

# [***New Information About Shooting at Texas Megachurch; Biden Allies Defend The President's Mental Agility; Age Concerns Pose Threat To Biden Re-Election Bid; Trump Looks To Toss Docs Case After Biden Report; NYC Under Pressure To Do More About Migrant Crisis; Clinton Blasted For Tweet To "Taylor's Boyfriend"***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6B9Y-J141-F072-X000-00000-00&context=1516831)

Fox News THE STORY WITH MARTHA MACCALLUM 3:00 PM EST

February 12, 2024 Monday

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**Section:** NEWS; Domestic

**Length:** 7818 words

**Byline:** Trace Gallagher, William LaJeunesse, Karl Rove, Steve Harrigan, CB Cotton, Jonathan Hunt

**Guests:** Maureen O'Connell, Dean Phillips, Brett Tolman, Robert Holden, Ben Ferguson, Philippe Reines

**Body**

JOHN ROBERTS, FOX NEWS HOST: So much more to delve in on this to get to the bottom of how this happened.

SANDRA SMITH, FOX NEWS HOST: That does it for our coverage here. Thank you so much for joining us here on AMERICA REPORTS. I'm Sandra Smith. I'll see you all at 4:00. I'm in for Neil.

ROBERTS: All right. Looking forward to that. We'll see you again tomorrow. I'm John Roberts. "THE STORY" starts right now. Trace is in for Martha. Trace.

TRACE GALLAGHER, FOX NEWS HOST: John and Sandra, thank you. Good afternoon, everybody. I'm Trace Gallagher in for Martha MacCallum. Significant updates, as you've been hearing on the shootings in Joel Osteen's megachurch in Houston, the gunfire was caught on camera yesterday. Now, luckily, it happened between services.

And as we learned, the gunfire was actually in a hallway outside of the actual sanctuary. We'll get more into that as we go on and maybe get back to the press conference. Meantime, police say the suspect has a criminal history dating back almost two decades and has identified as both male and female. She also had a Palestine sticker on her weapon and a 7-year-old boy who was with the suspect and a man in his fifties were hurt before security officers killed the shooter.

Former FBI agent Maureen O'Connell is with me here in Los Angeles, but first to the senior national correspondent, William LaJeunesse, with the latest on the breaking news here. William, what are we learning?

WILLIAM LAJEUNESSE, FOX NEWS CHANNEL SENIOR NATIONAL CORRESPONDENT: Well, I think the most important thing you said is she never got into the sanctuary. That police engaged her literally in the hallway outside because this thing seats 16,000 people, so it could have been much, much worse.

(BEGIN VIDEOTAPE) LAJEUNESSE (voiceover): Police have identified the shooter as Genesse Ivonne Moreno, as we said about 36 years old. She also has gone by the name as Jeffrey Escalante. She walked in the church in between Spanish language services along with a 7-year-old boy. We don't know exactly what their relation is right now. She was wearing a trench coat carrying this concealed AR-15 with the words, a sticker, Free Palestine on the stock, open fire. The police officers, both one from Houston P.D. as well as Texas Alcohol Beverage Control, stood their ground, point-blank rage, defending the worshippers and they took her out with several different shots.

It sounded to me, listening to the tape, maybe she got off six shots. They responded with about 12 shots. Moreno is also known as Escalante, as you mentioned, Trace, a lengthy criminal record dating back to 2005 for assault of a police officer, forgery, drug possession, theft, and illegally carrying a weapon. Police have not said exactly what that relationship is. However, we do know that the 7-year-old does remain in critical condition.

TROY FINNER, HOUSTON POLICE CHIEF: I want to ask for prayers for his 7- year-old kid who's fighting for his life. And questions came up yesterday about him, and I think that what we need to do for him is pray. He's still in critical condition, fighting for his life.

LAJEUNESSE: So, celebrity pastor, Trace, Joel Osteen, did say there, "Forces of evil and the forces of good or of God rather are stronger," and those were in effect as we said on Sunday.

(END VIDEOTAPE)

GALLAGHER (on camera): William, standby, we'll get back to you as the news breaks. Let's go back to the news conference. They are back taking questions.

(BEGIN VIDEOTAPE)

FINNER: Counter force away in. So, not saying it's a security breach at all and that's an important question. We want to acknowledge the security that they had around the church that day and all the days. Go ahead.

UNIDENTIFIED FEMALE: Can you talk about the relationship between the suspect and the 7-year-old fighting for their life?

FINNER: I'll let the investigator say a few words on it, but we do believe it's a relative and I think it's been confirmed that is the biological mother. And if I'm correct on that, yes, the biological mother, OK. Go ahead.

UNIDENTIFIED FEMALE: We understand that she had a previous criminal background that showed she had a misdemeanor charge for a weapon that was taken away from her, and that the FBI also made question about a possible weapon she would have purchased in 2023. How was she able to get a hold of these weapons?

FINNER: That's part of the investigation. And he can speak to that if you want really quickly. But that's the challenges that we have, and that's what law enforcement talk about all the time. We need to make sure everything is tight, and we're not people standing up here against second- of-right amendments, but people who are suffering from mental illness, criminals, criminals. And yes, so we're looking at that, and if you want to add to it, you're OK. Yes, go ahead. Come on.

