

# [***Unclear If Google Fulfilled Government Request; Privacy Experts Concerned Over Google Ruling; Appeals Court Slashes Trump Civil Fraud Bond; Border Patrol Chief Admits "National Security Threat"; Blame Game Intensifies As Border Crisis Grows; Israel Cancels Delegation Visit After U.N. Vote; Leaked State Memo Questions Israel's Credibility; Dodgers' Ohtahi Speaks Out Amid Gambling Scandal; Meta Accused Of False Child Abuse Warning; Church Faces Legal Battle Over Food Bank Ministry***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BMY-HYH1-JCS1-6002-00000-00&context=1516831)

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**Guests:** Matthew Bilinsky, May Mailman, Tezlyn Figaro, Erin Perrine, Cameron Hamilton, Aaron Cohen, Sonja Shaw, Carl DeMaio, Jose Manuel Castro, Jeremy Dys

**Body**

(COMMERCIAL BREAK)

GREG GUTFELD, FOX NEWS CHANNEL HOST: We are out of time. Thanks to Tom Shillue, Charly Arnolt, Joe DeVito, Kat Timpf, our studio audience.

"FOX NEWS @ NIGHT" with dreamy Trace Gallagher is next. I'm Greg Gutfeld. 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 federal government is watching what you watch on YouTube.

There are astonishing reports tonight that federal investigators ordered Google to hand over the names, addresses telephone numbers, and user activity of those who watched certain YouTube videos. The Feds were trying to track down a criminal and were apparently tracking you in the process.

The senior national correspondent Kevin Corke is live in D.C. with the big news about big brother. Kevin, good evening.

KEVIN CORKE, FOX NEWS CHANNEL SENIOR NATIONAL CORRESPONDENT: Evening, Trace. According to Forbes, the government asking Google to give up names, addresses, phone numbers, and user activity of all account users, who access certain YouTube videos back in January of 2023, as you mentioned as part of a larger criminal investigation.

Now, in another instance, police also asked Google to provide a list of accounts that viewed and or interacted with YouTube live streams that could lead to information again on what they claim was a police search.

Privacy experts tell Fox Business tonight, this discovery is absolutely terrifying. Saying, it allows the police to target people for simply consuming content. "It's unconstitutional, it's terrifying, and it's happening every day. These YouTube warrants are just as chilling, allowing police to target people simply for the content they consume.

No one should fear and knock at the door from police simply because of what YouTube's algorithm serves up."

Now, the discovery also comes as Meta is said to be changing its algorithm to restrict Instagram users access to political information. And, of course, as an upcoming Supreme Court ruling could set new standards for free speech.

And while it's still unclear tonight if Google gave authorities and requested information, the company tells Fox Business this evening, "We have a rigorous process designed to protect the privacy and constitutional rights of our users." It goes on.

"We examine each demand for legal validity, consistent with developing case law, and we routinely push back against overbroad or otherwise inappropriate demands for user data, including objecting to some demands entirely."

Now, the DOJ tonight has yet to respond to our request for comment. It is a huge story, a bombshell some would say, Trace, one that will obviously garner further examination. Back to you.

GALLAGHER: It will indeed. Kevin Corke, live for us in D.C. Kevin, thank you.

Let's bring in the host of "The Prevailing Narrative" podcast, media, and technology attorney, Matthew Bilinsky. Matt, great to have you on the show again.

So, the Senior Counsel at the Electronic Privacy Information Center said the following, quoting here, "What we watch online can reveal deeply sensitive information about us -- our ***politics***, our passions, our religious beliefs, and much more. It's fair to expect that law enforcement won't have access to that information without probable cause. This order turns that assumption on its head."

GALLAGHER: I mean, targeting people for the content that they consume seems astonishing and baffling to a lot of people, Matt.

MATTHEW BILINSKY, BUSINESS ATTORNEY: Yes. It's definitely troubling, and there is obviously the concept of probable cause. But the more important concept here is -- the concept of narrowly tailoring a warrant or a subpoena request, because there are valid reasons for the authorities to look into the online behavior of private individuals, if in furtherance of a valid criminal investigation.

Here, we have a valid criminal investigation, but trying to find every person who's viewed a certain video and there's 30,000 people have viewed that video, stretches the imagination to wonder that, that could be narrowly tailored to the criminal investigation at hand.

GALLAGHER: It seems like the common, Matt, they are just throwing a big net out there and hoping they catch something. And in the process, you get, you know, it's like fishing, you get a lot of, you know, you get some small fish in with the big fish you're looking at.

BILINSKY: Yes, you wonder how are you going to chisel that down into who could be involved in the criminal process here. And, you know, in terms of thinking about where you have an expectation of privacy, people have an expectation of privacy in their online and their social media behavior --

(CROSSTALK)

GALLAGHER: You're talking about the expectation of privacy, Matt. It's interesting, because the court granted these orders and then kept them secret until Forbes actually came in and got this Freedom of Information Act, and got these documents.

They said look, we are going to grant this, and then, we're going to hide this. And it seems to me like that's just maybe is normal procedure? Doesn't seem normal.

