

# [***Police: Georgia Student Murder Suspect Not United States Citizen; Report: Suspect Is Illegal Immigrant From Venezuela; Police Chief: The Evidence Is Robust; Political Fallout From Breaking News In Georgia Murder; San Diego Migrants Say They Will Move To Blue Cities; Willis And Wade Say Relationship Began In 2022; Students Reportedly Scared Of School Police; California Judge Allows Notification Policy And CRT Ban; Satire Site Asks Justice To Back Censorship Ban; Florida And Texas Laws Require Disclosed Censorship Criteria***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BDB-RFR1-JCS1-62RW-00000-00&context=1516831)

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**Guests:** Gabriel Noronha, Vik Bajaj, Madison Gesiotto Gilbert, Darrell Fulton, Pete Peterson, Julie Hamill, Sonja Shaw, Seth Dillon, Jeremy Dys, Houman Hemmati

**Body**

(COMMERCIAL BREAK)

GREG GUTFELD, FOX NEWS CHANNEL HOST: We are out of time. Thanks, Tommy, Julie, Kat, Tyrus, our studio audience. I'm Greg Gutfeld, and I love you, America.

TRACE GALLAGHER, FOX NEWS CHANNEL 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 police now believe they have a killer in custody. Saying that 22-year-old Laken Riley, a nursing student at the University of Georgia was murdered by a 26-year-old, who is not a citizen of the United States, and very well might be from Venezuela. Though we do not know if he belongs to one of the Venezuelan gangs that had been wreaking havoc across the country. But we do know that President Biden gave 500,000 Venezuelans protected status, and work permits.

The senior national correspondent Kevin Corke is live in D.C. with late breaking details on this. Kevin, good evening.

KEVIN CORKE, FOX NEWS CHANNEL SENIOR NATIONAL CORRESPONDENT: Trace, good evening to you this story is obviously both heartbreaking and infuriating in so many ways.

Tonight, the University of Georgia police have charged a non-U.S. citizen who goes by the name of Jose Antonio Ibarra, with malice murder, felony murder, aggravated battery, aggravated assault, false imprisonment, kidnapping, hindering a 911 call and concealing the death of another and the death of Laken Riley. She has a nursing student found dead near a lake on campus yesterday, after she -- after she failed to return home from a morning jog.

Georgia police say the evidence in this case is robust, thanks to an extensive campus security camera system.

(BEGIN VIDEO CLIP)

JEFF CLARK, POLICE CHIEF, UNIVERSITY OF GEORGIA: Right now, I don't know his full status. But he is not a residence. He has an apartment here in Athens. But as far as an undocumented, I'm not sure and that hasn't been confirmed. I just know he's not a citizen of the United States.

(END VIDEO CLIP)

CORKE: Trace, there is some reporting tonight that he may be from Venezuela. However, investigators are still trying to sort out his status as the investigation continues tonight.

More as we get it, but for now, back to you.

GALLAGHER: Yes, we'll go back to you if you get more information. Kevin, thank you.

Let's bring in Polaris National Security Executive Director, Gabriel Noronha, along with criminal defense attorney and federal litigator Vik Bajaj.

Thank you both for coming on.

Vik, to you first. I want to put this up, because University of Georgia police said this about the evidence. Watch and I'll get your response.

(BEGIN VIDEO CLIP)

CLARK: The evidence is robust. It is supported by key input from the community, physical evidence, and expert police work.

Importantly, we were assisted by video footage from our campus security cameras networks, which proven vital in many cases.

(END VIDEO CLIP)

GALLAGHER: Feels like the evidence is robust. That's a good sign, Vik, because you go back to 2015, and the Kate Steinle case when she was allegedly killed by an illegal immigrant and he was acquitted, because California kind of messed up that case along the way. What do you think about the evidence, Vik?

VIK BAJAJ, CRIMINAL DEFENSE ATTORNEY: Well, I think, the evidence is very simple, and it leads to a very clear theory. This was a crime of passion, a criminally motivated passionate crime, where an individual could not control his lewd and lascivious desires.

We heard the chief of police; University of Georgia talk about witness statements. He called it community input. He also talked about other evidence, we would call that camera footage and closed caption cameras there with that really robust as he called it surveillance system.

It's an uncontrollable, dangerous individual. And the question everybody is now asking is, hey, this is not the last, you know, God rest her soul and her family that has to go through it. But unfortunately, we may be hearing about this again.

GALLAGHER: Right.

BAJAJ: Understand, Trace, in the criminal world, this is what we look at. Do you have connections to the community? A reason to be law abiding? And if that component is missing, a crucial factor, which could ensure the safety of our communities is no longer with us.

GALLAGHER: Yes.

GALLAGHER: It's a very good point. And Gabriel, to you now, because the cops, we talk, see the video all the time, the cops beaten in towns -- in Times Square, the moped, people being dragged, their wallets being stolen, these Venezuelan gangs, and we do not know that this person is a part of that, had been wreaking havoc across the country. But if this person is part of that, and he's from Venezuela, it changes this whole border crisis narrative really kind of flips it on its head.

