDITOR, WASHINGTON EXAMINER: Right. And there is an indisputable fact that has come out of the transcript out of Hur's testimony before the lawmakers, and that is that Joe Biden did break the law in this matter. He did willfully retain and share classified information.

He mishandled that information. And Robert Hur's difference here is he saying that he didn't believe that a jury would necessarily find that, that does not change the fact that Biden broke the law in this matter.

What also has become clear reading the transcript of this interview between Hur and Biden, is that Biden himself tried to distract from his own violation of the law by leaning into the Uncle Joe guys that he's worn for years. When he was asked very tough questions about his mishandling of classified information, how did he respond? He brought up his son's death.

GALLAGHER: Yes.

WHITE: He brought up his Corvette, he at one point, bizarrely started making car noises.

This is his classic M.O. It's to distract and deflect so that people don't start looking too closely into him.

GALLAGHER: Yes.

WHITE: He's a conman. And, in fact, he's not even a good one. He is just a well-connected one.

GALLAGHER: Yes, we'll keep moving here. Just some breaking news coming in. We talked about this at the start of the show, which is that the rematch appears to be on. Well, now, we've been told that President Trump has now apparently won, projected to win Washington State. So, we really do have a rematch now.

Washington State the primary just called for the former president 71.6 percent. It was a big number and it appears that he has clinched the nomination. It will be Biden-Trump, the rematch.

Now, back onto Vik Bajaj. Jonathan Turley said the following here, Vik. Watch.

(BEGIN VIDEO CLIP)

TURLEY: It was like, playing the game of clue and having all the murder weapon location, the suspect. But Colonel Mustard just couldn't remember how he got there.

I can't see how you could (INAUDIBLE) to could decline these charges, and yet, go forward on the classified documents charges against Trump.

(END VIDEO CLIP)

GALLAGHER: Yes, because the was Biden willfully retained classified documents, but apparently, it's not going to happen for Biden, let's prosecute the other guy.

BAJAJ: So, we really need to understand the difference between a state prosecution and a federal prosecution.

In a federal prosecution, there are a number of defenses that are always available and sentencing guidelines that dictate to the courts what a sentence should be.

One of those departures, Trace is diminished capacity or person who was not competent at the time a crime was committed. It does not say you prevent the charging of filing charges. against a person, but the person has a right to raise that departure.

GALLAGHER: OK.

BAJAJ: But in this case, contrary to that Department of Justice policy, proactively the Department of Justice here, to Robert Hur said, I can prove all the elements, but there is a slight chance someone won't believe us and we'll have sympathy for the old man.

GALLAGHER: Yes.

BAJAJ: That's a new criminal standard. I would love to use for my clients, but unfortunately, I don't think it will work for mine.

GALLAGHER: Yes. Kaylee, criminal standards aside, I get about 20 seconds for you.

But politically, it just looked very bad for Joe Biden and Democrats. He was caught a number of times, even with the whole, you know, Beau Biden bring it up, when he said, how dare they do that, and he is the one that brought it up.

WHITE: He's lied about this repeatedly. And again, this has only served to exacerbate the concerns about his mental capacity moving forward. So, to the Democrats who thought that his State of the Union address, were going to solve all his issues, think again.

GALLAGHER: Yes. Kaylee McGhee, Vik Bajaj, thank you so much. We appreciate it.

Again, putting it back to the breaking news. Now, Donald Trump has reached the magic number 1,215 delegates. That means the former president has collected enough delegates to clinch the Republican nomination for president for a third straight time.

Earlier tonight, Trump was projected as the winner of primary contest in Georgia and Mississippi. And now, we are projecting him to carry the vote in Washington State as well and that puts him over the top and that puts the rematch back on, Trump v. Biden 2024.

Meantime, a progressive Democratic lawmaker in California is pushing a new bill that would use taxpayer money to protect and defend illegal immigrants from deportation even if they committed a violent crime.

Marianne Rafferty is live with that story. Marianne, good evening.

MARIANNE RAFFERTY, FOX NEWS CHANNEL CORRESPONDENT: Yes. Good evening, Trace.

