

# [***Video Shows Migrants Storming Border In El Paso; N.Y. A.G. Lays Groundwork For Trump Asset Seizure; Letitia James Prepares To Seize Trump Assets; Anti-Israel Protesters Burn American Flag; Pandemic School Closures Harmed Students; Officer Goes Viral By Helping Teen Finish Marathon***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BM3-C7D1-F072-X0KY-00000-00&context=1516831)

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**Guests:** David Gelman, Cata Truss, Roma Daravi, Sheryl Adams, Elizabeth Pipko, Rabbi Chaim Mentz, Houman Hemmati, Jill Simonian, Jay Balgemino

**Body**

(COMMERCIAL BREAK)

GREG GUTFELD, FOX NEWS CHANNEL HOST: We're out of time. Jamie Lissow, Liz MacDonald, Kat Timpf, Tyrus, our studio audience. FOX NEWS @ NIGHT is next. I'm Greg Gutfeld. I love you, America.

TRACE GALLAGHER, ANCHOR: 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. If this is not an invasion, what is? Brand new video just into FOX NEWS @ NIGHT showing a major confrontation at the southern border. Migrants caught on camera storming a border wall in El Paso. Breaking through razor wire and getting physical with the Texas National Guard. More video and more information in moments.

But first to the other breaking news. New York's far left District Attorney Letitia James now actively going after the assets of former President Trump after he failed to post bond in his civil fraud case. The newest member of the Fox News Team anchor correspondent and lawyer Chanley Painter is live in New York with what Team Trump is calling election interference. Chanley, good evening.

CHANLEY PAINTER, FOX NEWS OVERNIGHT ANCHOR: Good evening, Trace. Great to be with you tonight. Well, the New York Attorney General Letitia James isn't wasting any time and taking steps to ensure Trump pays up some way somehow. The A.G.'s office formerly filed the multimillion-dollar civil fraud judgment in Westchester County. That's where the former president owns a golf course and a private estate.

This is all in case Trump and his legal team are not able to come up with a $454 million appeal bond in the next four days.

(BEGIN VIDEO CLIP)

ALINA HABBA, TRUMP LEGAL SPOKESPERSON: The ask of judge in Goren is completely ridiculous lid is intentionally to interfere in the election, to hurt President Trump to try and ruin his company and ruin a person and a family whose private company, not public company has made the skyline of New York changed forever and made so many jobs created jobs taxes to New York, it's a disgrace.

(END VIDEO CLIP)

PAINTER: And just recently, Trump's lawyers revealed that they've struggled to find the backing necessary to cover that amount of cash. And now Trump's campaign is calling on his supporters to help raise the money in a "effort to stop the witch hunt." And Trump of course has asked the New York appeals court to waive or at least decrease the bond while he challenges that verdict. But there has not been a ruling on that just yet. Trace?

GALLAGHER: Chanley, while we have you, a couple of quick questions. Does this filing in Westchester County mean that Letitia James could go after those assets first?

PAINTER: Well, it's unclear as of right now. So, formerly registering a judgment in Westchester County is simply a procedural step. It's necessary in that particular jurisdiction where he has property. But here in New York County, Trace, the state wouldn't need to register the judgment to gear up that possible lien process because the verdict was handed down here in Manhattan. But again, the A.D.'s office would only secure a lien against Trump's properties if he's unable to post that bond by Monday.

GALLAGHER: Good stuff. Chanley Painter, welcome to the team. Thank you so much. We appreciate it.

Let's bring in criminal defense attorney and former prosecutor David Gelman. David, great to have you on here. Jonathan Turley said the following and I'm going to see if you agree with this. Watch.

(BEGIN VIDEO CLIP)

JONATHAN TURLEY, FOX NEWS CONTRIBUTOR: I think what the court did here was outrageous. I mean, it came out with this figure, none of us can really figure out how he could justify that. He could have said a billion or two billion because the it would have the same level of relevance and connection to the evidence.

(END VIDEO CLIP)

GALLAGHER: I mean, David, there's an argument that Elon Musk couldn't come up with $500 million in this amount of time.

DAVID GELMAN, FORMER PROSECUTOR: Hi, Trace. Yes. You know, it's funny. Leticia James, after she's going after Trump's properties, she's going to go after the Statue of Liberty. She actually -- $100 million Donald Trump is coming up with right now. $100 million of liquid cash. That is a ton of money. Show me somebody who can come up with that right now. So, half a billion dollars, she wants somebody to come up with? Give me a break.

GALLAGHER: Yes.

GELMAN: I have clients who can't even come up with $1,000, let alone $500 million. That is a violation of due process and a violation of that Eighth Amendment right, the Constitution. It's unjust.