GABRIEL NORONHA, EXECUTIVE DIRECTOR, POLARIS NATIONAL SECURITY: Particularly, about Venezuelan policy too. About 350,000 Venezuelans came over the border last year, and only about 800 of them were actually deported. That It's one of the lowest ratios for any country of origin that we've seen here, and it's part of President Biden's strategy towards Venezuela. He's given them sanctions relief. He's tried to increase flights to Venezuela without much cooperation from the regime.

GALLAGHER: Yes.

NORONHA: And so, what we're seeing here is this pattern, I think, a story earlier today in Chicago as well, from Venezuelans attacking not individuals on the subway, Americans aren't going to stand for it. And I think the president as he heads into the election is going to see a political price here, too.

GALLAGHER: He really is, Vik, and I got to go. And like one kind of quick to answer on this. Is this the biggest case that you've heard of since the Kate Steinle case almost 10 years ago -- nine years ago now?

BAJAJ: Regarding these factors of immigration, undocumented individuals, and gratuitous violence, absolutely, yes. And I hope and pray to God it's the last.

GALLAGHER: Yes. To you, Gabriel, the same question very quickly. Is it a big case? Is this a game changer as far as this whole debate goes?

NORONHA: This is look, the system failed, Laken, and it's going to fail someone else again if we don't stop this.

GALLAGHER: Vik, Gabriel, thank you both. We appreciate it.

Let's get political reaction now. Bringing in Fox News contributor Steve Hilton, RNC national spokesperson, Madison Gesiotto Gilbert. We thank you both for coming on here.

Katie Pavlich wrote the following here. She wrote this by the way in July of 2015. "The man identified as Steinle's killer," talking about Kate Steinle, "didn't slip through the cracks. He was allowed to stay under the protection of liberal sanctuary city policies backed federally by an open border administration."

He was deported on this thing, Madison, five times before he was finally acquitted. The evidence was strong, and yet there were so many things that worked in his favor because of the sanctuary status.

What do you think? Is this murder happening now going to politically affect President Biden?

MADISON GESIOTTO GILBERT, NATIONAL SPOKESPERSON, REPUBLICAN NATIONAL COMMITTEE: Well -- I mean, when will enough be enough?

(CROSSTALK)

STEVE HILTON, FOX NEWS CHANNEL HOST: Trace --

GALLAGHER: I'm sorry, Madison. Sorry, Steve. Go ahead, Madison.

GILBERT: You know, when will enough be enough? You look across the country and we see what's happening. It's significantly worse today than it was 10 years ago.

But the reality is Democrats and Republicans should have addressed this issue decades ago. And now, we're seeing the impact. But Joe Biden is certainly to blame when it comes to what has happened over the past three years.

7.2 million people have come across our border. This is an unsustainable number. There are a lot of great people that have come across the border that have legitimate asylum claims. But for every single person that comes across that is a criminal. We are not able to bet as a result of these reckless policies coming in to ending catch and release right away. And then, of course, stopping construction of the border wall.

GALLAGHER: Yes.

GILBERT: And now, we're losing lives as a result. This is unacceptable. And this young girl, I pray for her family and for what they're going through right now.

GALLAGHER: Yes.

GILBERT: Because to lose a loved one is a very difficult thing.

GALLAGHER: And Steve, when Kate Steinle was killed back in 2015, Donald Trump tweeted, "build the wall". It became a movement. Right?

HILTON: Yes.

GALLAGHER: Kate Steinle killer came back and back over the weekly protected Obama border. He ends by saying build the wall. It created a movement back then, Steve, and it seems like there is going to be repercussions about this. What do you think?

HILTON: Well, Trace, you took the words right out of my mouth. The first thing I thought of as many people did, when we saw the details of this appalling case was Kate Steinle. 2015, that case. Donald Trump elected the following year. With immigration, and there's absolutely irresponsible reckless open borders policy at the heart of his pitch to the country.

GALLAGHER: Yes.

HILTON: And I think you're seeing that again. And that's why the White House is in a panic.

GALLAGHER: Yes.

HILTON: And who knows what's going to happen with this particular case.

GALLAGHER: Yes.

HILTON: But the fact is that when you allow millions of unvetted people across the border, this is the kind of thing that is going to happen. And you have to have political accountability for that. And it's going to come for Joe Biden.

GALLAGHER: Yes, I mean, you know -- you know, Madison, as well, as I know that the President Biden is going to blame this on the Republicans but good luck with that, because that is not going to carry a lot of heft.

GILBERT: Yes, when it's an election year, they want to change the narrative.

But again, you look back immediately after taking office, they ended Remain in Mexico. They restarted catch-and-release, he halted construction, sold off materials we'd already purchased with our taxpayer dollars for three cents on the dollar. And he pretty much projected to the world, our border is open, welcoming criminals to come across.

GALLAGHER: Yes.

GILBERT: When again, we have a court backlog now of over 10 years as it is. We need to be able to process and fix the immigration system. And the first step to that is securing the border, and then having Congress pass legitimate legislation, because right now, even with doubling the amount of judges we have on immigration cases, we would be lucky if we were to get through the court backlog by 2032.

(CROSSTALK)

GALLAGHER: Yes, I want to get you --

GILBERT: This is unacceptable what we see going on.

GALLAGHER: I want to get your last comment on this, Steve. Because administration has allowed 500,000 Illegal Venezuelans to stay and work here.