Well, a controversial California bill aims to provide legal aid to illegal immigrants charged or convicted of violent felonies, and it could be reintroduced as early as next week after it was pulled from committee today.

Democratic Assembly member, Reggie Jones-Sawyer, who introduced that bill said he wasn't sure he would make it to committee because of personal reasons.

Jones-Sawyer said in a statement last month that the One California Immigration Services Funding program he hopes to expand with this legislation has, "failed to match California's commitment to racial equity, as the program prohibits funds from being used to assist certain individuals who have a criminal history."

Now, right now, that program primarily provides legal aid to unaccompanied minors.

Legislation, if passed would extend the program to illegal immigrants with the intent to reside in California, including those with a criminal record and even provide legal representation to help prevent deportation.

Now, Republican Assemblyman Bill Essayli claimed victory for the delay, writing on X, "Because of the pressure that we in the public put on the Democrats, they had no choice but to pull it. This is what an effective opposition party looks like."

Now, Essayli's office told Fox News that a bill can be pulled twice from committee before it's considered null and void. This is the first time, Jones-Sawyer's bill though has been pulled. Trace.

GALLAGHER: Yes, you could come back though at any time, Marianne. Thank you.

Let's bring in former Arizona gubernatorial candidate and current Senate candidate Kari Lake. Kari, it's great to see you.

I want to talk about that bill because it really has ramifications all across the country. If California were to put this bill back on the -- on the front burner so to speak, it is the equivalent of letting Laken Riley's killer, the accused illegal immigrant in -- you know, in Georgia, literally defending him using taxpayer dollars to defend him.

And people are thinking what are we doing here? What are your thoughts on this?

KARI LAKE (R), SENATORIAL CANDIDATE, ARIZONA: Well, nothing surprises me in Joe Biden's world. I mean, Joe Biden calls these murderers, rapists, attackers, drug dealers, human smugglers, newcomers. They are nothing more than criminals and our young girls our daughters, Laken Riley is my daughter's age. It's horrifying what is happening.

GALLAGHER: Yes.

LAKE: And I'm telling you right now, Trace, I'm with the American people every day. I'm here in California right now. We flew in for about 12 hours. And I spent the evening with parents here in California, who are horrified.

GALLAGHER: Yes.

LAKE: This is a blue state allegedly. Let me tell you, this isn't America first state and the moms I talked to tonight, the fathers I talked to tonight are fed up, and they want to take this country back. They don't want people pouring across illegally --

GALLAGHER: Yes.

LAKE: Committing crimes against our children against our families and breaking into our homes and dealing drugs. And they are fed up and I think things are going to change come November. We're seeing it tonight.

(CROSSTALK)

GALLAGHER: They are fed up.

LAKE: Huge victory.

GALLAGHER: Yes, they are fed up, Kari, and that's the whole point. It's creating a groundswell. You look at Georgia, it's creating a groundswell for people like you and the former president, because they are so fed up and it really is. I mean, it's backfiring on the Democrats.

They saying, you know, no consequences for the border. This is backfiring on them.

LAKE: Yes. I mean that they can even -- that -- you know the Joe Biden had to come out and apologize for calling Laken Riley's killer an illegal immigrant.

He is here illegally. He is allegedly a murderer. And Joe Biden is so worried about making angry the woke mob, that he is stumbling and bumbling to apologize. When is he going to apologize to Laken Riley's family? When is he going to get her name correct? It's Laken Riley, not Lincoln Riley.

The American people see what's happening. They don't like what's happening at the border. And, you know, I don't even know if Laken Riley was a Democrat or Republican. I don't care what her political affiliation was. I care about the American people. And, you know, nobody is getting a free pass when it comes to paying higher prices for gas and groceries.

Nobody is getting a free pass when it comes to getting away from the criminals, because they voted for Joe Biden. The American people, even Joe Biden, voters are realizing they made a mistake, and we've got to make a course correction, or we're going to lose our country.

GALLAGHER: Yes. Yes. Kari, it's great to see you. As Kari Lake a Senate candidate, best of luck. Thank you for coming on. We appreciate it.