GALLAGHER: it sounds to me, David like that maybe another court needs to kind of intercede here. Needs to come in and do something. What do you think?

GELMAN: Well, Trace, you're exactly right. And I think Trump's attorneys are backing this right now and I think they're expecting Letitia James, she's going to overplay her hand. She's going to try to go after one of his properties and they are going to file for a motion in the federal court because she is going to violate his Eighth Amendment rights which is that this is a unfair and in excess of fine and they now will have standing in the federal system.

So, get out of the New York corrupt, you know, district if you will, where obviously they haven't been very fair to Donald Trump so far.

GALLAGHER: Yes. They really haven't. David Gelman, great to have you on as always. Thank you, sir. We appreciate your time.

GELMAN: Thanks for having me.

GALLAGHER: And now back to the top story. The incredible video of what appears to be a literal invasion across the southern border in El Paso, Texas of massive migrants storming the border, breaking through razor wire and knocking down the guards. Jeff Paul live with the latest on exactly what happened here. Jeff, good evening.

JEFF PAUL, FOX NEWS WEST COAST CORRESPONDENT: Yes. Good evening, Trace. And we reached out to folks at U.S. Customs and Border Protection. They tell us all migrants involved have been moved from the site, additional personnel have since been deployed to the area and that the situation is now under control. But when you see this footage taken by the New York Post, it was pretty chaotic for a few moments.

That was the scene earlier today at the U.S.-Mexico border crossing near El Paso, Texas. The video appears to show a group of more than 100 migrants trying to rush across the border, ripping down fencing and razor wire. Some accounts say the group even knocked over Texas National Guard soldiers who were just trying to push the group back. We're told Border Patrol agents eventually took custody of the migrants to process them under Title 8.

Texas DPS spokesperson Lieutenant Chris Olivarez says they even ended up arresting several people accusing them of assaulting those very Texas National Guard soldiers. He also added he doesn't know what more is needed to show there is a "invasion" at the southern border.

(BEGIN VIDEO CLIP)

LIEUTENANT CHRIS OLIVAREZ, TEXAS DEPARTMENT OF PUBLIC SAFETY: Really shows the type of situations that our soldiers are dealing with and our troopers are dealing with every single day by being on the front lines. It clearly shows also that when you have hundreds and even thousands coming across, it's even more challenging. How are we going to stop that many people coming across the border when we don't have all the resources especially federal resources?

(END VIDEO CLIP)

GALLAGHER: In Georgia, the father of Laken Riley addressed lawmakers at the capitol in Atlanta today, his daughter was the nursing student who investigators say was killed by a man who entered the country illegally. Jason Riley, the father of Lincoln, Riley urged Governor Brian Kemp to "declare an invasion to detain and deport criminal illegals so we can prevent future families from those very tragedies."

JASON RILEY, FATHE OF LAKEN RILEY: I stand before you heartbroken man, part of my purpose has been taken. God gave me a beautiful daughter to father protect, provide for and nurture. A man with an evil heart stole her life. He was in this country and in this state illegally. My vision for every senator in this chamber is that you protect citizens from this illegal invasion.

(END VIDEO CLIP)

PAUL: Now I spoke with one of my sources tonight at the border there in El Paso. They told me Texas National Guard soldiers are not equipped with non- lethal force. So, when something like what happened today happens, there isn't much they can do to stop it other than stand in the way and unfortunately get hurt in the process. Trace?

GALLAGHER: Yes. And if they were to hurt somebody else, they would be, you know, held to pay for --

(CROSSTALK)

GALLAGHER: Yes. Jeff, thank you. Let's bring in Chicago resident Cata Truss. Cata, it's great to have you and as always. I'm not sure if you saw the video there. But it really does look like an invasion. And it's interesting to me that they're no longer trying to sneak across the border, Cata, they're storming the border, like they have a right to be there. And it makes you wonder what's next?

CATA TRUSS, CHICAGO RESIDENT: Do it feel like they have a right to be there. Remember, our president has said, those who wants to come, come on over, you know, we are here to give you a path to a better life. And so, when you say that to people, then naturally they're going to come. I think that what has to happen at this point is the President has to stand up. He has to say, listen, this is not necessarily what we had in mind.

We have to stop this. Remember, they're still coming over here illegally. And here in Illinois, we had a federal judge to pass a law saying that now illegal migrants have a right to carry weapons. So, can you imagine the crime and the things that are going to happen now that you have basically given them a license to carry.

GALLAGHER: Yes.

TRUSS: We don't know -- again, we don't know who these people are. We don't know what kind of criminal backgrounds they have. We don't know where they're coming from. And we're letting them in. We're trying to give them all of the rights of an American citizen. And it's like at what point do we say no? Absolutely not.