HILTON: Yes. Yes, and be -- that -- these people who are unvetted should not be here in the first place. And the fact that the -- they're just throwing it open for millions. You got the 500,000 Venezuelans, but all the other countries too and the crimes that are being committed across the country.

GALLAGHER: Right.

HILTON: It is an absolute scandal. They shouldn't be here. This shouldn't be happening, and this is clearly the responsibility of Joe Biden, who announced he wanted a surge at the border, and he's put in place the policies that bring that surge.

GALLAGHER: Yes.

HILTON: And now we are reaping that whirl wind.

GALLAGHER: He did say, bring them -- bring them on.

Madison, Steve, thank you both for your time. We appreciate it.

HILTON: Thank you, Trace.

GALLAGHER: Well, the illegal crossings now surging at the California border and Fox News cameras were on the ground near San Diego to capture a wave of mass migrant releases by the Border Patrol.

Matt Finn, live with those details tonight. Matt, good evening.

MATT FINN, FOX NEWS CHANNEL NATIONAL CORRESPONDENT: Good evening, Trace. One of our Fox News cameras near San Diego today captured Border Patrol mass releasing an estimated 200 migrants right onto the streets.

Most of those migrants were headed over to a non-government charity organization that assists them in getting to their next destination somewhere in the United States.

(BEGIN VIDEOTAPE)

BILL MELUGIN, FOX NEWS CHANNEL NATIONAL CORRESPONDENT (text): Where are you going in the United States?

UNIDENTIFIED MALE: New York.

MELUGIN: New York. Going to New York.

UNIDENTIFIED MALE: Atlanta.

MELUGIN: Atlanta.

UNIDENTIFIED MALE: New Jersey.

MELUGIN: New Jersey.

UNIDENTIFIED MALE: Chicago.

MELUGIN: Chicago.

UNIDENTIFIED MALE: Heading in New York.

MELUGIN: New York.

FINN (voice over): The mass release in Southern California today came just hours before Governor Newsom was one of a few governors set to meet with President Biden. Fox News digital contacted Newsom about today's mass release and his office blamed Republicans. Writing in part, "When it comes to border security, Republicans in Congress have done nothing but create chaos and sabotage any attempts at progress."

Fox has caught up with the mayor of El Cajon, California. The mayor and Republican candidate for Congress tells us he's bracing because his town will become a designated drop off center next week for migrants, and he is expecting up to 1000 a day.

BILL WELLS, MAYOR OF EL CAJON, CALIFORNIA: All our centers are at capacity, our hospitals are at capacity, our homeless shelters are at capacity, and you're going to add a lot more burden to it. So, I'm concerned.

(END VIDEOTAPE)

FINN (on camera): President Biden has reportedly been considering taking executive action on all this illegal immigration. Trace.

GALLAGHER: That's a big part of the story. Matt, thank you. Let's bring in Harlem resident, Darrell Fulton. Darrell, it's great to have you on the show.

I just look at this, you kind of look at what's going on around the country and the bus loads are coming off. Well, as they were being dropped off in San Diego, we asked them where are they going? And here is what they said, Darrell, watch.

(BEGIN VIDEO CLIP)

MELUGIN (text): Where are you going in the United States?

UNIDENTIFIED MALE: New York.

MELUGIN: New York. Going to New York.

UNIDENTIFIED MALE: Atlanta.

MELUGIN: Atlanta.

UNIDENTIFIED MALE: New Jersey.

MELUGIN: New Jersey.

UNIDENTIFIED MALE: Chicago.

MELUGIN: Chicago.

UNIDENTIFIED MALE: Heading in New York.

MELUGIN: New York.

(END VIDEO CLIP)

GALLAGHER: And New York is one of the destinations, which means they are coming your way, sir, more of them are coming your way. And they keep crossing -- and keep crossing. Your thoughts.

DARRELL FULTON, HARLEM RESIDENT: Well, actually, I think, because they already here, we need to focus on what we're going to do. The fact that they're here, how we're going to handle situations. I think programs is necessary. There is organizations that we have out in Harlem, Salem Voices United Inc.

GALLAGHER: Right.

FULTON: There is other organizations that can actually help in this. We can't be too focused on them actually coming over. The fact that they are here, we need to find something in how to -- in how to deal with it that they hear.

GALLAGHER: What it -- what is this something though, sir? I mean, that's the whole question here is what is the something you're giving away free, you know, cash, and food, and it's costing the city of New York, hundreds of millions of dollars to take care of these people, and they simply do not have the resources and people in Harlem, and people in different areas are bearing the brunt?

FULTON: Yes, yes, that may be the case. But we have to come together as community, the people that are in power, need to get together with the community, and we come up with ideas on how to deal with these crises.

With -- I think we're focusing too much on what's -- how they are getting here, and why they are here, instead of trying to find a solution or dealing with the matter at hand.

GALLAGHER: OK, and so, and as far as solution, do you think there is a remedy or a fix here?

FULTON: Absolutely. We just have to get -- we just have to get together with the people in authority. I think we're pointing too many fingers, at the people in authorities about why this is happening. And we should be --

(CROSSTALK)

GALLAGHER: Where should the fingers be pointed, sir?

FULTON: At the people of authority. But nevertheless, we should not be blaming them so much on that to hear but how to remedy the matter.

GALLAGHER: How do you -- how not to blame if you -- if you are going to stop the problem, how do you not blame somebody for the problem?