BILINSKY: It doesn't seem normal. You have to wonder if the courts are still trying to figure out what their perspective is on online privacy. As I mentioned a moment ago, expectation of privacy -- historically, bedroom, bathroom, other places. We know that you have that constitutional expectation -- that protection.

I think the courts are still working through the extent to which you have that protection in your online behavior.

GALLAGHER: Yes, and Kevin Corke kind of touched on this. The Supreme Court is now considering this huge case of, you know, the government going in, and censoring tech companies. Big tech companies. Censoring us. Censoring everybody that doesn't fit their narrative.

And Justice Ketanji. Brown Jackson said this during the oral arguments. Watch.

(BEGIN VIDEO CLIP)

JUDGE KETANJI BROWN JACKSON, ASSOCIATE JUSTICE, SUPREME COURT OF THE UNITED STATES: My biggest concern is that your view has the First Amendment hamstringing the government in significant ways in the most important time periods.

(END VIDEO CLIP)

GALLAGHER: Matt, the First Amendment is supposed to hamstring the government.

BILINSKY: Correct.

GALLAGHER: That's what it is. The government doesn't have any rights. We have the rights to protect us from government overreach.

BILINSKY: Historically, you'd never even expect even the most liberal Supreme Court justice or anybody in the public sphere to believe that there was the priority of the government's ability to capture this information that, you know, was superior to the protection of the First Amendment, and starting to see Supreme Court justice or other people who are supposed to be our elected leaders honoring the constitution to kind of cast that aside and put the government's concerns ahead of that is very troubling.

GALLAGHER: It's got a lot of people, very troubled. Matt, Bilinsky, great to have you on the show, as always.

BILINSKY: Thank you.

GALLAGHER: Thank you.

Meantime, former President Trump got a major break from an appeals court in his civil business fraud judgement.

Trump's bond has been reduced from $454 million to 175 million. And he's got 10 days to post it.

C.B. Cotton has the breaking information on this story. She is live for us in New York City.

C.B. Good evening.

C.B. COTTON, FOX NEWS CHANNEL NATIONAL CORRESPONDENT: Hi, Trace.

Former President Donald Trump, counting one legal victory. As you said and appeals court has now given Trump 10 days to post a bond for $175 million to secure the civil fraud judgement against him, keeping the state from freezing bank accounts or seizing assets.

Trump's attorney, Alina Habba saying this.

(BEGIN VIDEO CLIP)

ALINA HABBA, LEGAL SPOKESMAN OF DONALD TRUMP: I am so proud of the Appellate Division for giving us the opportunity. They didn't reverse the case, but they will when they see what we saw.

(END VIDEO CLIP)

COTTON: But Trump's efforts to stop his criminal hush money trial from moving forward are far from over. The case alleges Trump attempted to cover up hush money payments to adult film star, Stormy Daniels, cheating the voters the chance to fully size-up Trump as a presidential candidate.

The Manhattan district attorney and Trump's lawyers have been sparring over a dump of thousands of documents. Potential evidence from federal prosecutors, which was released earlier this month. The judge ultimately decided the D.A.'s office was not responsible for the late disclosure and the trial will now move forward with jury selection beginning on April 15th.

As a former president geared up for his day in the courtroom, he posted on Truth Social, comparing the financial risk he faced this week to Jesus, during the Holy Week in the Christian faith.

And President Biden's campaign quickly pushed back on that, writing in part, "He spent the weekend golfing, the morning comparing himself to Jesus, and the afternoon lying about having money he definitely doesn't have."

Now, the judge is allowing former President Donald Trump's legal team to file another motion and attempt to delay the hush money case again. This time his lawyers citing pretrial publicity. The Manhattan D.A.'s Office, Trace, has 10 days to respond.

Back to you.

GALLAGHER: C.B. Cotton, live for us in New York. C.B., thank you. Let's bring in the director of the independent Women's Law Center, former Trump White House attorney May Mailman. May, it's great to have you on the show.

Look, it's not easy to pony up $175 million, but it's still a big break, and it's a distance from $470 something million. What do you think about this?

MAY MAILMAN, FORMER TRUMP WHITE HOUSE ATTORNEY: Yes. I think today is embarrassing for Judge Engoron. It's an admonishment of him. It basically indicates that this fee is excessive, it's totally made up. But it's not necessarily a good day for Trump, because he still is on the hook for that half billion. And the interest accumulates at $112,000 per day.

So, he's paying $175 million for the privilege of not having his bank accounts and his properties seized.

But the people of New York are not entitled to Trump's money.

(CROSSTALK)

GALLAGHER: Yes.

MAILMAN: They are entitled to a legal system that is fair and just and not after a single individual.

GALLAGHER: Jonathan Turley said this about the appeal process in this case. Watch.

(BEGIN VIDEO CLIP)

JONATHAN TURLEY, FOX NEWS CHANNEL CONTRIBUTOR: I can't imagine this penalty being sustained by the appellate court. I was incredibly excessive. And I do believe that Engoron had to know that by adopting such a huge figure, it would have been difficult for Trump to appeal his decision without selling property.