UNIDENTIFIED MALE: I don't really have anything to add. I think it's, we're in the infancy stages of this. I completely understand. We want to know the motive, how she got the weapon, why she did this. We're not there yet.

UNIDENTIFIED FEMALE: If and when the FBI does make an inquiry about weapons that are going to try to be purchased by someone who has a mental health issue and a criminal background, what do you do with that information then afterwards?

UNIDENTIFIED MALE: So, when that information comes through, the FBI will receive it and then we share that with our local partners.

FINNER: Yes, yes, yes, go ahead.

UNIDENTIFIED MALE: Was it clear how much ammunition the suspect was carrying amongst those two rifles?

FINNER: I think we're still working through it, but can I say multiple rounds of ammunition, multiple rounds were fired, but just 24 hours into it, I don't want to give you a definitive answer. Multiple rounds and multiple rounds fired. Go ahead and we'll work our way to the back. Go ahead, Mario.

UNIDENTIFIED MALE: Christian Moreno, is that the officer for HPD that (INAUDIBLE)?

FINNER: Yes, Christopher Moreno. I will be sending that information out to you all, and I don't want to speak for my TABC but we'll get that out sometime pretty soon. Go ahead.

UNIDENTIFIED MALE: (INAUDIBLE)

FINNER: No, not that we know of --

UNIDENTIFIED MALE: I need a clarification on my question.

FINNER: One more and that's it, there's a lot of people in this room. Go ahead, Mario. Go ahead.

UNIDENTIFIED MALE: We appreciate it.

FINNER: Go head.

UNIDENTIFIED MALE: I got it at 1:53 and he arrives, or she arrives, I forget, she arrives at 1:53, (INAUDIBLE) dead by HPD. How long before there was gunfire engaged and how long did that gun exchange last?

UNIDENTIFIED MALE: The shooting began almost instantaneously upon her entering the building, which roughly 155. It takes her a little over a minute to get in after talking with the security guard. The firing commences right after that. There's a few-minute gun battle, for lack of a better term. They're exchanging gunfire and she is down. And then our officers follow their tactical training, they linked up, they talked, talked about a game plan, approached the body, somebody else pulled the 7- year-old to safety and so all of this transpired within a matter of less than 12 minutes.

FINNER: And we'll get a timeline a little bit later, let me get to some more questions, go ahead.

UNIDENTIFIED MALE: Why Lakewood Church? It's a long way from Conroe where she lives.

FINNER: I can't speculate for her. That's part of the investigation. But it could be any place of worship. And as I said earlier, and I want us to kind of get this, it could be any location. Bad people or people or individuals suffering from mental illness and with guns, we need to all look out for them.

UNIDENTIFIED MALE: Does family members choose a dispute with them? Do they attend services there?

FINNER: No, not at all. Go ahead, and then we'll work our way back to you.

UNIDENTIFIED FEMALE: If there are resources for all the community, for the community that work there?

FINNER: Say that one more time, I'm very sorry. Yes, you can do it. Yes, go ahead. Come up.

(SPEAKING FOREIGN LANGUAGE)

(END VIDEOTAPE)

GALLAGHER: We are continuing now to monitor this news conference and we will get back to it as the important information comes out. But I want to bring in former FBI agent, Maureen O'Connell. She's here with me to kind of analyze some of the facts that we've heard. It is kind of confusing Maureen, because you look at this, it kind of over the timeline at 1:53 p.m. Houston time yesterday, this woman gets out of her car with her 7- year-old son and a bag. They go in. They are apprehended or questioned by security. She's got a long bag, and they let her inside the hallway of this church. So far, are you surprised by that?

MAUREEN O'CONNELL, FORMER FBI AGENT: No, I'm not surprised that she actually had a conversation with the security people because I sometimes work security at my church and I do a lot of training with different churches and we do threat assessments at churches all over Los Angeles. And one of the things we talk about is don't let people in with bags, especially with large bags. When I first heard that the child was there, to me I thought that's probably why the child went with her because you can explain why you had a bag with you if you have a child with you, but they were probably having a discussion about the size of the bag and why they needed that bag and that may have alerted that person to may have caused them to alert the other security people within the location.

GALLAGHER: They haven't talked about motive yet it looks like we're learning some more about this suspect. Apparently, 36-year-old woman, this was they said her biological son there was some on clarity about the fact that in previous identities in fact several previous identities she had identified as a man or at least use a man's name. Now, it appears that she's always been a woman because she is the biological mother of this child but also married apparently to a Jewish man, had anti-Semitic writings, and on the gun, there was a Palestine sticker on that. You're putting that all together. It appears like she's targeting somebody.

O'CONNELL: It definitely does. And you know, these are early days and we're going to find out a lot of stuff, but what you just mentioned is very, very telling. But they're going through right now, the FBI and the local law enforcement are scrubbing all of her social media presence, all of her digital exhaust, and trying to figure out exactly what the extent was of her anti-Semitism. Is it just a situational thing because of her ex- husband, or does it go much, much deeper? Was it the cause of their divorce? There's going to be a lot of -- the timeline will be very important. We're going to see when these things came to be and when it started taking over her way of thinking.