The border has been wide open for 3-1/2 years, and somebody has got to take the blame for that.

FULTON: Absolutely. And people are taking the blame. But we're focusing too much on blaming that they're here, instead of trying to find a solution. I think that we should be mindful of that.

GALLAGHER: Yes. Mr. Fulton, thank you for your time, sir. We very much appreciate it.

FULTON: Absolutely.

GALLAGHER: Well, Fulton County District Attorney Fani Willis and the prosecutor she hired to manage the election interference case against former President Trump, now facing new concerns that their personal relationship did not begin until early 2022.

Well, it turns out there are new cell phone records that could this prove that.

Ashley Strohmier is live with those details. Ashley, good evening.

ASHLEY STROHMIER, FOX NEWS CHANNEL ANCHOR: Hi, Trace.

Yes, the new filings by Donald Trump's defense team went through a major wrench into the state's case if the judge decides to admit the cell phone data into evidence.

So, follow along with this. The data suggests the Fulton County Defense Attorney Fani Willis and the prosecutor she hired to take on Trump, Nathan Wade began the romantic relationship earlier than they both claimed in court last week.

So, Willis and Wade said their relationship started in 2022, and therefore, had no bearing on Wade's hiring in 2021. The data however, shows a lot of communication between the pair, according to the filing: 2000 voice calls and just under 12,000 text messages were exchanged over an 11-month period in 2021, and most of those calls were made in the evening hours.

The data also appears to show that Wade visited Willis's condo and Hapeville, Georgia, at least 35 times before he was hired. Wade said he did not visit the condo more than 10 times.

The state responded late tonight, saying if the cell phone data is allowed into evidence, they should have a chance to offer contradicting evidence, which would show that Willis was not home at the relevant dates and times.

So, Trace, this really is giving, you know, at the crux of the Trump team's claims that Willis benefited financially from hiring Wade and should be disqualified. But it will be pretty interesting to see what the judge ultimately decides to do with. Trace.

GALLAGHER: Getting a bit more difficult to believe. Ashley Strohmier, live for us in New York. Ashley, thank you.

Let's bring in Seattle talk radio host and the author of "What's Killing America, Jason Rantz and Judicial Watch president, Tom Fitton, Tom, to you first, I want to play what Nathan Wade said on the stand on February 15th, and then, we'll move on.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: When I say frequent, do you think prior to November 1st of 2021, you were at the condo more than 10 times?

NATHAN WADE, SPECIAL PROSECUTOR: No, sir.

UNIDENTIFIED MALE: So, it would be less than 10 times?

WADE: Yes, sir.

UNIDENTIFIED MALE: So, a phone records were to reflect that you were making phone calls from the same location as a condo before November 1st of 2021, and it was on multiple occasion. So, phone records will be wrong?

WADE: If phone records reflected that, yes, sir.

UNIDENTIFIED MALE: Maybe wrong.

WADE: Maybe wrong.

(END VIDEO CLIP)

GALLAGHER: So, those phone records now say in the first 11 months of 2021 time that he apparently was in that condo 35 times. Not 11, not 10 times, and they keep saying, oh, no, no, no, don't believe those lie in phone records.

TOM FITTON, PRESIDENT, JUDICIAL WATCH: Yes, I mean, one of them, he leaves the condo or leaves the area, gets home and then text Fanni Willis at 4:00 in the morning or something like that.

It's powerful circumstantial evidence that we're seeing -- we just saw perjury there on the screen. And, you know, to me, this is now, frankly, a criminal case. And the court obviously has the opportunity to remove them from the case maybe throw out the prosecution entirely.

GALLAGHER: Yes.

FITTON: But they've got some criminal liability here. It's increasingly being clear.

GALLAGHER: Yes. I think that's a very fair point. And Jason, to kind of, you know, you talk to people who know this case, and they keep saying, you know, they are going to get away with -- you know, the judge is not going to do anything to them.

What if they don't do anything to them with all this evidence? What happens then?

JASON RANTZ, TALK SHOW HOST, KTTH RADIO SEATTLE: Well, it plays into the narrative coming from the Trump team, that this is very clearly being driven by ***politics***, that this is very clearly a political vendetta. They're out to get him.

I don't know anyone who could trust this process, given the facts that we have so far. And I mean, anyone who watched any of that testimony, you just watched an episode of "Law and Order", and you got a better sense of where things were going.

When you're getting very, very specific questions about numbers of times you might have been somewhere or phone records, your kind of foreshadowing the fact that you have the data, and for them to just sit there and push back, it's either a complete fabrication from the Trump team --

(CROSSTALK)

GALLAGHER: Yes.

RANTZ: Which I sincerely doubt in this case, or they are operating under the fact, to your point, nothing is going to get done and they don't really care.

GALLAGHER: Yes, yes.

We move on now to the Bidens and the Tony Bobulinski mess, because when this FBI and former apparently fell apart, we said, the case is over.

Guy Benson writes, "Even if you'd like fully discard all of Smirnov's," meaning, Alexander Smirnov's claims, "the whistleblowers' evidence remains. So, to the bank records showing huge payments flowing into multiple Biden family members' accounts from overseas sources, via numerous shell corporations. So, does the consistent and unchanged testimony of various business associates -- including Devon Archer, and especially, Tony Bobulinski."