GALLAGHER: You talk about the violence, Cata, and it's unbelievable the man who knows the violence that that some of these people may bring is of course the father of Lanken Riley and he spoke today. I want to play a little bit more sound of him because he said he came before these lawmakers as a broken man. He went on to say the following. Watch.

(BEGIN VIDEO CLIP)

RILEY: My vision for every senator in this chamber is that you protect citizens from this illegal invasion. Please recognize over a million illegal aliens are in this state and making families nervous. Please recognize Athens Clarke is a sanctuary city. And this policy, and the lack of action led to the murder of my daughter. Governor Kemp, please declare an invasion to detain and deport criminal illegals so we can prevent future families from those tragedies.

(END VIDEO CLIP)

GALLAGHER: I mean, he really is. He's a broken man, he lost his daughter. I have two daughters that can't imagine what he's going through, Cata, but he's just asking to not let this happen to the next father.

TRUSS: Right. So, protect the needs and the rights of other young women. We'd -- like I said, we don't know who we're getting. And if you don't stand up, if this country does not stand up and protect our borders, if we don't do a better job of securing our borders, none of us knows exactly what's going to happen. And my prayers go out to his family during this time. Because when you look at that video earlier, you know that it's only a matter of time before the violence begins to increase.

Desperate people are going to do desperate things. And as the resources run out for the migrants all over this country, we're going to begin to see that desperation turn into crime. And I --

(CROSSTALK)

GALLAGHER: We have -- I mean, Cata, we see it. We really do. We see this all the time. And when you see images like that, we haven't seen that yet. And you wonder we haven't seen that. What are we going to see next? Cata Truss, it's always great to have you on the show. Thank you so much. We appreciate it.

TRUSS: Thank you for having me.

GALLAGHER: Meantime, a former senior executive at NBC Universal is now getting big time backlash for saying the former President Trump's youngest son Baron is quoting fair game after turning 18 years old. The senior national correspondent Kevin Corke is live in D.C. with more on that story. Kevin, good evening.

KEVIN CORKE, FOX NEWS CORRESPONDENT: Well, Trace, good evening to you. Now, Sington, who is better known for his pro-liberal social media posts commemorated Baron Trump's birthday by sharing an image with his father, but he quickly backtracked after facing intense backlash from fellow users on X. Things apparently got so bad that he eventually deleted the post and walked back the comments saying "I posted he was fair game."

Now meaning you know, as an adult, he's fair game for criticism from the press. Sington also told Newsweek in a statement, someone pointed out to me fair game could mean fair game to be harmed. I don't wish physical harm on anyone. So, I took it down. I listened to the comments and criticism I received. Still his post was not well received, especially by Republicans, some of whom called it creepy.

Michael Caputo, former HHS official during the Trump administration said "this creepy NBC guy is completely broken. I wonder if he has kids, nephews, nieces, how old are they?" Neither Sington nor the Trump campaign immediately responded to Fox News Digital's requests for comment, Trace. The kind of thing you don't like to see posted even tougher to defend when you do, Trace.

GALLAGHER: And it's not the first time this person has posted things about Baron Trump. Kevin Corke live for us in D.C. Kevin, thank you. Let's bring in former White House Deputy Strategic Communication Director Roma Daravi and former California congressional candidate Sheryl Adams. Thank you both for coming on. So, Breitbart writes the following, Roma, quoting here if I can find the Breitbart piece. There it is. No, there it is. Yes. Do we have it? No, we don't have it.

Anyway. Breitbart said it's a mess. This appears to be getting worse in the same person. Apparently, Roma Daravi did not. Can we put this up on the screen? Jay, do we have that so we can put it up there? I don't think we do. It got lost. OK. So, what's happening here is that this person has posted this kind of stuff before. And I'm wondering if now that he's 18 this is going to be commonplace, Roma. What do you think?

ROMA DARAVI, FORMER WHITE HOUSE DEPUTY STRATEGIC COMMUNICATIONS DIRECTOR: Well, Trace, the left and the media have really taken a tone of attacking the Trump family, hide -- not hiding, but doing it in plain sight, and that includes the children and it includes Baron. So it's really not surprising. I find it to be quite tacky. And really, it's the sign of a sore loser. You know, instead of Joe Biden taking the debate stage and fighting Donald Trump head on, he's having anyone and everyone fight his battles for him. That includes people like this on Twitter who are going after minors amongst the Trump family.

GALLAGHER: Yes. It really is kind of sad. Meantime moving on to ***politics*** now. We've got CNN's Harry Enten said this about Biden and Hispanic voters. Watch.