GALLAGHER: Anything on the religious institutions? I know that you say that you secure churches. I mean, clearly there have been a lot of threats on a lot of religious institutions around the country. Anything particular strike you about the fact that she's going into Lakewood, which is a megachurch, one of the biggest churches in the country, where this was between services. But who knows what the plan was? If she was waiting until the next service -- I mean, we are talking about thousands of people being involved in something like this.

O'CONNELL: Trace, even between services, there's often hundreds of people all within sight. So, when you talk about securing a place like this, it's very hard. Predators will always try to locate a fishing hole that has lots of fish in it, and this is one of them. And when you think about a church, one of the things we talk about is so many of the congregants, oftentimes all of them, have their back to the door and back to the entrances, which is why security is so important.

GALLAGHER: And I'm wondering, because there were initial reports, because she has said before she died that she also had a bomb. They didn't find any bomb, but they found some chemicals that were consistent with bomb making. They came out, the fire chief came out at the beginning of the news conference saying there was no threat, that none of these chemicals by themselves were dangerous, but the fact that she acknowledged, or at least hinted that she had a bomb that they never found, what does that lean you towards?

O'CONNELL: Well, it's a whole another ball of wax, so to speak. When you, when you say you have a bomb and the initial reports were that she was spraying something. Everybody is fearful, and not only are you fearful of the situation right in front of you, as the law enforcement officers who are there, you're considering, is there another shooter? Is she biding time because someone else is coming in the other door, and we have to be aware of that? There are so many things going through your mind because when we train as law enforcement officers, we what if everything, or what I call drop the dominoes to the nth degree. So, in a situation like this, whenever anyone says bomb, whenever there's a shooter, the first thing you're doing is neutralizing the threat. The second thing you're doing is looking for another shooter following behind or another bomb.

GALLAGHER: Yes, it's great analysis, Maureen O'Connell. Thank you for coming on. We very much appreciate it. We are still listening into the news conference. If any news comes out of that, any new situations or possible motives, we of course will keep you up to speed on that. Meantime, President Biden jokes about his memory, but many voters, they are not laughing after a scathing account from the special counsel calling his memory hazy, fuzzy, faulty, and poor. Democratic Congressman Dean Phillips, who is challenging Biden for the White House, and Karl Rove coming up after this.

(COMMERCIAL BREAK)

GALLAGHER: Well, the Biden administration, his campaign, even his lawyer continuing their defense of the president after the DOJ special counsel's bombshell report labeling him an elderly man with diminished faculties.

(BEGIN VIDEO CLIP)

ALEJANDRO MAYORKAS, DHS SECRETARY: He is sharp, intensely probing, and detail-oriented, and focused.

UNIDENTIFIED FEMALE: Does the president have any memory problems?

BOB BAUER, PRESIDENT BIDEN'S PERSONAL ATTORNEY: He does not.

MITCH LANDRIEU, SENIOR ADVISOR TO THE US PRESIDENT FOR INFRASTRUCTURE COORDINATION: The one thing Joe Biden is never going to do is count on this, he is never ever going to quit.

KARINE JEAN-PIERE, WHITE HOUSE PRESS SECRETARY: President Biden does more in one hour than most people do in a day. His age with experience and expertise is an incredible asset and he proves it every day.

(END VIDEO CLIP)

GALLAGHER: 86 percent of Americans say he is too old to serve another term as president. 62 percent say the same of former President Trump. Karl Rove is standing by, but first to Democratic presidential candidate, Dean Phillips, Congressman from Minnesota. Congressman, thank you for coming on, I appreciate this. I just got to go over this thing because you have called the president "weak and unelectable," you think that he should pass the torch and yet you do not stand in favor of the 25th Amendment. You don't think you should be removed, he should be forced out of office, explain why, sir.

REP. DEAN PHILLIPS (D-MN), PRESIDENTIAL CANDIDATE: Well, Trace, first of all, I think the president is competent, and I think he can and should serve out his term. The question is, is he in a position to serve until January of 2029? I mean, I know the country knows the answer. I know those in Congress don't want to acknowledge the truth. I think the special counsel's report only validated what the whole country knows. But, Trace, also, Donald Trump is in the same position. These are men who will be in their 80s, and they are at a stage in life as human beings where you are going to decline. This is not about the past.

The president, I think he's a good man. This isn't about that. The question is should he serve even if he was able to win? Is he in a position to serve until 2029? Look, I think we know the answer. I don't think the country wants either of these two men is evidenced by the fact that eighty six percent, frankly, believe it's time to move on and that's why, I think, Nikki Haley, and I are the last two standing to give this country a fighting chance to move into a new generation.

GALLAGHER: I'm just wondering, you say competence, sir, and then you go on and you say, look, he's able to serve, and I'm wondering, and then you say, yes, but he clearly is compromised, his memory is compromised. Is his memory too compromised to continue serving as the President of the United States, or is he competent enough just to get through it?

PHILLIPS: I think both Donald Trump and Joe Biden are not going to be men in positions to serve in the most important, powerful position in the entire free world, period. And I'm not going to talk about one without talking about the other, that is the truth. Joe Biden, yes, his memory is declining. Donald Trump, his memory is declining. Neither of them should be leading in the national polls right now because we have two parties that are frankly elevating people who I don't think are going to be in the position to lead our country, thank goodness.