(END VIDEO CLIP)

GALLAGHER: And I think a lot of legal analysts really agree with that. And they think this thing is eventually going to get tossed. What do you think, May?

MAILMAN: Yes, it's not an easy road. So, the New York civil fraud statute is pretty broad, it can sweep in a wide range of activities. But if you Look at all of the previous prosecutions, the fine is all is always connected to the victims. What was lost? Did someone give their money to a company and that disappeared? Sam Bankman-Fried style?

But here, there were no victims. And so, it does seem very clear that this is an excessive fine. And I do expect for it to be entirely overturned or at least reduced.

GALLAGHER: Yes. Moving on now. The hush money trial moves to April 15th. Another what some would say highly inflated case. What do you think about the date, the movement, et cetera?

MAILMAN: It's coming up quick. I guess we all thought that it would have been started by now. So, there was at least some delay. But I think the real benefit to this case moving quickly is this is the case you actually want to go first, because this one shows what a fraud -- basically the whole get Trump movement is about.

This is a demand that he used campaign finances for personal purposes. That is the opposite of what campaign funds are supposed to be used for.

GALLAGHER: Yes. Yes, I've got lastly here and I don't have much time. But Fani Willis talking publicly about the Trump case, again. Watch.

(BEGIN VIDEO CLIP)

FANI WILLIS, DISTRICT ATTORNEY, FULTON COUNTY, GEORGIA: I'm not embarrassed by anything I have done. You know, I guess my greatest crime is I had a relationship with a man. But that's not something that I find embarrassing in any way.

All while that was going on, we were writing responsive briefs. We were still doing the case in the way that it needed to be done. I don't feel like we've been slowed down at all. I do think that there are efforts to slow down this train, but the train is coming.

(END VIDEO CLIP)

GALLAGHER: The train is coming.

They told her not to talk about this publicly. And there she is.

MAILMAN: Yes. The judge said, if you keep talking about this case, I am willing to put a gag order on you. Trump's attorneys haven't asked for one and probably they shouldn't because every time she opens her mouth, she is a liability to herself and her own case.

GALLAGHER: Nobody wants a gag order. May Mailman, great to see you as always. Thank you.

MAILMAN: Thanks, Trace.

GALLAGHER: Meantime, brand new tonight, the chief of the U.S. Border Patrol is now citing a record number of known gotaways, in a new admission that yes, indeed, the crisis on our southern border is a national security threat.

Bill Melugin, live with the very latest on this. Bill, good evening.

MELUGIN: Trace, good evening to you.

Look, nobody knows the border better than the chief of U.S. Border Patrol. Right?

Well, he is now saying the situation at the border is a national security threat, particularly because of the masses of known gotaways sneaking into the country this fiscal year alone without capture.

(BEGIN VIDEO CLIP)

JASON OWENS, UNITED STATES BORDER PATROL CHIEF: What's keeping me up at night is the 140,000 known gotaways.

CAMILO MONTOYA-GALVEZ, IMMIGRATION REPORTER, CBS NEWS: Is that a national security risk?

OWENS: That is a national security threat. Border security is a big piece of national security. And if we don't know who is coming into our country, and we don't know what their intent is, that is a threat, and they are exploiting a vulnerability that's on our border right now.

MELUGIN (voice over): And today, the White House was asked, do they agree with their border patrol chief statements?

REAR ADM. JOHN KIRBY (RET.), COORDINATOR FOR STRATEGIC COMMUNICATIONS, NATIONAL SECURITY COUNCIL: We are certainly aware that there could be national security threats that can arise at the border, which is why we're arguing so hard to get additional resources and capabilities down there.

(END VIDEO CLIP)

MELUGIN: Meanwhile, today in El Paso, an illegal alien can be seen using bolt cutters to break through razor wire barricades deployed by the state of Texas, allowing other illegal immigrants to come through the gap before they were eventually pushed back to Mexico by Texas authorities.

This all coming, of course, just days after a mob of mostly Venezuelan male migrants, illegal aliens broke through Texas barricades and overran Texas National Guard soldiers physically at the same area in El Paso that led to one arrest for assault on a Texas soldier.

And Trace, right now, the fate of Texas is controversial border security bill S.B. 4, still kind of in the air tonight after what was really a seesaw of rulings we saw last week. Texas now waiting on an appeals court ruling ahead of a hearing next week. We'll see how that plays out.

GALLAGHER: Just for clarity, we say 140,000 known gotaways. We don't know that the numbers 140,000. the threat's proper assessment. Right?

MELUGIN: It's 140,000 Since October 1st that they've seen or detected on cameras or other sensors, but haven't been able to get to. That does not account for the ones they never saw.

GALLAGHER: Yes. Bill, thank you.

MELUGIN: Yes.

GALLAGHER: Let's bring in political analyst Tezlyn Figaro and Axiom Strategies' Erin Perrine. Thank you both for coming on.