(BEGIN VIDEO CLIP)

HARRY ENTEN, CNN HOST: If you look at the polling right now, on an average of polling amongst Hispanic voters, who did they choose in the ballot test? It's barely Biden. About -- Biden by about two points. It would be the smallest marker for any democratic candidate among Hispanic voters. Basically, throughout history since we started polling the gosh darn thing.

(END VIDEO CLIP)

GALLAGHER: And Sheryl Adams, Biden knows it because he was in Arizona and he was kind of -- he's trying to look, he's trying to round up some of these Hispanic voters saying I need you. I need the -- because he doesn't get -- if these numbers stay, he can't win.

SHERYL ADAMS (R-CA) FORMER CONGRESSIONAL CANDIDATE: I just ran for Congress and I spoke to over 5000 voters over the months of January through the primary, and voters of every kind are sick of what's going on in our country. I think the Hispanic voters in particular are looking for change. They want a business minded president. Biden can try but I didn't really run into even Democrats that were really behind what Biden has been doing. So, I can attest firsthand. voters want change.

GALLAGHER: Yes. It's interesting too, because some of those Latino voters have spoken, and they said the following. Watch.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: Do you think the economy was better under Trump?

UNIDENTIFIED FEMALE: I do.

UNIDENTIFIED MALE: Yes, yes. Absolutely. I would say so.

UNIDENTIFIED FEMALE: Used to be that we could go out and do things, you know, go out to dinner, you know, once, twice a week, now, no, that's not happening. You have to budget everything down to the finest thing. And the cost of healthcare and medical has gone up.

(END VIDEO CLIP)

GALLAGHER: And I think it's one of the things Roma Daravi that the White House just doesn't get that everything is more expensive. And everybody's having trouble. I was just reading where you have credit card debt, people are waiting three months now. The first time it's happened since 2008. A lot more people waiting three months to pay their credit card bills, because they're just kind of getting behind because the interest rates are so high.

DARAVI: Yes. It's really shocking, Trace. I mean, the economy as far as the White House goes, would say that it's thriving and that it's amazing. But the average American certainly doesn't see it that way and doesn't feel it that way at home. You know, when you look across America, Joe Biden has tried to compare his administration to Donald Trump's and it's really a losing argument. Our communities are less safe.

Everything is more expensive and war is breaking out all over the world. So, I'm not sure exactly how he's going to fight to win any of these communities, including the Latino vote because they know that not only do their values align more with conservatives, but their pocketbook does as well.

GALLAGHER: Yes. It really does. You know, Cheryl, that Marist poll that just came out this about North Carolina. It says Trump 51, Biden 48. It's interesting, because, you know, there's a lot of people on the Republican side who think this number should be bigger for Trump. He won North Carolina in 2020 by a little more than a point. Now he's leading by three, margin of error. Well, then it doesn't really look like he's budged at all in North Carolina. What are you final thoughts?

ADAMS: Actually, I read today that he's getting some sympathy, though from people. People realize he's being targeted unfairly. What if that happened to me? He's running for president and he doesn't deserve what's happening to him.

GALLAGHER: Yes.

ADMS: And back to the Latino voters. They're family, people, they're business owners, small businesses have been affected, severely impacted by the budget cuts in the COVID recovery that really never happened. So, voters want stability. They don't want crime, they want -- and they see that honestly with the President Trump versus Biden's administration.

GALLAGHER: Yes. You know, it's interesting, you make a very good point because you talk to some of these voters who say, hey, listen, you know, they're trying to bankrupt Trump. They're trying to take his properties away. If they can bankrupt Trump, they can ruin me. And that's why a lot of people just -- if the government charges you, they just cop because they don't have the money to defend themselves. That's kind of the process. That's how it goes.

Cheryl, great to have you on. Roma Daravi, thank you.

DARAVI: Thank you.

GALLAGHER: Well, first up. And tonight's "REAL NEWS ROUNDUP," the family of a missing Missouri girl charged for beating 16-year-old Kelly game into unconsciousness now claiming that she is the real victim. The family now asking the juvenile court system to show compassion as they tried to raise $150,000 in donations toward her legal defense fund.

A California Police Department drawing national attention for posting mug shots with Lego heads photoshopped on the faces of the suspects to comply with a state law that prevents posting images of suspects arrested for nonviolent crimes on social media. The Department says it's trying to creatively maintain transparency while honoring the presumption of innocence.

Last night we highlighted growing calls to boycott Planet Fitness for their transgender locker room policy. Today, the fitness chains market value officially plummeted nearly $400 million as critics continue calling for the bud light treatment go woke or go broke.