LAKE: Thank you, Trace.

GALLAGHER: While the FOX NEWS @ NIGHT "COMMON SENSE DEPARTMENT" thinks California is no longer just a sanctuary state for illegal immigrants, it's pretty clear California is now really a sugar daddy state, paying for rent, food, health care, college, possibly legal fees, even for those who commit violent crimes, and of course, cell phones.

And now, the Golden State is pushing to give those in the country illegally home loans, a 20 percent downpayment up to $150,000 with zero interest, zero payments until the home is sold.

The state is even lowering the financial requirements so that illegal immigrants who can't afford a home can now afford a home. Didn't America try this gig before where those who could not qualify for loans, were still given loans, right?

"COMMON SENSE" is getting great recession vibes here. But if you're in the country illegally and can't afford to make the payments, who does the mortgage company go after? And why do illegal immigrants qualify for loans not given to legal residents like the poor, the homeless, veterans, and of course, taxpayers, you know, the people who fund illegal immigrants getting the funds.

"COMMON SENSE" knows young people in California from good colleges with good jobs, and still no good to buy a home, because it is unaffordable, unless you obtain a little sanctuary, and a lot of sugar.

(BEGIN VIDEO CLIP)

BEN CARSON, FORMER UNITED STATES SECRETARY OF HOUSING AND URBAN DEVELOPMENT: So, many of our young people, young couples, are just giving up on the American Dream because it's so hard for them to own a home. And now, you got California trying to get homes for illegal immigrants? Are you kidding me? That is absurd.

And, you know, anytime when we are thinking about rights for criminal, and people who are doing things illegally, over the rights of our own people, we have a major problem. And I hope the American people recognize that.

(END VIDEO CLIP)

GALLAGHER: Dr. Ben Carson, showing a little bit of common sense there as well. Now, let's bring in California restaurateur, Chef Andrew Gruel. Chef, it's great to see you as always. I mean, you know, you look at this and Dr. Ben Carson is right. My kids are not going to be able to afford a home here, at least for many years in California.

Friends of ours, their kids are living in Texas, they are living in Tennessee, primarily because not they don't want to live their family, they can't afford a home in California. And now, they are saying, well, we can't really help the young people out here, but we can certainly help these people who are the "newcomers".

ANDREW GRUEL, FOUNDER, AMERICAN GRAVY RESTAURANT GROUP: Yes, I mean, classic California. Right? Just making absolutely no sense. I look at this through the lens of the business owner or a small business owner. And I think to myself, how is this helping the community? Every single thing that I have to do as a business owner, in order to be able to operate and those hoops that I have to jump through are just so arduous.

And now, you've got people who come to the country, they don't know the laws, they don't understand how the society works, but then they are just being given hundreds of thousands of dollars-worth of goods, and for what?

GALLAGHER: Yes, it's crazy. This one is kind of right and you can empathize with this is right up your alley, because some Oakland restaurant owners are so fed up with crime, they are now making a stand. Listen to them.

(BEGIN VIDEO CLIP)

JOSE ORTIZ, OWNER, LA PERLA RESTAURANT: Enough is enough, we post away. So, we are not going to go pay taxes to the city until they give us what we want.

UNIDENTIFIED MALE: I feel like we need to start somewhere. I mean, it is ridiculous. It seemed like it's getting worse.

(END VIDEO CLIP)

GALLAGHER: Yes, I mean, they are restaurant owners, and they are saying we're not paying taxes until they fix what's happening in this city. And you can't really blame them, Chef.

GRUEL: Yes. I mean, look, I think this is the move. I mean, this is civil disobedience by the group. And the business owners have to stand up, and say, look, you -- all you want from us is our money to begin with. You don't care about our safety, clearly. So, don't pay the taxes. And I actually think that this should be a movement that just goes further and further and further all the way down to the individual.

GALLAGHER: Yes. And you were just telling me earlier that, you know, Oakland was really the home of this natural food movement, the new food movement. Right?

GRUEL: Yes.

GALLAGHER: It was one of the basic places for California to start this renaissance. Right?