Tezlyn, to you first, as Bill was just saying 140,000 gotaways that they know of, they have no idea where these people are. And more importantly, they have no idea who these people are. What do you think?

TEZLYN FIGARO, HOST, STRAIGHT SHOT, NO CHASER PODCAST: I think it's a big mess. You know, obviously, there is a problem that needs to be addressed. I don't know who's going to do it. Republicans, Democrats, you know, people are leaving -- fleeing Congress, if you will, you know, left and right.

So, you know, I really don't have any answers this evening on what we're going to be able to do in order to fix this.

GALLAGHER: Yes, it's incredible Erin, because John Kirby said today that there's only so much the president of the United States can do. Watch him, we'll get your response.

(BEGIN VIDEO CLIP)

KIRBY: If you care about the border, if you care about the security of the border, and the president's sure does, then, we ought to get that national security supplemental pass that's what that funding will do.

There is only so much that you can do through executive action. In order to get more resources to prevent more people from getting in illegally, you got to have funding.

(END VIDEO CLIP)

GALLAGHER: love the line. There is only so much he can do. But the bottom line is, he's done nothing. And Erin, he undid everything during his first few days in office. So, to say that his hands are tied, is rich.

ERIN PERRINE, AXIOM STRATEGIES: It is very rich. And Trace, you hit the nail right on the head there. I find it very funny that the Biden administration is now saying that they can only do so much through executive action when they have never let the law or executive action limitation stop them from taking any policy position they have wanted up to this point.

So, for them to say that they are now somehow curtailed, yes, ultimately, the decision needs to come through Congress on how we secure the border. But now, Democrats have made this a political football for the last five years. It's so for Joe Biden to throw up his hands, and say, we can't do anything is very disingenuous.

Even if he took the steps to reinstate the previous administration's actions, they took to help secure the border, that would be a massive boost. And something else that might actually help with the border is boosting the morale of border patrol agents, who they so maligned by lying about them, and saying they attacked immigrants who are coming across.

Those two things alone, those executive actions, and standing with our agents could really go a long way in helping with this border crisis,

GALLAGHER: Executive actions, executive statements, saying that I was wrong about whipping the Haitian migrants down on the border. You're exactly right, it would go a long way.

Here are some, Tezlyn, MSNBC meltdowns about the hiring of Ronna McDaniel.

(BEGIN VIDEOTAPE)

JOE SCARBOROUGH, CO-HOST, MORNING JOE, MSNBC: We weren't asked our opinion of the hiring. But if we were, we would have strongly objected to it for several reasons,

MIKA BRZEZINSKI, CO-HOST, MORNING JOE, MSNBC: We hope NBC will reconsider its decision. It goes without saying that she will not be a guest on Morning Joe, in her capacity as a paid contributor.

(END VIDEO CLIP)

GALLAGHER: Well, God forbid that Ronna McDaniel come on MSNBC, and try to offer some dissent, try to offer her opinion on what things are. Tezlyn.

FIGARO: I'll be honest with you, I think that it says a lot about the anchors who are willing to risk their job to say, you know how they feel. So, I think that's important. I was actually shocked. Most people in the industry don't say anything at all, and speak up when necessary.

So, for them to say that this is somebody we do not agree with, and we do not trust in it affects our credibility. I actually think that's a good thing. I don't know, you know, have it work out in the end. But the question is, you know, will she continue to stay at MSNBC, when she clearly does not have clearly is not welcome.

So, I was quite shocked and actually impressed to be quite honest with you, because a lot of times, I don't see people with a backbone. So, I appreciate it seeing one for the first time because I actually forgot what it looked like.

GALLAGHER: Listen, an MSNBC and NBC might cave and might get rid of Ronna McDaniel together. Chuck Todd said the following here. "The issue isn't about ideology. It's about basic truth. Those trying to make this a left- right issue are being intentionally dishonest. This is about whether honest journalists are supposed to lend their credibility to someone who intentionally tried to ruin ours."

What honest journalists is he talking about, Erin? Do you know? I've got about 30 seconds left for you.

PERRINE: I do no good reporters at NBC. So, I can -- I can agree with that. But I will also say, there is been a lot of bad reporting and a lot of journalistic integrity issues when it's come to their reporting of their own at NBC.

Let's talk about the Russia collusion story. We can go through the litany of things that they got wrong. But you want to make your network better. You want to give more people access to information, welcome in diverse opinions and hold them to account. Be willing to have the tough conversation. Because one sided conversation doesn't benefit the nation.

It's just an echo chamber of noise and doesn't solve anything.

(CROSSTALK)

GALLAGHER: Yes.

PERRINE: So, it's really kind of sad to see MSNBC not willing to take this as a challenge, and say, let's go, come on. Let's have this conversation. Instead, they want to just malign Ronna, and that's really unfortunate.

GALLAGHER: Yes. Russia collusion, bounty gave, the list just goes on and on.

PERRINE: Yes.

GALLAGHER: Tezlyn Figaro, Erin Perrine. Thank you both for coming on. We appreciate it.

PERRINE: Thanks, Trace.