And coming up. An anti-Israel protest in New York City may as well have been an anti-American protest with demonstrators setting the American flag on fire. And comparing police to the Ku Klux Klan. Elizabeth Pipko, Rabbi Mentz are next on that.

And later in The Nightcap. A mom and her two kids crashed their car into a creek. Five college freshmen, all girls, they call 911. They jump in the water and they save them, even had to perform CPR. Could you? Your daughters, your sisters have pulled off this rescue? Would you even try or just wait for first responders? Let us know X and Instagram @TraceGallagher. We'll read the best responses in The Nightcap.

Meantime it is 8:20 on the West Coast to FOX NEWS @ NIGHT trip across America. A live look at Honolulu, Hawaii which translates to calm harbor. Who knew? Next Eureka Springs, Arkansas where there are no stoplights. And finally, a live look, Lakewood Ranch Florida. Did you know Florida is the fishing capital of the world? Do you believe that? If you can't join us live don't forget set your DVR and join us anytime. We are coming right back with Rabbi Mentz and Elizabeth Pipko.

(COMMERCIAL BREAK)

GALLAGHER: Well, it was an anti-Israel protest but the anti-American sentiment in New York City could not have been higher. They burned the American flag and compared police to the Ku Klux Klan.

Jeff Paul is back live with the very latest on this. Jeff?

PAUL: Yes. Good evening, Trace. And it appears the incident happened on Tuesday near Manhattan's Zuccotti Park. Crowds gathered together for what organizers called a "emergency protest for Gaza." Independent journalist Katie Smith captured this video showing an American flag on fire. In other videos of that protest that Smith took you can hear the crowd chanting from the river to the sea, Palestine will be free.

The group of demonstrators then later took to the street chanting and waving Palestinian flags. Smith reported the NYPD at one point arrested several people but the march and demonstration continued. This week's protest is reminiscent of another demonstration in New York City in January where pro-Palestinian protesters burned an American flag in front of AIPAC, the American Israeli Public Affairs Committee.

Now the protest group within our lifetime which organized Tuesday's demonstration also posted one video appearing to show the crowd chanting "NYPD, KKK, IDF, you're all the same. Trace?

GALLAGHER: Amazing. Jeff, thank you.

Well, the FOX NEWS @ NIGHT Common Sense department just read the internal newsletter by the Biden administration's diversity, equity and inclusion team. It was sent to agencies like the FBI, CIA, DHS, and DOJ among others. It's about changing the terminology related to counterterrorism to get rid of problematic phrases like jihadist or Islamic extremist. The goal is to be more inclusive with our adversaries like Iran and China.

We learned the Biden administration would also get rid of terms like blacklist, brown bag and Cakewalk because we're told they are racist. Of course, the same people who want to drop the word jihadist also want to drop the term illegal immigrant. Common Sense would remind the Biden DEI team that illegal alien or immigrant wasn't just concocted by the right to be derogatory. It is the exact term used in the federal law. It's not offensive. It's accurate.

As for the word jihad, it means war against non-Muslims and a jihadist is a holy warrior. Again, not offensive, accurate. You can soften the language all you want, but the people who attacked and killed 1200 Israelis on October 7th are not freedom fighters. They are Hamas terrorists, heartless killers. And Common Sense would suggest kinder, gentler terms is unlikely to make kinder, gentler jihadists.

Let's bring in Rabbi Mentz from Chabad of Bellaire here in Los Angeles and the founder of the online Holocaust Museum Lest People Forget, Elizabeth Pipko. Thank you both for coming on. So, Breitbart writes the following, quoting here. "American flag was seen a flame among protesters during radical anti-Israel demonstrations in the heart of New York City, where protesters were also heard chanting against the New York City Police Department comparing law enforcement as well as Israeli Defense Forces to the Ku Klux Klan."

I mean, it appears after all these months, Elizabeth Pipko, it's getting worse.

ELIZABETH PIPKO, FOUNDER, LEST PEOPLE FORGET: It is. Look I've actually had countless conversations with non-Jews since October 7th. People who have expressed sympathy for what happened in Israel as well as for the fact that anti-Semitism is clearly on the rise, but people who have continuously asked me why it is that they should be worried about anti-Semitism when they're not Jewish themselves. And I've said it so many times as well as on your show here with you, anti-Semitism is never a standalone issue. It doesn't arrive by itself. It's indicative of a deeper, worse problem than just the hatred of Jews.

When you look at the Israelis, you see people who hate Jews, who hate Israel, and who hate America. This is a wake-up call, I hope, for so many people to understand why they have to be on the lookout for anti-Semitism and fight this hatred because until you see that American flag burning on the ground you may not understand the monster that is anti-Semitism.