GRUEL: Yes. I mean, any young chef wanted to get their start in Oakland or the Bay Area because they wanted to work for all of these celebrity chefs. And now, they have all left the city. It's desolate. It's like tumbleweeds flying by. You can't even cook those.

GALLAGHER: Our Fox affiliate in Oakland, said the Taco Bell locations closed dining rooms due to safety concerns. Four of them in Oakland quoting here, "Taco Bell locations in Oakland have ceased indoor dining indefinitely, switching to drive-thru service only. The decision to halt dine-in operations reportedly stems from repeated robberies at some of the locations and safety concerns."

I mean, the job is dangerous. They can't find these kids to work them. I don't blame them. I mean, Oakland is becoming really a slow ghost town role.

GRUEL: Yes. I mean, when we've shut down the dining rooms in Taco Bell as we've hit rock bottom. I thought the most dangerous thing about Taco Bell was the chalupa, and what it did to my digestive system.

GALLAGHER: Right.

GRUEL: But the thing is, is that now, look, and you know what's going to happen next? They're going to start robbing the drive-thrus.

GALLAGHER: Yes.

GRUEL: You know, it's not going to stop. That's the sad thing about this. And the economics of having to close your dining room after you probably paid top dollar to build a drive-thru in the cities, they are losing all their money.

GALLAGHER: Yes. Chef, great to have you on.

GRUEL: Thanks, Trace.

GALLAGHER: Thank you.

Coming up with FOX NEWS @ NIGHT, exclusive. An Indiana high school student goes viral for refusing to remove an American flag from his truck on school property. The school threatened to insubordination but now the school is big-time backtracking. Cameron Blasek will join us live after the break.

And later in the "NIGHTCAP CAP", companies now using OnStar system to spy on you. And could be selling your driving habits to insurance companies. You know, telling your insurance company how far you drive, how fast you go, how fast you stop.

Is it OK for your car to surveil you, then, tattle on you? Yes? No? Why? Why not? Let us know on X and Instagram @tracegallagher. We'll read the best responses coming up in the NIGHTCAP.

(COMMERCIAL BREAK)

GALLAGHER: Well, an Indiana high school is now backtracking after one of its students went viral for refusing to remove an American flag from his truck. Matt Finn is back live with a story that has really captured the country. Matt.

FINN: Trace, Cameron Blasek is a senior at a rural eastern Indiana high school. Cameron says he was asked to take the United States flag off his truck. But he says his family taught him never to back down on something you believe in.

(BEGIN VIDEO CLIP)

CAMERON BLASEK, STUDENT, EAST CENTRAL HIGH SCHOOL: The school came to me and told me, hey, you got to remove this flag, otherwise, you're getting written up for insubordination. And I kind of just told him straight up from the get go. I said, it's not going to happen.

I read them their own handbook and I read them all their guidelines and I read them Indiana state laws and everything that shows them that I'm perfectly legal and fine to fly that flag.

(END VIDEO CLIP)

FINN: It happened at East Central High School.

An administrator told a 17-year-old, it was a violation of school rules for Cameras to park his truck in the school parking lot with the American flag on it. Now, as a show of support, other students showed up to school with American flags on their cars.

Tom Black, the principal at East Central High School says there may have been some misunderstanding. And the school is now allowing Cameron to display his flag. Writing, "After careful consideration and in recognition of the importance of the U.S. flag as a symbol of unity and national identity, I am pleased to inform you that we are allowing the display of the U.S. flag by students in the East Central High School parking lot.

Cameron says there are a lot of veterans in his family and he's considering joining the military himself. You're about to talk to him, Trace.

GALLAGHER: Yes, we are. Matt, thank you.

Let's bring in East Central High School senior, Cameron Blasek. Cameron, it's great of you to join the show. We appreciate this. You know the school is now coming out with a statement. I'm wondering what you think because the school is saying, well, maybe it's a big understanding, but I've heard you many times, Cameron, say there was no misunderstanding here. They told me to take the flag off my truck or else.

BLASEK: Yes, that's correct. There was no misunderstanding here with me. They had told me straight up, hey, take the flag down or else you're getting written with insubordination.