But Tom Fitton, if you don't have a written check, from Xi Jinping to Joe Biden, Liberty says, well, there is no crime here.

FITTON: Well, it's circumstantial evidence. And it's also direct evidence when you have witnesses testify that Bobulinski, who said, no, Biden was involved in the business. And I also saw them take steps to cover up that involvement. That's pretty powerful testimony.

Bobulinski is a veteran. He is an honest guy, and they have tried to destroy his credibility. Maybe give the justice department a few more weeks and they'll figure out a reason to arrest him, too.

GALLAGHER: Yes. I mean, it really is. If you don't have a smoking gun, Jason Rantz, I got about 20 seconds for you, they are not going to believe you. There is going to spin it out.

RANTZ: Well, let's use the Democrat standards against Donald Trump, because they are now rehashing Russiagate. Right?

GALLAGHER: Right.

RANTZ: So, we actually have some documents and data, we can connect dots. They have literally nothing and they are telling us, well, something must - -

If Vladimir Putin must have something on Donald Trump. So, just using their own standards, Biden is guilty as hell.

GALLAGHER: It's laughable.

Jason, Tom Fitton, thank you both.

Well, coming up, we are live on the ground in South Carolina, ahead of the Republican primary just hours away.

And later, an exclusive look on board a U.S. Navy carrier strike group in the Red Sea. Our veteran war correspondent Mike Tobin says, quoting here, the images you'll see and the sound you'll hear make Top Gun look like a B movie.

And in the "NIGHTCAP" research company SSRS, tracking America's favorite athletes for decades. Who should it be this year?

The top spot has been held by people like Michael Jordan, Tom Brady, Tiger Woods, who is America's favorite athlete right now?

Don't look it up. X and Instagram, let us know. We will read the best responses in the "NIGHTCAP", we're coming right back.

(COMMERCIAL BREAK)

GALLAGHER: Republican primary voters in South Carolina will start heading to the polls in just hours and the stakes could not be higher for homegrown candidate Nikki Haley in her struggle to put a dent in former President Trump's nomination momentum.

Alexandria Hoff is live in Columbia, South Carolina with more on tomorrow's big contest. Alexandria, good evening.

ALEXANDRIA HOFF, FOX NEWS CHANNEL WASHINGTON CORRESPONDENT: Good evening, Trace. Yes, you know, Nikki Haley has never lost an election here in our home state. And former president Trump, well, he is promising to make it a first tomorrow. And despite minimal spending here in South Carolina, really minimal time physically spent here, polls have consistently been on Trump's side, he held to get out the vote event earlier today in Rock Hill.

And just about an hour ago, wrapped up remarks, the Black Conservative Federation Honors Gala here in Columbia. Remarks lasted for about an hour and a half. And it's clear that he's already looking beyond this race to the one against President Biden. But he did say this.

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES: Niki, we're going to see how that all turns out, but we have a big deal tomorrow. And it's so important that everybody get out and vote because we want to win by big margins, because the big day is November 5th.

HOFF: So, South Carolina is a winner take all state, with 50 delegates up for grabs. Trump has 63 right now, Haley 17. Neither is close to that 12-15 needed to win the nomination, but Trump really could get there quickly.

Former Governor Haley, also held two events today, one in Mount Pleasant that you're seeing there. She's kept a demanding schedule of stops while vowing to stay in the race. Beyond her home state, hoping for an, at least, competitive showing tomorrow.

NIKKI HALEY (R), PRESIDENTIAL CANDIDATE: We want to go and make sure that we are competitive there. This is not about who should be the nominee. This is about who should be the nominee that can win a general election? Because nothing gets fixed if we lose.

(END VIDEO CLIP)

HOFF (on camera): So, South Carolina's primary is open as a Republican primary. Anybody who didn't vote in the Democratic primary earlier this month is able to cast a ballot tomorrow. And former President Trump has been highly critical of Nikki Haley for saying she welcomes all voters. Trace.

GALLAGHER: Alexandria Hoff, live for us in Columbia. Alexandria, thank you.

Well, the Chicago school board just voted to remove uniformed police officers from schools in a city already beset by gun violence and a growing migrant crime crisis.

Matt Finn, back live with that story. Matt?

FINN: Trace, the Chicago Board of Education voted to remove the last of uniformed police officers in 39 city schools. Arguing apart that the money could be better spent.

Some students told the school board that the officers scare them. And supporters of the move -- of the move claimed that the uniformed Chicago police officers targeted minorities and did not make school safer.

Opponents say the officers did indeed improve safety at the schools and that ultimately individual schools should have been able to decide, whether they want an officer on site.

One mother tells Fox News that there are parents who are not happy with this decision.

(BEGIN VIDEO CLIP)

YALLIA HERRERA, CHICAGO PARENT: I constantly say my prayers as I drop off my children, and it's very disappointing, and it's unfortunate because not everyone is in agreement to this result.

(END VIDEO CLIP)

FINN: The school board says it's in favor of a new whole school safety policy, which in part, uses security officers and metal detectors. Trace.

GALLAGHER: Matt, thank you. Let's bring in California Policy Center attorney, Julie Hamill. Chino Valley, California School Board president, Sonja Shaw, and the dean of Pepperdine University School of Public Policy Pete Peterson.