We still have two people that are standing, Nikki Haley and me on both the left and the right at least to present alternatives. Now, whether Americans actually get out and vote in primary elections that's another story, four percent in South Carolina, a handful. I know the truth that people voted in primaries like they did in general elections, Trace, we have a very different political dynamic right now of decency respect and competency that this country really needs right now.

GALLAGHER: I've got about 45 seconds left. You mentioned Nikki Haley, I want to play a sound bite of what Whoopi Goldberg going after Nikki Haley for going after Joe Biden. Watch.

(BEGIN VIDEO CLIP)

WHOOPI GOLDBERG, "THE VIEW" HOST: I don't care that he didn't remember to tell you when his beloved son died. I don't care that -- because that's none of your business. When this man, when this man missteps for the nation, then we have a problem. And as long as people say, wait, he's too old, he's too old. well, you should -- Nikki, what have you done?

(END VIDEO CLIP)

GALLAGHER: But many, including Nikki Haley, and you and others have said he has already mis-stepped for this nation, your final thoughts on this?

PHILLIPS: My final thoughts are let's have a little compassion for actually people at that age and stage of life. I think President Biden, I think he has served our country for fifty years and it's time to move on. I don't want to be the bomb thrower. We have enough of that in ***politics***, Trace. I think it's time to be thoughtful, respectful, and actually invitational Democrats to Republicans, Republicans to Democrats. I think it's time for a new culture in Congress, in governance, and it's time to move on. That's why I'm running for president, Trace, and I hope America wakes up fast because we're in deep trouble, I'm afraid, if we don't turn the page to the future.

GALLAGHER: Congressman Dean Phillips, running for president. Congressman, thank you for your time. We appreciate it. Let's bring in Karl Rove, former White House Deputy Chief of Staff for President George W. Bush and a Fox News Contributor. Karl, great to see you. I want to play James Carville soundbite, but first I want your take. I want to know if you think it is any political strategy you can see the president you know they're already kind of making some fun of this and that they're, they're, they're devising a strategy is there a political strategy for him to, to kind of put this memory thing aside?

KARL ROVE, FOX NEWS CONTRIBUTOR: Look, I, I don't think so. Take a look at this is the ABC/Ipsos poll: 86 percent of Americans say Biden is too old, that includes 73 percent of Democrats. These are people who ought to be his natural following. And that's up 12 months since the last time that they surveyed this question, which was September. 62 percent say Trump is too old. Only 35 percent of Republicans feel that way. But it's up 13 points since last September as well and 59 say both are too old.

Now, if this was just one poll we might be able to say that this is sort of an outlier, but this is a week after the NBC News poll in which it said do you have major concerns or moderate concerns about Joe Biden not having the necessary mental and physical health to be president. 76 percent say, that about Joe Biden 48 percent say that about Donald Trump. These things are deeply embedded in the views of the American people and they're not going to be easily erased by having the president go out and make jokes about his age.

GALLAGHER: Yes, except now there's a report that has kind of concluded that President Biden's memory is somewhat diminished. Here's James Carville, what he said, and I'll get your final thoughts.

(BEGIN VIDEO CLIP)

JAMES CARVILLE, DEMOCRATIC STRATEGIST: What would -- don't accept a Super Bowl interview you're about -- pulling averages you three points down in a two-way. It's the biggest television audience not even close and you get a chance to do a 20-25-minute interview on that day and you don't do it. That's a kind of sign that the staff or yourself doesn't have much confidence in you. There's no other way to read this, and he's not going to do debates. He is old.

(END VIDEO CLIP)

GALLAGHER: And if your staff doesn't have confidence in you, Karl, how is the country going to have confidence in you?

ROVE: Exactly. It was not only failing to do the Super Bowl interview, his last interview with a member of the press was October. His last news conference was at the Asia-Pacific Economic Cooperation Summit in November, and he took four questions. So, look, the president has clearly got problems articulating his policy. Have we heard him speak about Ukraine publicly recently? Have we heard him give a national address on the attack on Israel on October 7th? No. The kinds of things that presidents need to do in order to lead the country, he's failing to do, and I think it's because, as James said, staff doesn't have confidence in him.

GALLAGHER: Very quickly, Kamala Harris was talked about this whole, talked about the memory thing, and she says that she's ready to go. She's primed and she's ready to go, Karl. What do you think?

ROVE: I think that's one of the reasons why people have some second doubts about even whatever doubts they've got about Joe Biden, they have doubts about voting for Donald Trump or not voting for Biden because they're afraid that Kamala Harris might become president. I mean, she's got worse numbers than he does.

GALLAGHER: Yes. Karl Rove, good to see you as always. Thank you, sir.

ROVE: Thank you, Trace.

GALLAGHER: Well, right now, a hearing is underway in Georgia to determine whether District Attorney Fani Willis will have to testify about her personal relationship with one of the prosecutors that she chose in the state's election case against Donald Trump. One of the former president's co-defendants claims Willis is lying about when that relationship began. The senior correspondent, Steve Harrigan, is live in Atlanta with more on this. Steve.