GALLAGHER: You're exactly right. And Rabbi, if Israel goes into Rafah, we talk about the problems here. If Israel goes into Rafah, you know it's going to get worse here, it's going to get worse for Biden. I want to put this poll up because I think it's instructive. This is, the October seventh response, the percentage of people who say the way Israel is carrying out its response to Hamas. These are ages 18 to 29, unacceptable 46 percent, acceptable, 21 percent; 32 percent not sure. That number on the left caught my eye that's a big number.

RABBI CHAIM MENTZ, CHABAD OF BEL AIR, CALIFORNIA: Of course, because when you have everybody in the media and everybody going and saying that Israel is the Goliath and they're doing something wrong then people are going to actually believe it but we must understand. We are becoming so weak in this country. Look, what you just said, we don't want to use the word Jihadists. These aren't Jihadists only. These are people of the rebellion in our streets. They went in the Macy's Day Parade, they sat down there and they wanted to destroy the American way of life. They're not burning the American flag now just to go and say, oh, we hate America because what of you're doing. Biden is giving them everything. The House, you have the head of the, the Senate giving them everything, telling Israel stop, stop, stop they should go to say, yes, we love America, look what you're saying for us, but no.

GALLAGHER: It's not enough. Yes.

MENTZ: Because they want to bring us down too. America's the same.

GALLAGHER: Yes, it's amazing. The Hill headline says the following, Elizabeth Pipko: "One in five young Americans think the Holocaust was a myth." We said at the top that your group, Lest People Forget, it's not about forgetting. They don't believe, Elizabeth Pipko.

PIPKO: Right, they don't. And where have we seen the largest protests? Where have we seen students running for their lives on these college campuses? We have an education problem in this country. OK, I saw the ADL today released their new survey on anti-Semitism in America. For the first time, I think ever, millennials led the way on anti-Semitic beliefs. Following second was Gen-Z. If I'm not mistaken, I think 17 percent of those in the Gen-Z age bracket said that the best way to solve the crisis in the Middle East was to eliminate the state of Israel. They're learning that on social media and on college campuses, and that's the real problem here is education and a huge lack of it.

GALLAGHER: Yes, I want to put up these pictures because this is the University of Berkeley which is now being targeted by a congressional investigation because of the anti-Semitism on campus. But Elizabeth was just talking, Rabbi, about the ADL survey, so I want to put this on the screen as well and we can play the video in a minute. But in total, more than 42 percent, if we can put this there, of Americans either have friends, family, who dislike Jews or find it socially acceptable for a close family member to support Hamas. And as you see pictures of protests at Berkeley, at colleges around, does any of this surprise you?

MENTZ: Not at all. This has been the history of the Jewish people for 2,000 years. There's always a scapegoat. There's always the Jews, the Jews, the Jews. We've gone through it in history, but there's one thing that we Jewish people always know: we're going to be here tomorrow. They're in the dustbin of history. These people that are coming after the Jewish people, you want to trade the Jews, you want to get out of America? What do you think is going to stay here? Look what you're staying with, and that's the trade that's going on right now. Hate the Jew and what are you left with, these protesters? They're not going to make the medicine for you tomorrow. They're not going to go and make anything better for you tomorrow. All they're doing is, I want to burn your flag, America, and Iran loves this.

GALLAGHER: Yes. Rabbi, Elizabeth, thank you both. Coming up, a hero in a police uniform caught on video carrying a teen across the finish line at the Los Angeles Marathon. That police officer will join us live on set next. But first a live look at Meridian, Idaho, that's near Boise. Meridian, now Idaho's fastest growing city. We're coming right back with heroes and more.

(COMMERCIAL BREAK)

GALLAGHER: Well, the new report of the New York Times of all places is now detailing the harm that pandemic school closures and remote learning caused our children. The Times saying, quoting here, "Today there is a broad acknowledgement among many public health and education experts that extended school closures did not significantly stop the spread of COVID, while the academic harms for children have been large and long-lasting. Did we need the New York Times to tell us that the public schools screwed this up? Let's bring in PragerU Kids Outreach Director Jill Simonian, and Board- Certified Medical Doctor Houman Hemmati. Dr. Hemmati, to you first, I mean, really, we've been saying this now -- I could rewind the tape and we could play for an hour just saying how much the teachers unions and the politicians screwed this up by closing the schools.