Public policy, Pete Peterson, that's a good one, Pete. I mean, I like putting that up there. Julie, to you, first, I mean the kids are literally saying, oh, the cops scare us, so, we got to take them off campus. It really seems like when did we start saying, oh, the kids can decide who is going to be here and who is not?

JULIE HAMILL, CALIFORNIA POLICY CENTER ATTORNEY: This is really upsetting to me, because Chicago is not a safe city, and the schools are a safe space for kids and for teachers. And so, what they're doing is they're softening this target, and they're taking away a sense of security from people who need it. I mean it's not a safe place to be.

GALLAGHER: Yes, and you know, Pete, they labored, they fought, and fought, and fought to get these officers in these schools to take care of their kids, and now they're like get them out because the kids don't like them.

PETE PETERSON, PEPPERDINE SCHOOL OF PUBLIC POLICY: Yes, one of the things we teach our policy, future policymakers at Pepperdine is reflexive policy is bad policy and after the death of George Floyd, you saw a number of school districts make this decision to so-called defund the police in the schools. And what Chicago is doing is actually flies in the face of what a number of school districts who originally defunded the police are now putting the police back.

Denver, their school district, just put police back in the schools a couple of months ago. Pomona Unified, just a few miles away from here, did the same thing. And it really comes from parents that are coming back to the school board and saying we need our kids to be safe in the schools. And so, we see this break once again between school districts and parents, and parents are oftentimes begging the schools to put the police officers back.

GALLAGHER: And you got to believe at some point in time down the road they will beg again to put those police officers back. Sonja, big victory for Temecula Valley School District tonight. A judge ruled that that you know the schools are prohibited from teaching critical race theory and they affirmed that parents must be notified if their child is changing gender. Robert Tyler, Advocates for Faith and Freedom President, said, quoting here: "This is a win for common sense, parents and the safety of students." And you believe that very same thing, correct?

SONJA SHAW, CHINO VALLEY, CALIFORNIA, SCHOOL BOARD PRESIDENT: Absolutely. This is a hill that we're willing to die on. The political cartel's agenda is crumbling right before their eyes because it is not unconstitutional to put school board members to put policy in place to protect students. Right now, you see that they're trying to continue to fight us, but we're only going to win. We have a lot of large victories around here to make sure that that our kids are safe and protected.

GALLAGHER: Yes, and if you're an attorney like Julie Hamill, sometimes people, the skeptics in California think, oh there's no way that a judge is going to -- no possible way in California, and yet here we are, Julie.

HAMILL: It was the most refreshing judicial decision that I've read in a very long time. But on that note, I want to point attention to the fact that this is part of a widespread strategy by the Teachers Union in California. It wasn't just, this was a lawsuit brought by teachers on behalf of the Teachers Union and what they're also doing is trying to recall three of those board members. One of them has already been bullied out of town and moved to Texas. They're doing this up and down the state. Anytime, anyone sort of disrupts their control and their power, they go at them full bore with lawfare, with political attacks, with all sorts of things that Sonja well knows.

GALLAGHER: Yes, I want to put this up just because it's off subject, but I thought, I thought it was fascinating. In San Francisco there's a hardware store and they want to now guide people around the store. You can't just walk in and shop. Watch.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: We weren't really given a choice. I mean, it just, we have to keep our employees safe and the customers safe. But when they're coming in to do snatch and grabs, that was the final straw.

(END VIDEO CLIP)

GALLAGHER: If I can't walk into a hardware store, Sonja, and I can't walk into a CVS, I'm not walking in there. Was someone going to walk me around?

SHAW: This is absolutely ridiculous. And honestly, at the next election, they better vote these people out, that put them in this position, because they're creating an environment where you can't even go shopping without an escort but we have people filtering from our border causing more chaos. This is chaotic.

GALLAGHER: Yes, and speaking of the border, I wanted to get your take on this, Pete, because I know you're a college administrator and you've been in education a long time. The death of Laken Riley, 22 years old, a nursing student, University of Georgia, killed allegedly by a 26-year-old illegal immigrant likely from Venezuela. This is going to change the whole narrative. We saw this with Kate Steinle in this state. Pete, this is going to be a big story in the next week.

PETERSON: It really is. And this is really the great fear that any college administrator has. You know, at Pepperdine, we had four young women who were killed in a traffic accident on PCH just a few months ago. But to see something like this, where you know that this person, the murderer, did not belong in this country, you know, this is a real policy failure that's resulted in the death of this student and it really is going to have reverberations throughout that community in Athens, Georgia, but also across the South, I'm sure.

GALLAGHER: Yes. Pete, Sonja, Julie, thank you. Coming up, veteran war correspondent, Mike Tobin, takes us to the danger zone, literally, on board the U.S. aircraft carrier taking the fight to the Houthi rebels next.

(COMMERCIAL BREAK)

GALLAGHER: Well, the political satire Web site, The Babylon Bee, is asking the Supreme Court to uphold recently passed laws in Florida and Texas that ban the alleged censorship of conservative viewpoints by social media companies. Let's bring in board certified medical doctor, Houman Hemmati; Babylon Bee CEO, Seth Dillon; and First Liberty Institute Senior Counsel, Jeremy Dys.