STEVE HARRIGAN, FOX NEWS CHANNEL SENIOR CORRESPONDENT: Trace, the judge is holding off for now on whether Fani Willis and Nathan Wade, the prosecutor she hired, will have to testify at a hearing, Thursday. But Willis didn't even want this hearing to happen and it is going forward. That hearing is going to examine whether the two of them profited from this prosecution. And the judge also used the word disqualification, clearly implying that disqualifying Willis would be on the table if it is shown that the two profited from the prosecution.

(BEGIN VIDEO CLIP)

LEO TERRELL, FOX NEWS CONTRIBUTOR: It has the smell of a corruption case involving two individuals who tried to game the system. Lawyers have an obligation to be honest and candid with the court. If I lie to the court, I should expect my law license to be in jeopardy immediately.

(END VIDEO CLIP)

HARRIGAN: An attorney for Willis said there was no profit, that the two of them split expenses whenever they traveled together, and that all the defense was doing was throwing gossip at the district attorney. The defense attorney says there was profit, they have witnesses, that the two of them, Willis and Wade, are lying. Trace back to you.

GALLAGHER: Steve Harrigan live for us in Atlanta. Steve, we'll get back to you as the news warrants. Also happening now, a hearing in former President Trump, in Trump's classified documents case in Florida. He was in court earlier today, and now Special Counsel Jack Smith is meeting privately with the judge. The issue? How to handle classified evidence in the trial, which is set to begin in May. Let's bring in former U.S. Attorney Brett Tolman, he's the Executive Director of Right on Crime.

Brett, great to have you on here. We're juggling a few cases. I want to get your take first on what Steve Harrigan was talking about, actually, for what Karl Rove was talking about. I want to play this sound bite of the president's attorney, Bob Bauer, slamming the special counsel report and we'll move on from there. Watch.

(BEGIN VIDEO CLIP)

BAUER: We're looking at this particular performance, by this particular special counsel in this particular case. And as legal experts around the country are saying it just goes off the rails. It's a shabby piece of work. He arrived at the right legal conclusion and then 400-page letters, misstatements of facts and totally inappropriate and pejorative comments that are unfounded and not supported by the record.

(END VIDEO CLIP)

GALLAGHER: Interesting, he's saying it was right, it was the correct thing to do to bring charges, but it was wrong to explain why you're not bringing the charges. So, it's good not to bring charges, wrong to explain why you're not bringing charges.

BRETT TOLMAN, FORMER U.S. ATTORNEY: Trace, thanks for having me on. I'll tell you what really stands out about that report. This is the first, first clue that a case is actually strong against Joe Biden. The evidence is there. It's sufficient to present to a grand jury. But under rules that govern the Department of Justice, this special prosecutor had to be able to give a very clear reason for why they would not present it to a grand jury. And that reasoning is that they do not believe that they would get past a regular jury.

The age and the memory would be such a significant factor that they would not present this to the regular jury for fear that they wouldn't get a conviction. And that's what's key in not being spoken about is how strong the case actually is because the only reason they have to justify not bringing it is one in which the jury will find sympathy to the particular defendant. I've never seen anything like it.

GALLAGHER: But the special counsel report reads in part, quoting here: "Unlike the evidence involving Mr. Biden, the allegations set forth in the indictment of Mr. Trump, if proven, would present serious, aggravating facts. Most notably, after being given multiple chances to return classified documents and avoid prosecution, Mr. Trump allegedly did the opposite." Opposite. So, Biden willfully retained and disclosed classified material, and yet it's different.

TOLMAN: Yes. What's not mentioned there is the Records Act and the fact that he was president of the United States. It's a very different thing than a private citizen that has, you know, in their possession like Joe Biden did.

GALLAGHER: Yes. Brett Tolman, great to have you on, as always. We appreciate it, sir. Thank you.

TOLMAN: Thank you.

GALLAGHER: While migrant suspects charged in two major crimes in the Big Apple. One Democrat city council member says, enough is enough. We'll talk to him exclusively coming up next.

(COMMERCIAL BREAK)

GALLAGHER: While Defense Secretary Lloyd Austin is back in the hospital, doctors say he was admitted to the critical care unit at Walter Reed yesterday with a bladder issue and he had quoting, "non-surgical procedures today under general anesthesia." Austin transferred his duties to his deputy, but we're told that he should be back in charge tomorrow. The White House says President Biden has no concerns about Austin's ability to do his job. The secretary has admitted he was wrong not to tell the White House right away about his prostate cancer diagnosis and another hospital stay late last month.

Well, starting today, more migrant shelters across New York City will be enforcing a curfew from 11:00 p.m. to 06:00 a.m. City officials facing pressure toughen up their stance on the migrant crisis after a 15-year-old from Venezuela was charged with shooting a tourist in Times Square last week and two police officers were attacked near a migrant shelter last month. The New York City police union tells the New York Post officers are being injured at attacks -- in attacks at a record setting pace. CB Cotton is live in Times Square with the very latest on this. CB.

CB COTTON, FOX NEWS CORRESPONDENT: Hi, Trace. Well, whether it's being kicked or even slashed, surveillance and body camera videos show New York City officers are getting seriously hurt while on the job. We do want to warn this next video is hard to watch.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: (Inaudible).