GALLAGHER: Yes. And when you came with them, and you said, listen, I have checked the laws, I have checked the school rules, there is nothing in here. What was their response to you? And did they say that listen, you got to be conscious of other people because the flag might offend them. What were the -- what were the reasons they were giving you for wanting your flag to be taken down?

BLASEK: Yes. So, when I came to them, and I read them off their own E. Central 2023-2024 handbook and then I had showed them all the rules and regulations of flying a flag behind your vehicle, and showed that my truck followed all those. They were kind of shocked by that.

And then, the reason that they had given me for my removal flag would be that other students could find it offensive or if I flew that flag, other students could fly more offensive flags.

GALLAGHER: Yes., and I'm wondering if they said -- when they said that other students might find the American flag offensive, did they say why those students might find the American flag offensive or they just kind of -- they just kind of laid that on you?

BLASEK: No, just kind of laid it on me and left it there. That was the only reason that they got me.

GALLAGHER: Yes. And when you showed up, Cameron, and all your classmates or a lot of your classmates had American flags on their vehicles, what did you think then? I mean, how did that make you feel?

BLASEK: At first, I was shocked. I wasn't expecting it when I pulled into the parking lot and seen a whole line in row, kids with flags on their cars just like me. But it gave me a sense of pride and happiness to show, you know, hey, maybe there's a chance that you know, I got -- I got a standing behind me.

GALLAGHER: Yes. I know you're thinking about maybe joining the military after high school, Cameron. I'm wondering why you stood to fight. I mean, why is it that you were adamant about keeping this flag on your truck? Why is it so important to you, Cameron?

BLASEK: Because to me, this flag represents a lot of things. One, being our freedom and rights in this country. Two, being the people that served for this country and lost their lives and fought for it. Three, that flag is something that should be able to unite people in this country and not tear people apart and, you know, not cause a big fuss or fight or make somebody remove it. And that's the way I've seen it ever since I was young enough to comprehend what it meant to me.

GALLAGHER: Yes. Are you surprised, Cameron, that the school is now backing down?

BLASEK: No, I'm not really. After it blew up on social media and everything, I got back to school and they had told me that, oh, hey, we're not going to write you for insubordination anymore. And I kind of knew the reason why that when it blew up on social media. I think they were afraid of the repercussions of it.

GALLAGHER: Yes, I'm sure they were too. You are a good man, Cameron. Thank you for coming on the show. We congratulate you for your victory. It was hard fought and it's a good battle to fight. Thank you for coming on.

BLASEK: Thank you very much.

GALLAGHER: And for legal analysis, let's bring in prosecutor Wendy Patrick and former California Senate candidate Christina Pascucci.

I mean, it's kind of amazing because the school kind of goes forward here, Christina. It's kind of interesting that they said first you are going to be written up for insubordination. They said some people might consider this to be offensive, the American flag. Some students might consider it to be offensive. And now, they're saying no, no, no, no, it was all just a misunderstanding, Christina.

CHRISTINA PASCUCCI, FORMER CALIFORNIA SENATE CANDIDATE: Yes. First off, good for Cameron. We need more kids like him in this country.

GALLAGHER: Right as a former journalist, I traveled to more than 100 countries, seven continents. I saw unimaginable poverty. People who had no human rights or freedoms that we here take for granted. People who lived in war zones and didn't even know peace.

And so, I say all that to say we are so unbelievably blessed to be in the United States of America. But it seems like we are taught, or kids are taught that it is somehow bad or something to be ashamed of. I don't understand why in this situation the school was focusing on the flags rather than literacy rates. And it just -- it doesn't make any sense. We need to be United under this flag. A house divided cannot stand.

GALLAGHER: Yes, it's a -- it's a great statement. You know, as Cameron pointed out, Wendy, there was no law in effect. There was no school rule. This was capricious. This was just the school saying, you know what, you might offend some students, so it's better if you just take it down. And if you don't -- and it's amazing to me that they would say this to a -- to a 17-year-old kid but your thoughts on the legalities of all this.