DR. HOUMAN HEMMATI, BOARD CERTIFIED MEDICAL DOCTOR: They did, and it was the public health officials as well, especially here in L.A. County that I think was the epicenter of lockdowns of schools for the entire planet Earth. And parents and doctors and scientists repeatedly were saying, this is unscientific, this goes against common sense, and you have not done a risk-benefit analysis on school closures. And we know what the risks are of doing this and we know that the benefit will be next to zero. What do they do to us? They shamed us. They discredited us. They censored us. They mocked us, and they eventually try to exclude us saying, well, no one's saying that anymore because they shut us up. But we're not we weren't shutting up, and ultimately, we were proven correct. The New York Times is backtracking just so they can help their reputation, you know, throughout history but we'll remind people what they said initially.

GALLAGHER: And now, the now the Supreme Court might give the government more power to shut people up, who knows? The National Review says the following here, Jill, Alabama Governor Kay Ivey signed a bill into law on Wednesday effectively banning Diversity, Equity and Inclusion programs of public schools and university, roll tide. Just saying, going to (INAUDIBLE) tomorrow. The DEI stuff has also been detrimental. It means, you know, that's the whole thing is you hear these different accounts, but people are like, this has been detrimental. It is separating people.

JILL SIMONIAN, PRAGERU KIDS OUTREACH DIRECTOR: It is separating people. DEI is divisive, we know that. And some teachers, public school teachers here in California and across the country, have certified through their own experience that DEI, diversity, equity, and inclusion, sounds wonderful because they use the fancy words that sound so pleasant to us all. However, DEI is actually Critical Race Theory in practice. And that equity in DEI, and we talk about this all the time at PragerU Kids, that equity is essentially dumbing down our education system to prevent students from achieving things based on meritocracy.

GALLAGHER: Remember, do not confuse equity with equality because they are totally separate words.

SIMONIAN: That's right.

GALLAGHER: The New York Post editorial, because Manhattan schools now not allowing transgender students to play female sports. The New York post editorial board said potential transgender sport ban in ultra-woke Manhattan would be a big win for athletes and sanity. Hurray for sanity! Dr. Hemmati.

HEMMATI: I think, first, we have to be respectful of people who are transgender, right? If they, if they have that choice, if they have that life respect that. At the same time, women have fought for decades to get equal representation in sports and have women's sports. They've worked very hard to get there. They use that to get into college. They use that for self-development, for fun, for team bonding. And all of a sudden, they get that competitive capability taken away by people who are just biologically going to be superior to them. And that's very unfair to those women who have tried for so long to be able to get into those ultra-competitive sports and now just have no chance because the odds are biologically stacked against them. So, I think this sort of move makes sense, but we have to remember that we can still do that while remaining respectful of people who are transgender.

GALLAGHER: Right, I mean that's exactly right, and the whole point is, is that people keep saying, when did the Democratic Party decide they're just going to forget about women and put all their, their focus on something else? This has really been kind of a sanity segment, right, Jill? What do you think about, about this Manhattan school decision?

SIMONIAN: Well, absolutely, and just to reiterate what you said, everyone deserves dignity and respect. However, and especially in, we are in Women's History Month, right? Especially in Women's History Month to force young women, girls, to compete against biological males in sports is not justice. It's insanity.

GALLAGHER: Yes, it really is. Jill, Dr. Human Hamadi, thank you both. Stand by, now to the feel-good story of the week, maybe the feel-good story of the month, because we love to back the blue, this viral video of a Los Angeles police officer carrying a 15-year-old runner across the finish line of the L.A. Marathon. That officer is here live. He is Sergeant Jay Balgemino. Sergeant, it's great to have you on the show. So, just to get people caught up to speed, you're at the L.A. Marathon. This runner, 15 years old, collapses about a half a mile before the finish line and you decide maybe there's a little help needed here.

JAY BALGEMINO, SERGEANT, LOS ANGELES POLICE DEPARTMENT: Yes, sir. So, he did collapse. We requested an ambulance for him. Once the paramedic gets there and treated him, when he regained consciousness, the first thing he asked is, is it finished? And his mom looked at me and I said, yes, he did it, but I could help him. So, initially, we were just going to walk him. He put his arms around my shoulder and his left arm on his sister's shoulder, and we were walking him. And I told him, the last 100 feet or 200 feet, you do it on your own. But his legs just gave up. So, I just lifted him and made sure that he finished the race. Because he's the hero.

GALLAGHER: Yes, well, yes, he's the hero.

BALGEMINO: 15 years old, two marathons in his belt, he's the hero.

GALLAGHER: And he had a hero behind him. It's a great story. I've seen this video so many times. Have you talked to the boy since then? What has been the response to this? Because everybody has seen it. What's been the response for you, Sergeant?

BALGEMINO: It's been all positive. Leo, the kid, I guess, he's very shy. He doesn't want to talk to the media. But the parents are appreciative. They're really appreciative of what happened and, I guess, for me it was just you know it's positive. At least now, some, some good news for police instead of the bad because that's always, you know, been the case. So, I love, I love the love the attention that he got.