(END VIDEO CLIP)

COTTON: You can hear officers there pleaded for cooperation before being viciously attacked. The suspect caught on body camera video swinging what appears to be a machete. A sergeant was reportedly slashed across the side of his face, and two other officers cut on the wrist and shoulder while trying to arrest the man. Then, this recent encounter where seven migrant men were indicted for their alleged roles during this assault on a pair of NYPD officers, an officer and the only suspect currently in custody wrestle to the ground. At that point, you can see the officer take repeat blows to the head.

There was a 20 percent increase in officer injuries from 2021 to 2022, and data for the first three quarters of 2023 show it'll be a record setting year. Paul Mauro, former NYPD inspector, says progressive DAs are not serious about punishing those who hurt officers.

(BEGIN VIDEO CLIP)

PAUL MAURO, RETIRED NYPD INSPECTOR: They're operating in tremendously difficult situations. Realistically, the police have been tasked with a mission for them to carry out within a system that is almost wholesale adversarial to their efforts. The DAs themselves, who lead the offices, are putting in measures that really hamper the efforts of the police department.

(END VIDEO CLIP)

COTTON: And just last week, Trace, a close call for one officer after the NYPD says a migrant teen who had been shoplifting fired shots towards a retail security guard and the police who tried to stop him. Trace, back to you.

GALLAGHER: CB Cotton live for us in Times Square. CB, thank you.

Let's bring in Democratic New York City Councilman Robert Holden. He says it is time to stop coddling criminals and restore the power back to the people.

Councilman, great to have you on here. You really asked the best question on Twitter saying, listen, if the New York City cops are not safe, what does that say about the rest of the people living in the city?

ROBERT HOLDEN, (D) NEW YORK CITY COUNCIL MEMBER: And that's exactly right. They don't fear the cops, but they don't respect the cops. And you know why they're instituting this, obviously, a curfew now finally in 20 of the migrant shelters because they're seeing a big crime spike around these shelters. And it wasn't hard to figure that out that that would happen, by the way, if they don't --

GALLAGHER: Yes.

HOLDEN: -- if they can't work and they don't have jobs, they don't have money, what are they going to do? They're going to turn the crime. And that's what's been happening.

GALLAGHER: But, you know, Councilman, the problem here is not just the fact that crime is rising, it's the fact that the city of New York, the state of New York and other states like California are actually providing the resources to allow these migrants to commit these crimes, to create these criminal organizations, everything from housing to food to these credit cards. It goes on and on.

HOLDEN: Then they prevent ICE from getting involved until, by the way, the person is convicted. But they keep plea bargaining these things down. They're not charged with shoplifting. They don't even charge them with that. It's a vicious cycle. And it's only going to get worse, Trace, because, again, you have what was mentioned you have das that are not prosecuting crimes.

GALLAGHER: Yes. From coast to coast, the mayor, Eric Adams, New York mayor, said the following, quoting here, "New York City continues to lead the nation in managing this national humanitarian crisis, and that includes prioritizing the health and safety of both asylum seekers in our care and New Yorkers who live in the communities surrounding the emergency shelters that we manage." I mean, he's trying to gloss this over now. It's bad. And he's acting like nobody has managed this better in the country than New York City.

HOLDEN: Yes, he's got to stop doing that. He's got to -- he's actually has to say the right to shelter that we have in New York City, and that was meant for homeless New Yorkers, not for migrants from around the world, we shouldn't have to put them up. And he has to announce that. We're not going to put you up in a shelter. We're not going to give you --

GALLAGHER: Yes.

HOLDEN: -- food. We're not going to give you credit cards. We're not going to give you a phone. You have to make it on your own if you get to New York City, and that's what he has to announce, then you'll see fewer migrants coming here.

GALLAGHER: Yes, we talked about the curfew that's being put in place in some places here. One New York City resident said the following, quoting here, "I think it's a great idea, but it's not going to work. Summertime is coming and they're going to be on the streets." And the whole thing is there's no mechanism to be able to force these people to stay inside these shelters. They don't have the resources to police the shelters and police the rest of the city.

HOLDEN: And by the way, because of my colleagues in the city council who are anti-police, they've created a war on police. We have fewer cops. They're funding the NYPD much less. Police don't want to work in an atmosphere where they're not respected and where people are going to attack them. So you'll see more cops retiring or quitting.

GALLAGHER: Yes.

HOLDEN: And again, we're not going to be able to manage this.

GALLAGHER: Yes. Councilman, thank you for coming on, sir. We appreciate it.

HOLDEN: Thank you, Trace.

GALLAGHER: Well, from Donald Trump to Hillary Clinton, the entire country is buzzing about that woman on the left, T Swift, if you don't recognize her, at the Super Bowl and whether she works voodoo for the big win.

(SINGING)

(COMMERCIAL BREAK)

GALLAGHER: Well, the Internet having some fun with the Taylor Swift show at the Super Bowl last night, claiming the Chiefs won because of her, quote, "prayers" at a crucial moment in the game, they say she was working "Tayvoodoo." And plenty of social media users referring to Travis Kelce simply as Taylor's boyfriend, including Hillary Clinton, who posted "Congratulations to Taylor's boyfriend and the entire Kansas City Chiefs community." That post viewed 16 million times.