WENDY PATRICK, PROSECUTOR: Well, I'll tell you what. If schools don't want to be going from the classroom to the courtroom, they better be relooking at their policy and procedure manuals. I mean, this story makes me proud to be an American. I mean, what do we do before we say the Pledge of Allegiance? Basically put our hand over our heart. It doesn't start with a trigger warning.

So, for that to have been the rationale just doesn't make any good sense. And it's one of those stories that you know, you talk about what would be the most unoffensive vision that you can -- that you can think of. And the American flag would be one of them. This school flies the American flag outside of the school. It is in every single classroom, so why can't it be proudly flown on the back of vehicles like the patriotic peers did when they rallied around this brave young man?

GALLAGHER: And it wasn't long ago where they all gathered to say I pledge allegiance to the flag, now it's get that flag off your truck. There's a school board meeting coming up in two nights, Thursday night. We're going to make sure that we've got coverage of it, but you can imagine there are going to be a horde of parents at this school board meeting, and they are going to be angry because we have learned that parents kind of get what they want now especially when they're in the right.

PASCUCCI: And that maybe as a silver lining and all this. Here in California, when we had the primary last week, we saw record-low voter turnout.

GALLAGHER: Yes.

PASCUCCI: And something like this gets people to start paying attention. And so, if nothing else, hopefully because of this, they will be stronger, they will be more adamant, they will be more united and proud to be Americans.

GALLAGHER: Yes. And we -- you know, we're -- listen, we're not saying they should go in there, but they're going to be in force, Wendy, out there at the school board meeting. So, the school principal Tom Black said this was all about safety. It had nothing to do with anybody being offended. It was all about safety. And the reason he said is because you know, the truth is that you know, you can have all of these flags and one of them might be saying the wrong thing.

He says, quoting, "As well as concerns that flags are not appropriate for schools will be displayed." So, what they're saying is oh, we're going to cancel sweatshirts too because we're afraid that one of the sweatshirts might not -- it's a total B.S. excuse because they got caught.

PATRICK: Right, and ball caps and T-shirts. So, I was waiting for that. It's not viewpoint, it's visibility. The flag obstructs visibility. These are some of the reasons that school boards everywhere around the country are saying. we better look at our own rules and make sure that we can back up everything legally and practically. That's what I meant. It makes you proud to be an American.

Those parents are likely thinking the same thing. So, actually it had the opposite effect. We're all sort of rallying around this young men and saying good for you for standing on your values.

GALLAGHER: Yes. Listen, we we may just let you have this baby right here on the show, Christina.

PASCUCCI: I'll do it any day.

GALLAGHER: We're going to -- we're going to bring you back night after night. It's -- the ratings are going to skyrocket. Christina, Wendy, thank you both for coming on.

Coming up, children in England can no longer be prescribed puberty blockers for gender dysphoria because they acknowledge not knowing the long-term impacts. Should the U.S. follow suit? One of America's great writers, Peachy Keenan, will join us on that next, as well as her answer to what makes a woman.

But first, a live look at Kane, Pennsylvania, the Black Cherry Capital of the World. Did you know that? We're coming right back. Peachy Keenan.

(COMMERCIAL BREAK)

GALLAGHER: Well, first up in tonight's "REAL NEWS ROUNDUP," Spring Break still on in Florida even after Miami Beach told Spring Breakers that it was time to break up essentially. Now, it looks like the party has moved a bit north to Fort Lauderdale, that area.

Parents of U.C. Berkeley students now taking matters into their own hands hiring private security to patrol the area around campus as crime continues to spike. The coalition of parents called Safe Bears reportedly raised some $40,000 for a three-week pilot program to help protect students. The goal is to turn up the heat on administrators with a bunch more money.

Meantime, England's National Health Service banned the use of puberty blockers for children seeking treatment for gender dysphoria citing limited research. Puberty blockers suppress sex hormones in adolescence by continually stimulating the pituitary gland.

And with that, let's bring in the author of Domestic Extremist which by the way coming out this weekend in paperback, one of America's exceptional writers, Peachy Keenan. It's great to have you on here.