GALLAGHER: Meantime, coming up, the growing rift between Israel and the Biden administration. The president said three months ago they must fight Hamas.

Now he's telling them where they can fight Hamas.

Plus, another church facing a lawsuit for feeding the hungry.

FOX NEWS @ NIGHT continuing our quest to find out why churches across the country are constantly being targeted.

And later in the NIGHTCAP, a 17-year-old, invited on stage to sing Heading South with Zack Bryan. Watch.

(BEGIN VIDEO CLIP)

ZACK BRYAN, AMERICAN COUNTRY MUSICIAN: (INAUDIBLE)

LUCAS MASON, FAN OF ZACK BRYAN: (INAUDIBLE)

(END VIDEO CLIP)

GALLAGHER: Video went crazy rival. What artist would you love to be on -- invited on stage to sing with? One, would you go? Two, what would you want to sing? Let us know X and Instagram @tracegallagher. We'll read the best responses in the "NIGHTCAP".

Meantime, it is almost 8:20 here on the west coast. A FOX NEWS @ NIGHT "TRIP ACROSS AMERICA". First, a live look, Santa Monica, California, where beach volleyball was invented back in the 20s. And of course, Manhattan Beach is now perfected.

Next, alive EarthCam look at Denver, Colorado, home to the very first Chipotle Mexican Grill.

Finally, a live look, Macon, Georgia, hometown of country music singer Jason Aldean.

And if you cannot join us live, don't forget to set your DVR and watch us anytime. We are coming right back. Cameron Hamilton, Aaron Cohen to talk about Israel and the Biden administration, saying, now there might be consequences.

(COMMERCIAL BREAK)

GALLAGHER: Well, tensions between the U.S. -- rising again after the Biden administration refused to veto a United Nations resolution calling for a ceasefire in Gaza. And Prime Minister Netanyahu will no longer send his defense minister and others to meet with the Biden administration in D.C.

Ashley Strohmier, live with the very latest on this. Ashley, good evening.

ASHLEY STROHMIER, FOX NEWS CHANNEL CORRESPONDENT: Hi, Trace. Administration officials said they are perplexed and surprised by Israel's decision to cancel a delegation's trip to Washington to discuss Rafah. The change of plans comes after the United States refused to veto a United Nations resolution, calling for an immediate ceasefire in Gaza.

Israeli Prime Minister Benjamin Netanyahu said failure to block the proposal was a clear retreat from the previous U.S. position.

(BEGIN VIDEO CLIP)

KIRBY: It's a non-binding resolution. So, there is no impact at all on Israel and Israel's ability to continue to go after Hamas. It does not represent a change at all in our policy. It seems like, the prime minister's office is choosing to create a perception of daylight here when they don't need to do that.

(END VIDEO CLIP)

STROHMIER: The U.N. vote was the first of its kind to be approved by the member council. Meantime, as Israel's war on Hamas rages on, Vice President Kamala Harris issued a stark warning about any future military operations in Rafah, where about 1.5 million Palestinians are currently living most of them, displaced.

(BEGIN VIDEO CLIP)

RACHEL SCOTT, CONGRESSIONAL CORRESPONDENT, ABC NEWS: Are you ruling out that there would be consequences from the United States?

KAMALA HARRIS, VICE PRESIDENT OF THE UNITED STATES: I am ruling out nothing.

(END VIDEO CLIP)

STROHMIER: And Trace, former President Donald Trump is weighing in on the war on Hamas tonight, telling an Israeli newspaper that Israel needs to get the job done, because they are losing a lot of support from the rest of the world. Back to you.

GALLAGHER: Ashley Strohmier, live for us in New York. Ashley, thank you.

While the FOX NEWS @ NIGHT "COMMON SENSE DEPARTMENT" is perplexed that the Biden administration is perplexed. That Israel is now backing out of high- level meetings in Washington.

Israeli Prime Minister Netanyahu canceled the meetings because the U.S. would not veto a United Nations resolution calling for a ceasefire in Gaza. So, President Biden just took another big step back from Israel. And his administration is baffled as to why Israel is unhappy.

This is the same Biden who three months ago said, quoting here, "There is no question about the need to take on Hamas. There is no question about that. None. Zero."

Turns out none and zero is actually a lot -- a whole bunch. Because Biden now says Israel should not invade Rafah. So, Hamas is hiding in tunnels using its own people as human shields and vowing to conduct another October 7th.

But Israel can only fight where the U.S. says it can fight Hamas. And if Israel didn't get President Biden's message, vice president Harris now says if Israel goes into Rafah, she won't rule out consequences.

She didn't explain. But we can only hope and pray, they are not the same debilitating consequences that Russia and China and the Taliban, Iran, and the Houthis have had to endure.

"COMMON SENSE" understands the Biden administration loves to promise consequences and delivers, none, zero, which is truly perplexing.

Let's bring in a former U.S. Navy SEAL, who trained with IDF Special Forces, Cameron Hamilton. And a former member of Israel's Special Operations counter terrorist unit, Aaron Cohen.