Gentlemen, thank you all for coming on. So, The Babylon Bee and not the bee, are now asking the Supreme Court to uphold laws banning social media censorship, quoting here: "The two sites argue that major social media platforms like Facebook and YouTube assert the unlimited and unilateral right to censor, de-platform, or shadow ban disfavored users, disfavored content, and disfavored viewpoints." To you, Seth Dillon, what is it exactly that you're looking for? What's the cause?

SETH DILLON, THE BABYLON BEE CEO: Well, I'd like to see an end to viewpoint discrimination on these platforms. You know, they originally sold themselves to us as platforms for free expression without barriers. That's a direct quote from, you know, Twitter's old mission statement. So, that's how they position themselves, but then you run into all these barriers.

You know, we've been censored for hateful conduct and misinformation when, really, it's just the content of the speech that they don't like. They've built their ideology into the terms of service and they enforce it as if it's, you know, objective and fair when it's really not. It comes down on one side and affects one side of the equation. So, I'd like to see an end to viewpoint discrimination.

GALLAGHER: Yes, I think it's a fair ask. You mentioned Twitter. First Liberty Press release says, quoting here, "Nowhere in Twitter's, Facebook's, or Instagram's user agreements will one find a provision announcing that their standards will be applied one way for conservatives and another way for everyone else. Systematically inconsistent censorship under cover of supposedly neutral standards is dishonesty plain and simple." Jeremy, I mean, this is exactly where you come in. It's true and we learned a lot about this in the Twitter Files.

JEREMY DYS, FIRST LIBERTY INSTITUTE SENIOR COUNSEL: Yes, look, we've got a great tradition in this country of having a forum for free speech really almost everywhere you go, except if you happen to go on social media. Look, if social media companies want to be able to censor viewpoints that they don't like, like Seth was just talking about, then they should be at least up front about that and tell you that they're going to do that very thing.

The fact that they don't tell you that and then they go about censoring speech that they don't like, particularly religious speech it seems, is I think a real sincere problem that we have in this country. I'm eager for the Supreme Court on Monday to hear these arguments over two laws that Florida and Texas have passed that are just trying to say look be up front with everybody and then apply these policies fairly. That seems to be the American way.

GALLAGHER: Yes, I mean you're a doctor by trade, Dr. Hemmati, but you were a big advocate of fighting for free speech and fighting to limit and get rid of censorship, and it worked. I mean, listen, there was a lot of things that we learned in COVID and beyond.

DR. HOUMAN HEMMATI, BOARD CERTIFIED MEDICAL DOCTOR: There was, Trace, and the problem with censorship when it came to any health care decisions during the pandemic was that people, as I've said before, many times, began to believe that they are the only person that shares that viewpoint. People began to say, you know what, I'm the only person that thinks that, you know, children as young as six months old maybe shouldn't get the vaccine because there isn't evidence. I don't see anyone else saying it.

GALLAGHER: Right.

HEMMATI: Because anyone else who was saying it was censored, and it creates this self-fulfilling kind of notion, and it gets people to actually believe that they're crazy. And it's gaslighting almost of yourself, and it worked to a great degree. There were a lot of doctors who completely changed their viewpoints because they thought they were absolutely alone and they shifted their recommendations against their own best judgment.

GALLAGHER: Yes.

HEMMATI: And when that happens, you create harm, and that was totally inappropriate.

GALLAGHER: And Seth, you believe, I mean you've talked about this earlier, that listen there are a couple of states that are getting this right and maybe we need to follow that path.

DILLON: Yes, yes, Texas -- I like the Texas law and I like the Florida law. You know, they're trying to eliminate viewpoint discrimination by saying that this needs to be done fairly. And I agree, you know, that censorship, one of the main problems with censorship is that it prevents debate. It prevents you from getting to the truth by actually having a battle of ideas play out in the public square. You know, you shut it down and just decide that one side is right.

And with COVID, that was a great example because COVID, you had a situation where they were saying, well, we censored based on what we knew at the time. Well, if that's true, if knowledge changes over time, then you can't ever -- it's a knockdown argument against censorship, because the minute you start censoring what people are saying, you may find out tomorrow that you censored the wrong thing. So, knowledge changing over time is an argument against censorship.

GALLAGHER: And Jeremy, this administration has fought against religious freedom again and again.

DYS: Over and over again. Look, if you look through social media's censorship over the last couple of years, you'll find everybody from John Piper to Franklin Graham to, well, Seth Dillon being censored on social media for things that they have said from a religious point of view. That goes again against everything that this country has stood for. We have long been a country that has promoted the idea that more speech is better than less speech. And so, why social media companies continue to push against that notion, I just don't understand.

GALLAGHER: Yes, I got to go, Houman, but we have said, robust debate, you know, conformity is the enemy of science and lot of things. Wrap us up, 15 seconds.

HEMMATI: Science happens as Seth was saying only through debate. We have to actually decide via challenging each other, what is true and what is not. And when you shut down that debate, the truth about science get shut down and people begin to believe things that are actually factually wrong.

GALLAGHER: It's a very strong argument. Gentleman, thank you all. Well, in a Fox News exclusive tonight we take you on board a U.S. Navy carrier strike group in the red sea trying to keep crucial maritime trade flowing, despite the ongoing attacks from the Iran-backed Houthi rebels in Yemen. Here's the senior correspondent, Mike Tobin.