PEACHY KEENAN, AUTHOR, DOMESTIC EXTREMIST: Thanks, Trace.

GALLAGHER: I mean, the puberty blockers, we've kind of talked about stuff like this before, but I want to put this up because it's happening in England just so we're clear on this. FoxNews.com writes the following. England's National Health Service banned the use of puberty blockers for children seeking treatment for gender dysphoria citing limited research.

And that's the key is they don't know the long-term effects of this. They have no idea what they've been doing to kids. And some days they're going to think what did we do?

KEENAN: Yes. And some countries have figured this out. In many countries in Europe, in Western Europe, they've already restricted or banned these drugs. So, England is sort of behind the ball on this. These are not medical treatments, these are medical experiments.

GALLAGHER: Do you wonder why? I mean, you think you -- they go on with these things. And is it just this whole we are so eager to make sure we don't offend and everybody can have their own truth, that we're giving kids whatever of the parents and what they want to do? Is that part of --

KEENAN: I think it's a little more nefarious than that. I think that once you get a child on these drugs which have to be taken monthly and these treatments have to be happen for their life, they're kind of a permanent ward of the state, and they're a permanent constituent -- political constituency.

GALLAGHER: Yes. Now, to your Substack article because I found it fascinating here. So Peachy Keenan writes this in Substack. Quoting here, what is a woman really or rather what makes one? I don't mean biologically. That science has been settled for a while. Everyone knows what it takes to be female, but what does it take to be feminine? And is femininity required to be considered fully female?

I mean, you talk about the overall message here. What are you saying? Are you saying here's the -- here's the definition? Are there five bullet points in there? Because I couldn't read it because it was behind the paywall.

KEENAN: Sorry about that. The girl has got to make a living, Trace.

GALLAGHER: Yes.

KEENAN: I think that you know, one of the reasons I wrote my book Domestic Extremist was to sort of inspire other women to embrace sort of natural inborn femininity which is sort of in short supply. People either take it a little too far or if a girl likes to play with boys and play with trucks, her parents suddenly turn her into a boy.

But then when Sydney Sweeney made her SNL debut a few weeks ago, people were sort of freaking out like they had never seen a really pretty sort of mostly wholesome girl with like a very curvy figure, you know, smiling and looking friendly. And so, that kind of reignited this conversation on Twitter. So, that's what I was trying to address in my book.

GALLAGHER: And do you get push back when these things -- and I know the comments and I read the comments on your Substack. You know, when I go in there and read these articles and RealClearPolitics and so forth, you get - - the comments are fascinating to read about this. Do you get push back? Do you listen to it or do you think OK, well, I'm going to skip over the comments?

KEENAN: I get a lot of positive comments. I think people seem to be like really happy that I am saying things out loud. I mean, the key thing is with femininity is it's not how big your boobs are, it's if you were born with them, yes you are a woman.

GALLAGHER: Yes, good.

KEENAN: We forgot that.

GALLAGHER: Bill Bennett, our friend of the show, writes this on foxnews.com. What's going on with America's Public Schools? Enrollment drops and chronic absenteeism tells a dramatic tale. He goes on to say the proportion of students attending schools that had higher extreme rates of chronic absenteeism more than doubled from 26 percent during the 2017-2018 school year to 66 percent in '21-'22.

I mean, and the underserved schools, Peachy, are the biggest problem. They're the ones getting hit the hardest. And it is heartbreaking to see this in state after state.

KEENAN: Yes. And I think what COVID revealed was that the teachers unions and the Department of Ed don't care about kids. They really don't. They're all for their own interests. And so, I mean, frankly, I think that more people need to start waking up to what public schools are. You know, they may be free but you're going to pay the price for a long time.

GALLAGHER: Yes, it really is. And it's one of those things where you wonder if there were more private schools or more charter schools or more of these other schools if public schools would take an even bigger hit. I mean, we know there's a waiting list at private schools and Catholic schools in where I live.

KEENAN: That's right. And I think that if you total up all the money that goes into public school per child in this country, it's something like -- it's like $20,000 in some cities to -- for public school. Imagine parents getting that money what they could do with it.