Gentlemen, thank you for coming on. We appreciate it.

"COMMON SENSE" kind of set it up there for you. But we have Kamala Harris, you have John Kirby, you have all these things. They are all saying, oh, we're going to have consequences if they don't listen to us.

John Kirby saying it's not a big deal that you know, the U.N. Security Council that they didn't veto this measure today. What do you make of this kind of pull back from Israel?

AARON COHEN, FORMER MEMBER OF ISRAELI'S SPECIAL OPS: Well, there's an expression, Trace, in Hebrew, I'm going to go back to your counterterrorism, and (INAUDIBLE), which means there's no backwards in counter terror. Israel's lost hundreds of IDF special operations troops, light infantry forces in the last four months fighting house-to-house in order to reduce those, to reduce the aerial campaign which is what the White House was explicit about.

Israel did it, started going house to house using that limited penetration room clearing. Thank God they have it. The problem is now is that the Biden administration again is trying to tell Israel how they want them to conduct the urban operations with four battalions of Hamas remaining in Rafah. It needs to be cleared out. Otherwise, it's not going to stop. The terror will continue.

GALLAGHER: Cameron, the internal Biden administration memo published in the Washington Post reads in part, quoting here: "The Israelis seemed oblivious to the fact that they are facing major, possibly generational damage to their reputation, not just in the region, but elsewhere in the world. And if they stop now, I mean, Hamas wins, they regroup, they attack again. What do you think?

CAMERON HAMILTON, FORMER NAVY SEAL WHO TRAINED WITH IDF: I think, Trace, you're exactly right. We know that Israel has to root out Hamas. It's a difficult job, no doubt. Unfortunately, what we see here is this administration trying to pretend that they're not placating the political left, but they really are. This is a pretty critical change in our public policy as it pertains towards defending Israel's right for self- determination. There really is only two outcomes they have to pursue. Number one, they must eliminate Hamas fully and completely. Number two, they're not doing this for political benefit down the road. They're doing it to protect their citizens from future attacks. We have to remind ourselves that that's the purpose behind their action.

GALLAGHER: Yes, I mean, I saw that video, we just had the interview with Israel Bachar, the Consulate Secretary, and it was just horrifying to watch, Aaron. There's a reason. People need to see what actually happened to know what Israel really wants to accomplish here.

COHEN: Yes, and it's a good thing that we've got cameras now and that we can document and that we can have evidence and that we can -- this is probably one of the most visual campaigns in the history of modern warfare and I think it's a, a blessing in a way. But the fact is, and I agree with Cameron, Israel needs to continue the grounded pound operations with the degree of selectivity that they've been using. And it's not going to take long for Israel to finish the job, but to quote Kamala Harris, she came out and she said: "I've seen the maps and there's nowhere for these people to go." When I say, Kamala we're going to put them where they need to be safe. Israel needs to finish the campaign and get it over with.

GALLAGHER: Yes. Lastly, Cameron, a little off subject, but I'm curious, what do you think about this allegation, this, this, what Russia says ISIS went after that concert hall in Russia and killed more than 133. Truth? Or do you think there's more to the story?

HAMILTON: Well, right now, we have nothing to contradict the report, which I think that we'll probably see more information down the road. I'd like to believe that it is true, although at the same time there's many splinter cells that would like to align with ISIS that aren't necessarily ISIS proper. It's a very fraction group. There's many different, you know, kind of fiefdoms that all operate within the same space, but it's likely that it was some form of ISIS aligned group. I think again, terrorism sells, Trace. I think unfortunately we all know this very well. The more carnage, the more mayhem, the more funding and support and radicalization you can promote.

GALLAGHER: Yes. Cameron, Aaron, gentlemen, thank you.

COHEN: Appreciate you.

GALLAGHER: First up tonight's "REAL NEWS ROUNDUP", Los Angeles Dodgers superstar, Shohei Ohtani, addressed the media for the first time since news broke about his longtime interpreter allegedly stealing millions of dollars from him to cover gambling debts. Look.

(BEGIN VIDEO CLIP)

SHOHEI OHTANI, LOS ANGELES DODGERS: So, I never bet on baseball any other sports or never have asked somebody to do all my behalf, and I have never went through a bookmaker to bet on sports.

(END VIDEO CLIP)

GALLAGHER: Ohtani said he was very saddened and shocked at someone he trusted did this. The allegations against his interpreter are being investigated by the IRS.

Federal officials rated the Los Angeles home of, Sean P. Diddy Combs. Several serious allegations of sexual misconduct had been brought against the hip-hop mogul, including possible sex trafficking. Combs denied the allegation.

Well, a frequent guest on our show, Sonja Shaw, Chino Valley Unified School District President, demanded answers from Meta, owners of Instagram and Facebook, for falsely associating her name with child sexual abuse on their social media platforms. Meta took down the false public message, but has not yet provided an explanation about why it was posted in the first place. And with that, let's hear first-hand from Sonja Shaw, now along with Republican candidate for California State Assembly, Carl DeMaio. Thank you both.