(BEGIN VIDEO CLIP)

MIKE TOBIN, FOX NEWS CHANNEL SENIOR CORRESPONDENT (voiceover): An F-18 Super Hornet launching from the USS Dwight D. Eisenhower in the Red Sea. For the first time in decades, a U.S. carrier strike group operates from the center of the threat, while Houthis fire on cargo ships and U.S. warships.

REAR ADM. MARC MIGUEZ, CARRIER STRIKE GROUP 2: We are in constant self- defense out here when it comes to threats that can be shot at us.

TOBIN: Still, fighters go on the offensive with the goal of degrading the Houthis' ability.

UNIDENTIFIED MALE: By targeting their ability to see us, their air surveillance radars, and now we're primarily focused on their military capabilities.

TOBIN: Every launch off of this carrier is a launch into combat. What these sailors and pilots cannot do is get comfortable because the Houthis, despite U.S. contact, have gotten more bold and there is no room for error.

The wounded British ship, Rubymar, shows the Houthis are not discouraged. They are escalating with drones, even ballistic missiles. Always nearby the USS Philippine Sea is the sentinel for the strike group with layers of sailors on watch who detect and respond in seconds to the deadly threats.

CAPT. STEVEN LIBERTY, USS PHILIPPINE SEA: It just depends on what the threat is and what's coming at us that we have to react in self-defense for.

TOBIN: What are you ready for?

LIBERTY: Anything that they can throw our way.

TOBIN (on camera): On Thursday, the strike group shot four drones and two anti-ship missiles preparing to launch. Today, they shot three drones out of the sky, all of it with a goal as old as the Navy itself, securing safe navigation for maritime trade. Trace, back to you.

(END VIDEO CLIP)

GALLAGHER: Mike Tobin, Mike, thank you. Coming up, America's favorite athlete -- who should it be this year and why? The "NIGHTCAP" crew is next.

(COMMERCIAL BREAK)

GALLAGHER: We're back in the "NIGHTCAP" crew: Kevin Corke, Ashley Strohmier, Matt Finn, Jason Rantz, Julie Hamill, Sonja Shaw, and Dr. Houman Hemmati. Tonight's topic, star player. One poll has tracked America's favorite athletes for decades. The top spots have been held by people, you know, Michael Jordan, Tom Brady, Tiger Woods, it goes on. So, this year they picked somebody and kind of, not, well at least I thought, who do you think is America's favorite athlete this year and why, Kevin Corke?

CORKE: I still say it's got to be Tom Terrific. Love, Tom Brady. I know other people say Tom Terrific, Tom (INAUDIBLE) -- tell me about that. I love Terrific Tom. I think he's great. He'd still be my athlete of the year.

GALLAGHER: OK, Ashley Strohmier.

STROHMIER: I'm going Patrick Mahomes. I mean, I'm a Chiefs fan I know so I'm kind of partial but it's hard to not like the guy because he's just such a good guy and he's good at what he does.

GALLAGHER: Yes, yes, I can't stand the Chiefs because I'm a Chargers guy, but they are great athletes. Julie Hamill.

HAMILL: I don't watch sports. I asked my 9-year-old and he said, Jared Goff.

GALLAGHER: Jared Goff.

HAMILL: Lions guy.

GALLAGHER: Yes, OK, well -- you tell your son, it wasn't on the list. Sonja Shaw.

SHAW: Well, I kind of asked my daughters too, and they went with Riley Gaines. They love her and they love what she's doing, so I think that means the world to a lot of kids.

GALLAGHER: OK, Matt Finn.

FINN: Maybe it's the Taylor Swift effect with Travis Kelce.

GALLAGHER: Travis Kelce -- no. That's a wrong answer as well. Houman Hemmati?

HEMMATI: This guy stole my answer. That's what I was going to say.

GALLAGHER: Really?

HEMMATI: Only because of Taylor Swift?

GALLAGHER: Wait, Taylor Swift --

CORKE: Ask Andy Reid.

GALLAGHER: Yes, Andy Reid loves -- yes, he loved Travis Kelce before that fit. Jason Rantz, do you have a favorite athlete?

RANTZ: I do and I'm glad you went to me last because I obviously know the answer to this. It's Tukwila Washington's very own backup goalkeeper for the Seattle Sounders, Jacob Castro. Tell me that's number one and let's just end it right now.

GALLAGHER: That is number one, you got it -- bingo! No, that's not number one. So, get this everybody was wrong. The "NIGHTCAP" answer was Lionel Messi.

And the folks said, Robin, "Brock Purdy who replaced the S.F. Quarterback and did so really well."

Tim DeFelice, "Travis Kelce because of his girlfriend."

Aaron said, "Shohei Ohtani because he's in other world talent." Which is a great pick.

Bill Slaughter, "Patrick Mahomes, great quarterback and great person."

Barbara Swingle, "Damar Hamill for what he went through and his comeback," which is also a very fair point.

Lionel Messi? I mean, you could -- listen, he's a great athlete but it's the United States athletes and soccer pair has never been picked just wanted to put that out there, wasn't the top choice for a lot of people. Thank you all for joining the "NIGHTCAP". Thank you for watching America's late news, FOX NEWS @ NIGHT. I'm Trace Gallagher. Have a great weekend. We'll see you back here on Monday. South Carolina primary.

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