GALLAGHER: Yes. I know. I mean, what would they do with it? Peachy Keenan, great to have you on as always. The book comes out in paperback on --

KEENAN: April 2nd.

GALLAGHER: April 2nd which is like two weeks.

KEENAN: Two weeks. You can pre-order it now.

GALLAGHER: Got it. Thank you.

Coming up, is your car spying on you, I mean, secretly recording your driving habits and telling your insurance company? Is that OK or way out of bounds and why? There's still time to weigh-in, X and Instagram @TraceGallagher. The "NIGHTCAP" Crew is next.

(COMMERCIAL BREAK)

GALLAGHER: We are back with the "NIGHTCAP" Crew, Kevin Corke, Peachy Keenan, Wendy Patrick, Vik Bajaj, Christina Pascucci, and Andrew Gruel. Tonight's topic, spying ride.

So, GM, Ford, and other car companies are using OnStar systems that reportedly selling your personal driving data to insurance companies, right, who can raise your rates based on your driving distance, your speed, hard break, sharp accelerations, the list goes on and on and on. Is it OK, Kevin Corke, for your car to narc you out?

CORKE: OK, full disclosure, I have OnStar. In general, I'm a pretty safe driver. I don't like this idea but if it does, maybe my rates will go up eventually.

GALLAGHER: Yes. And what -- and that's the whole thing is you wonder -- I'm not -- I'm going to leave the lawyer. Vik Bajaj, get us into this thing. Smooth us into this thing with the legalities.

BAJAJ: You know, Trace, I'm just so surprised that everybody on this table did not read the 1,000th paragraph in the contracts that we have.

GALLAGHER: Right, right.

BAJAJ: They just floored. But yes, we agreed to it. It can happen and it's absolutely creepy. It doesn't make me feel good.

GALLAGHER: Christina Pascucci?

PASCUCCI: I feel like I was so lucky to be a '90s kid before all this stuff. You know, now, everything you do you feel like you're being watched. But the silver lining in this is if it saves you money. What if you're a good driver, you know? And because they're watching you, you actually get lower rate.

GALLAGHER: You think the insurance company are going to save you money? Like, you know what, you're such a good driver.

PASCUCCI: I mean, it wouldn't in my case. It wouldn't in my case.

GALLAGHER: Wendy?

PATRICK: If you're a rolling rule breaker as we say in the law. You know, you want your car to be a safe space not a snitch. And the only driving you're going to be doing is driving up your insurance rates if you don't drive well if you have one of these things. So, that's a note to Kevin Corke there as well.

GALLAGHER: Chef, do you want your car tattling on you?

GRUEL: Yes, Article 7, Paragraph 6, Line 13 states that if your spouse is the one driving the car, it negates any of the negative effects.

GALLAGHER: Yes. That's it. I love it because Chef is warming up for "GUTFELD" next week. He's getting them. He's getting them. Peachy Keenan.

KEENAN: I hate this idea for me for obvious reasons, but I love this idea as a parent for my teenage boys. One learning how to drive right now. so, this would come in very, very handy.

GALLAGHER: Yes. So, you want to just surveil your teenage boy and get the information.

KEENAN: That's right. Yes, I do.

GALLAGHER: Yes, the insurance rates are high enough for teenage boys. I say no, because you know what's next? Hey, put the phone down or he picked the phone up this time, he was eating a hamburger, he was drinking this, it's crazy.

Is it OK for your car of tattle on you? Yes four percent, Instagram yes five percent.

William Duncan says if anyone should sell personalized data to my insurance company, it should be me.

Roc, I wish I would have held on to my old '79 BMW. Who would have known that would have meant freedom in the future?

Jean Bottiggi, who needs to know that I'm going to Publix for the second time today? Forgot eggs. Of course.

Manuel Madrid, we all know that we are not good drivers but they don't need to spy on us. No, they do not and yet they will.

All right, y'all, great conversation. We got everybody. Thank you for watching America's late news FOX NEWS @ NIGHT. I'm Trace Gallagher in Los Angeles. We'll see you right back here tomorrow night.

(COMMERCIAL BREAK)

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