The Liberty Justice Center demanded that Meta explain the false message, and it was false. And, you know, you look at this totality this is the following: "Recently members of the public who search for Shaw's name on the Meta-owned platforms Instagram and Facebook received a warning message. In that message, Meta stated, we think that your search might be associated with child sexual abuse and warned that searching for such material can lead to imprisonment and other severe punishments." When you're linking a school official with sexual abuse, it is a big deal. It needs to be fully explained, and absolutely, they need to take responsibility for this.

SONJA SHAW, CHINO VALLEY UNIFIED SCHOOL DISTRICT PRESIDENT: Absolutely, and their silence speaks obviously pretty loud in this because the very fact that anybody searched up my name and saw that when I'm fighting exactly against these things is horrific. It's horrifying. I think it's retaliation because I've been fighting against these things. They're trying to continuously use me as an example of what will happen if you continue to fight. People need to wake up and realize this is an attack on our families and our children.

GALLAGHER: And just, just for clarity what you're saying is you're in favor of making sure that parents know the truth about their children and not keeping secrets from parents, and they are targeting you for that, Sonja. Thank you.

Carl, moving on to you now. KTTV, our Fox-affiliate here in Los Angeles, had the following headline, "SoCal malls see beefed up police presence over concerns of mall takeovers." I mean, we got the message this week where we live down there in the South Bay that these kids were coming to the malls and you think what's going on here?

CARL DEMAIO, REPUBLICAN CANDIDATE FOR CALIFORNIA STATE ASSEMBLY: Yes, these are kids that decide on social media to say hey let's go ransack, let's go steal, or worse let's go beat each other up at a mall. And so, I mean what more? I mean we have locusts, and you know all sorts of earthquakes and attacks. The reality is California is absolute mayhem. It's lawlessness. It's irresponsible.

And our politicians are, what are they doing? They're focusing on personal pronouns in kindergarten. They've got to get back to the fundamentals. They've got to start restoring law and order because people are leaving California at an alarming rate. And the businesses are shutting up shop. I mean, go to most malls today and every third store is vacant because these businesses can't survive.

GALLAGHER: I wouldn't walk into a -- after a warning like that, who's going to walk into a mall? Nobody's going to walk in. By the way, Gavin Newsom is also calling for a ceasefire in Gaza, if that helps California's thing. The FoxNews.com piece said: "The conservative California school board members ousted after trans-related parental notification policies." Same thing, Sonja, this is in Orange County where you're not, but they're kicking these people off the school boards because they also want to notify parents and they're targeting conservatives. Rare in Orange County, more rare in Orange County than the rest of the state, but what do you think?

SHAW: Absolutely, but the unions are smart. The CTA actually got caught red-handed making a YouTube video saying that this is a pilot program and they're coming after other board members all across California and even the nation. Parents need to wake up and realize they are well funded, they're well organized, they use lying and tactics. This is an attack on voter integrity as well. This is disgusting. And kids are, the kids are standing right in front of the way.

GALLAGHER: CalMatters writes the following, California is clearing criminal records including violent crime to offer second chances. Carl, I've got a few seconds for you.

DEMAIO: Yes, they're going after school board members with false allegations of crimes while the Democrats are trying to wipe away the evidence that someone might be a risk. What I say is, yes, we want to give people second chances and so some people can go through remediation. But look, as a business owner, I'd like to know if I'm hiring someone in a financial role, have they ever committed a felony? Have they ever stolen from a previous employer? What California Democrats want to do is, after you serve your sentence, if you go for just simply two years, any crime, whether it's violent crime or property crime, gets wiped free. And that's not right. People have a right to know.

GALLAGHER: Carl, Sonja, thank you. Coming up, the pastor of a church in Arizona now facing the possibility of time in prison. His crime? Feeding those in need. He joins us live next.

(COMMERCIAL BREAK)

GALLAGHER: As we continue focusing on the targeting of Christians, we have another example tonight of a church and its pastor facing fines and possible imprisonment for feeding those who are hungry. Let's bring in the pastor of Gethsemani Baptist Church in San Luis, Arizona, Jose Manuel Castro, and First Liberty Institute Senior Counsel, Jeremy Dys. Gentlemen, thank you both. Pastor, first to you, they keep threatening to fine you, in fact they are fining you, threatening to charge you if you don't stop feeding the hungry because you're bringing in these truckloads of food and it violates zoning. Will you stop doing this pastor?

JOSE MANUEL CASTRO, GETHSEMANI BAPTIST CHURCH PASTOR: Well, I would like to not stop. I need to continue feeding the poor people and the people in need.

GALLAGHER: Yes. And Mr. Dys, it's interesting because the lawsuit says, "Although the church disclaimed that any of its operations were currently illegal and committed to rectifying any potential issues moving forward. Defendants refused to even discuss a solution that would allow the ministry to continue, even resorting to citing the church's pastor for passing out food to just a few hungry people." Why are the church is being targeted for doing what they believe is right?