Philippe Reines is former deputy assistant secretary of state for strategic communications for Hillary Clinton, and Ben Ferguson is host of the "Ben Ferguson" podcast. Thank you both for coming on.

Philippe, a lot of pushback for --

BEN FERGUSON, "THE BEN FERGUSON" PODCAST HOST: Good to be here.

GALLAGHER: -- Hillary Clinton for not using Travis Kelce's name and just saying Taylor Swift's boyfriend warranted?

PHILIPPE REINES, FMR. DEPUTY ASST. SECRETARY OF STATE: No, but I think Hillary's plea flattered that she can still elicit that kind of response. I think the right has a term, it's Trump derangement syndrome. But I'm going to start saying it's Hillary derangement syndrome. She was reacting to Taylor Swift.

Look, she's no different than the millions of other people, women in particular, and young women who went to Swift, who love Taylor Swift and really are just impressed by her and are motivated by her and she was having some fun with it.

GALLAGHER: Yes.

REINES: There are T shirts. I mean, I've seen friends who were at Super Bowl parties yesterday who were wearing, you know --

GALLAGHER: Right.

REINES: -- the same exact t shirts.

GALLAGHER: I'm not sure HDS has the same ring as TDS, Ben, but I get it. Trump wrote this on Truth Social yesterday, quoting, "I signed and was responsible for the Music Modernization Act for Taylor Swift and all the other musical artists. Joe Biden didn't do anything for Taylor and never will. There's no way she could endorse crooked Joe Biden, the worst and most corrupt president in the history of our country, and be disloyal to the man who made her so much money. Besides that, I like her boyfriend Travis, even though he may be a liberal and probably can't stand me."

I mean, there's clearly concern that Taylor Swift has got some sway in this election bet.

FERGUSON: Yes. Look, she's more popular than Joe Biden has ever been his entire life. So that's got to be a moment where if you're the president, you're like, OK, this is a little intimidating. I also think you got to laugh at Hillary Clinton here. That's like one of the most sexist tweets that you can send out when you don't even use the guy's name who actually played in the Super bowl, and you go to Taylor Swift. So, I'll give her some more crap about that in a moment.

But I do think it's kind of funny now that ***politics*** has taken over the Super Bowl, even when I really don't want it to. Like, I just want to watch the game. I don't give a care about Taylor Swift being there. I don't. I want to know what -- who's going to win, who's going to lose. And I don't care about their love affair. I don't care about their ***politics***.

GALLAGHER: Yes.

FERGUSON: Now, I will say, seriously, if Democrats think that Taylor Swift's going to be able to save Joe Biden, she's popular, she ain't that popular.

GALLAGHER: Right.

FERGUSON: Nobody in the world is that popular to save Joe Biden right now. And look, she also went against Marsha Blackburn in Tennessee, the senator there --

GALLAGHER: She did.

FERGUSON: -- who was running. She said her voting record, like, horrified her. It had zero impact on the election in Tennessee when she won that -- her reelection bid there. So, I think --

GALLAGHER: Yes.

FERGUSON: -- other people also -- look, they're celebrity, and does it really impact a presidential election? I think she'd come out and campaign with Joe Biden every day. It would bring, like, twice as many people, maybe --

GALLAGHER: Yes.

FERGUSON: -- 10 times as many people to his rallies. It might actually look like a rally, but it ain't going to do much more than that.

GALLAGHER: Karine Jean-Pierre defended the President not doing a Super Bowl interview here, Philippe, watch.

(BEGIN VIDEO CLIP)

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: We believe it is an important, obviously, tradition to watch the Super Bowl. And we think there are different ways to communicate with the American people, and we're going to try and find different ways to communicate with the American people. And we're going to try and find different ways to meet the American people where they are.

(END VIDEO CLIP)

GALLAGHER: Forget those 140 million people, we think there's important ways. People should watch the commercials and the halftime and usher and so forth and not worry about the president --

FERGUSON: Yes.

GALLAGHER: -- in what he's running for, Philippe.

REINES: Well, apparently, according to Ben, all he needs is Taylor Swift, he doesn't need to do any interviews or anything else. I have to say, I have to give credit to Ben that as much as things are said on the Internet and on cable T.V., this is the first time I've ever experienced someone accuse Hillary Clinton of being sexist. So, well done on that.

FERGUSON: Hey, there's a first time for everything.

REINES: I think, look, there is one person who is deathly afraid -- yes, there's someone who's deathly afraid of Taylor Swift, and that's Donald Trump, because he's the one that's making a big deal out of it. I would think -- look, if I were the nominee of the Republican Party or the de facto nominee, and I thought I had it in the bag and I thought Joe Biden was easy to beat, I wouldn't be spending so much time talking about Taylor Swift. It's almost as if --

GALLAGHER: Yes.

REINES: -- he's worried that maybe he's not as strong as he thinks he is.

GALLAGHER: Yes.

REINES: But in terms of your question on President Biden, look, he's available all the time. I mean, it's sort of ironic that --

GALLAGHER: Yes.

REINES: -- to give him --

GALLAGHER: No, he's not.

REINES: -- grief for not being available when he was last Thursday night, I mean, the guy --

GALLAGHER: Yes.