GALLAGHER: Now, now, the most important part is now there is there was word and I'm not sure if this is true, Sergeant, there's word that maybe next year you might run the L.A. Marathon, maybe with this 15-year-old who would be 16 years old.

BALGEMINO: I did say maybe. Maybe if my body holds up, maybe I'll try.

GALLAGHER: How has it been with your fellow officers? Have they said, hey, Jay, very nicely done.

BALGEMINO: Yes, sir. It's been all -- yes, all the guys have been, you know, a little reverbing, you know, I live in.

GALLAGHER: Of course.

BALGEMINO: But it's been, it's been good.

GALLAGHER: Yes, you know, officer, it's great to have you on the show.

BALGEMINO: Thank you for having me, Trace.

GALLAGHER: We very much appreciate your time. And that was a great thing to do. Coming up, five remarkable college students now heroes for saving a mom and her children when their car was submerged underwater. Would you have been this brave? Would you have gone in? Sergeant would have, but I'm not sure that the rest of us in our daughters and sisters would. Let us know, X and Instagram, @TraceGallagher. We'll read the best responses in the "NIGHTCAP".

(COMMERCIAL BREAK)

GALLAGHER: We are back with the "NIGHTCAP" crew: Kevin Corke, Chanley Painter, Jeff Paul, Jill Simonian, and Dr. Houman Hemmati, and Elizabeth Pipko. Tonight's topic, heroic students. Five University of Georgia freshman girls rescued a mom and her two kids after they crashed into this creek. You see the car there. The girls rushed into action. They pulled the family from the submerged car and then performed life-saving CPR on one of the kids, also called 9-1-1. Do you think you could have performed a daring rescue like this as a college freshman with your people? Chandley Painter, are you first, what's your thought?

PAINTER: Well, kudos to these five young women, these heroes for helping save this mother and her children. You know, growing up, I learned to swim at a young age and learned water safety, so I feel I would have felt comfortable jumping into the water like these five young women, doing everything I could to help save the mom and her children. I think I would even today and would hope that someone would do that for me.

GALLAGHER: Yes, Kevin Corke, you know it's interesting these are University of Georgia freshmen. University of Georgia, of course, is in Athens where Laken Riley was killed. These kids, are like, you know what, we are not about to let somebody else go. Kevin Corke, your thoughts on this?

CORKE: Great for them. You know I love this story and I was in ROTC in college so even as a freshman, I think I probably would have tried to do something. Hang out with my guys and get out there and try to save a life.

GALLAGHER: Yes, Dr. Houman Hemmati.

HEMMATI: You know, Trace, when I was I was 5-years-old, here in L.A., my best friend died. Leor Levy, he died in a helicopter crash coming back from Catalina with his family very tragic. The rest of the family got out, but they couldn't get him out of the helicopter, and he sank with it and drowned. So, after that, and I remember, it's weird, I remember like it was yesterday, and after that experience, I would definitely jump in and do my best to save someone.

GALLAGHER: Yes, it's interesting. Jill Simonian.

SIMONIAN: Well, I tell you, right now, at the age that I am now, I think that I definitely would try to help because standing by and seeing something horrible happen is just, it's just non-negotiable. At the age of 21, though, I don't know what I would have done. I think I might have been terrified and paralyzed. This is just such an inspiring story to share with my own daughters that, you know, you got to step up when people need help.

GALLAGHER: Elizabeth Pipko.

PIPKO: I would love to say I would have done the same. I hope to God I would have. But almost more importantly, how great is it we have this inspiring story and people tuning in to the news tonight. We finally have something good to go to bed thinking about, right?

GALLAGHER: Yes, Jeff Paul.

PAUL: Yes, you hope you'd do that. You never know how you're going to respond in a stressful situation. But if anything, I hope people watch this and find other little ways to rescue people around them, whether it's a sinking car or somebody needs help with their groceries.

GALLAGHER: Yes, I got two girls. They're in. They're in the water, no doubt. We asked X and Instagram, would you perform this? And yes, 61 percent. Instagram, yes, 56.

Sandy says, "I think I could have. I was an AAU swimmer and certified in life saving."

Julie Rideau, "I would realize as a freshman this is beyond my scope of abilities."

Dan, "Unfortunately, no, I can't swim."

Lovin' Life, "I would have certainly attempted a rescue, but I don't know if I would have had the steady head and know-how."

Mike Spencer says, "I would definitely do this rescue or die trying."

Thank you all for joining us on the "NIGHTCAP". Thank you for watching the "NIGHTCAP," and watching America's late news. We'll see you right back here. Kevin Corke in tomorrow.

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