JEREMY DYS, FIRST LIBERTY INSTITUTE SENIOR COUNSEL: I sure wish I knew why Mayor Nieves Riedel has targeted Gethsemani Baptist Church and its incredible ministry of feeding the hungry, especially those who are crossing the border right now. Throughout the region, people who are without food are coming to this church for food. This has been a longtime ministry of this church, where the city, has in the past embraced this ministry and encouraged it.

But once Mayor Riedel became the mayor, she put an end to that whole mixture. And now, the pastor has been cited and fined two different times. If he's cited one more time, he faces the potential of misdemeanor criminal charges as well. All this for having the audacity to feed hungry people. Because of Mayor Riedel, people tonight are going to bed without food in their bellies. Pastor Manuel is ready to not only feed them, but to care for their souls as well. This mayor and this city should be encouraging people who are feeding the hungry rather than fining them and threatening them with worse penalties.

GALLAGHER: Yes, and Pastor Manuel, why is it so important that you continue this in the face of what the city is doing? Would you just stop for a little bit or are you going to continue?

CASTRO: Well, I would like to not stop doing this ministry. I hope God make a miracle and the attorneys make a work and help us to fix and make solution on this situation because we would like to continue serving our community. We have a lot of needs in our community. A lot of poor people, a lot of needs.

GALLAGHER: Yes, I've got about 20 seconds left for you, Jeremy. Is this a fight you think you can win?

DYS: Absolutely. The First Amendment is clearly on the side of Pastor Castro and the good people there in San Luis. Mayor Riedel needs to take a step back and remember what this Constitution, this First Amendment is all about. It protects pastors and churches just like this all across the country. That's why we're so committed to this at FirstLiberty.org.

GALLAGHER: Pastor Manuel, Jeremy Dys, gentlemen, thank you. Coming up, if you're asked to go on stage and sing with your favorite artist, could you do it? What would you sing, and who would you sing it with? The "NIGHTCAP" next.

(COMMERCIAL BREAK)

GALLAGHER: We are back with the "NIGHTCAP" crew: Kevin Corke, Bill Melugin, Ashley Strohmier, Carl DeMaio, Sonja Shaw, and Matthew Bilinsky. Tonight's topic, audience experience. A Zach Bryan fan had the time of his life when he got to go up and sing on stage at a concert. Watch.

This thing has gotten a gazillion views on social media. The question is, what artist would you want to sing with on stage, and what song of theirs would you want to sing, Ashley Strohmier?

STROHMIER: I knew you were coming to me first on this one. No one wants to hear me sing or do anything.

GALLAGHER: Oh, I do. I do.

STROHMIER: It is so bad, but I would have to pick Chris Stapleton because he's really the only person I listen to when I do turn the radio on or my phone or whatever it is. I don't know what song because honestly, I would just butcher it, whatever it is.

GALLAGHER: "Tennessee Whiskey," there it is. "Tennessee Whiskey" --

STROHMIER: There we go.

GALLAGHER: Bill Melugin.

MELUGIN: Nobody wants to hear me sing either. This glass table will probably shatter, it's that bad, but I think the best singer on the planet is Andrea Bocelli.

GALLAGHER: Right?

MELUGIN: And again, absolutely not. You couldn't pay me enough.

GALLAGHER: Kevin Corke!

CORKE: "Don't Stop Believin'" -- obviously, Steve Perry, can't do it right now. Let's go with Steve, is it Ober-jee?

GALLAGHER: Yes, I don't know.

CORKE: That guy, the guy who's the new Steve Perry. That would be my song.

GALLAGHER: Carl DeMaio.

DEMAIO: First, it was really cool that they let him on stage to sing, so that's a memory of a lifetime. But I wouldn't want to sing, but if I had to, you get a song that everyone can sing along with, so your bad voice kind of melds in. So, Neil Diamond, "Sweet Caroline".

GALLAGHER: Oh, nicely done. There's a lot of that going on in Fenway Park. Sonja.

SHAW: OK, so you just made me give you a challenge. Lee Greenwood, "God bless the USA." Are you ready to sing? Come on, you just said it.

DEMAIO: No, no --

GALLAGHER: Matt Bilinsky.

BILINSKY: It's a no-brainer. Celine Dion, "My Heart Will Go On". You're going to get that opportunity. That's the belt out of power ballad. So, you go with the most powerful ballad.

GALLAGHER: Billy Joel, "Scenes from an Italian Restaurant". It's a long one, but it's a good one. Would you sing on stage with your favorite musician? Yes on X, 64 percent. Instagram, 78.

John Levenstam, "Aaron Lewis, Am I the Only One."

Ryan Schmelz, "I Am That Man by Brooks and Dunn."

James Duke, "Eagles, Peaceful, Easy Feeling."

Aaron, "I'd love to play guitar with Los Lobos, Don't Worry Baby."

Salvato Rea, "ZZ Top, LaGrange," oh that's a good one right there.

Mel, "Foo Fighters, Walk."

Marsha Collin, "Jackson Brown. I'd sing Take It Easy with Jackson Brown."

Thank you all for watching America's late news and joining the "NIGHTCAP". We'll see you back here.

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