REINES: -- took questions for what, an hour? And you know, he gave plenty of water --

FERGUSON: Trace --

REINES: -- for everyone involved. So, everyone's got to decide how they like their party.

GALLAGHER: OK.

FERGUSON: There is --

GALLAGHER: Go ahead, Ben.

FERGUSON: Let me say this real quick, there's a moment after Thursday night that happened in the White House with that horrific press conference that Joe Biden gave where they were like, under no circumstances do we allow this man to do a live interview for the Super Bowl --

GALLAGHER: Yes.

FERGUSON: -- with the entire country watching. They already test marketed on New Year's Eve.

REINES: Ben, you know --

FERGUSON: Did you remember that? It was a disaster --

REINES: Yes, Ben --

FERGUSON: at Times Square on the jumbotron there. So, there was more sleep lost the White House this week, over the Super Bowl --

GALLAGHER: Yes.

FERGUSON: -- and the possibility of Joe Biden being there, having a moment or answering a question. That's why --

GALLAGHER: Yes.

FERGUSON: -- they hid him from the American people because he's a disaster right now.

GALLAGHER: Yes. Listen, James Carville, on your side, Philippe --

REINES: Trace, last word, Ben knows that the White House said no in the Super Bowl well before --

GALLAGHER: Yes.

REINES: -- last Thursday night.

GALLAGHER: Right, right. But James Carville said the same thing. Listen, you got to go to this. If you're not doing the Super Bowl thing, it shows that your team doesn't have much confidence in you.

Philippe, Ben --

FERGUSON: No faith on you.

GALLAGHER: -- great to have you on. Thank you.

A big update now on a story --

REINES: Thank you for having me.

GALLAGHER: -- told here involving woke kindergarten to help teachers disrupt whiteness in the classroom.

(BEGIN VIDEO CLIP)

JIMMY FAILLA, "FOX NEWS SATURDAY NIGHT" HOST: This is about recruiting to an ideology. This is not about math. This is not about reading, which is why they're not proficient. And what I'm trying to get parents to wake up and realize is we're in a bitterly partisan time in America, but there are certain issues like education and crime, they get politicized, but they're not political. Meaning we all need to be safe when it comes to crime.

We all need intelligent kids. And this idea that the people who are on the globalist side of everything are also the ones failing our kids at a curriculum level, they're really operating with an indifference to the long range prosperity of these kids.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

GALLAGHER: Well, take a look at this. Police say a guy was trying to get away after breaking into a home but fell into the pool. Happened last month in Beverly Hills. We're just now seeing the video. The guy was apparently trying to use a ladder to escape when he took the plunge. Cops say they ended up arresting him, unclear in or out of the pool.

A teacher who questions spending a quarter million dollars on a Woke Kindergarten program says the school district has put him on leave. That, according to the San Francisco Chronicle. It reports the school's test scores dropped after it started using woke kindergarten. The chief correspondent, Jonathan Hunt, is live with us here. Jonathan.

JONATHAN HUNT, FOX NEWS CHIEF CORRESPONDENT: Hey, Trace. The backstory here is a Bay Area school paying $250,000 for teaching training program called Woke Kindergarten and then seeing grades decline rather than improve. A teacher at Glassbrook Elementary, Tiger Craven-Neeley, then publicly questioned the wisdom of spending that kind of money on a program designed, according to those who run it, to confront white supremacy and disrupt racism. Craven-Neeley suggested the money might have been better spent on other methods to improve grades at the school. Within days of those comments being published in the San Francisco Chronicle, teachers at Glassbrook Elementary held an apparently tense meeting during which some defended the Woke Kindergarten program and criticized Craven-Neeley for speaking out against it.

Craven-Neeley was then asked to leave the meeting and later told the Chronicle, quote, "I was shocked. This is my school. I didn't do anything inappropriate. I left. I was very shaky."

The next day, Craven-Neely was summoned to a video meeting, told he was being placed on administrative leave and shouldn't return to the classroom. The school district denies the action had anything to do with the teacher's complaints about the Woke Program, saying, quote, "We would not put any employee on leave as any sort of retaliation or squelch anyone's free speech rights."

The Woke Kindergarten program, by the way, still being used at the school where under 12 percent of students are proficient in English. And, Trace, less than 3 percent at grade level in math.

GALLAGHER: Yes. And the very esteemed common sense department on Fox News at night weighed in on this, saying, maybe take the $250,000 and use it for somebody who can teach kids how to read.

HUNT: Your English and math are both very good, obviously.

GALLAGHER: Exactly. You think, OK, that's the best way to do this. Jonathan, thank you. We appreciate it.

HUNT: Sure.

GALLAGHER: Well, that is THE STORY of Monday, February 12, 2024. But as always, THE STORY goes on. I will see you tonight, "Fox News @ Night, America's late news 08:00 p.m. on the West Coast, 11:00 in the East.

Tonight we are going to take a hard look at what we led this show with, the shooting in Houston at the Lakewood church. This is a megachurch. And apparently this woman went in and she was allowed to go into the hallway. It was between services. We're going to talk to somebody who has some great insight on exactly what might have happened had this been just a few minutes earlier or later.

"YOUR WORLD" with Neil Cavuto starts right now. I'll see you tonight.

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