

# [***Rep. Nancy Mace (R-SC), Is Being Interviewed About Trump's Lead Over Biden In Key Battlegrounds State; Bystanders Appear To Tackle Suspect In New Video; Witnesses Speak About Super Bowl Parade Shooting; Ontario Police Thwart School Shooting Plot; GOP Rep: Intel Report Could Be A "Game Changer"; Report: Threat Concerns Russian Space Capability; New York City Pastor Bails Out Migrant Who Attacked NYPD; Passengers Break Up Fist Fight On Airplane; Anti-Semitism Furor Over Sign At Swiss Ski Resort; Pastor's Mission To House Homeless***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BBD-V611-JCS1-63TG-00000-00&context=1516831)

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**Body**

(COMMERCIAL BREAK)

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

TRACE GALLAGHER, FOX NEWS CHANNEL HOST: And 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, we have a brand-new eyewitness video that will show you in moments appearing to show the terrifying scene in Kansas City, after dozens of people were shot during the Chiefs Super Bowl parade.

That video we're about to show you includes the heroic actions of football fans taking down one of the shooting suspects, after multiple children were shot.

In moments, we'll be joined by a mother and daughter who attended the parade. But first, to the senior national correspondent Kevin Corke, he is live with the breaking news as well as the brand-new video. Kevin, good evening.

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

At last check, at least 22 people were confirmed shot. Including one, who was killed at that Chiefs Super Bowl rally today.

Viral video posted on social media, however, appears to show the unbridled heroism of those in the vicinity of one of the alleged shooters.

These folks risking life and limb to take down the alleged assailant, an incredible scene to be sure. Eight of the victims' Trace, who were shot, had immediately life-threatening injuries. Another seven suffered life- threatening injuries and six more had what we are told are minor injuries.

Kansas City police say three people have been detained and city, state, and federal law enforcement are all still investigating.

(BEGIN VIDEO CLIP)

ROSS GRUNDYSON, ASSISTANT FIRE CHIEF, KANSAS CITY FIRE DEPARTMENT: Just want to say that all of KCFD's thoughts and prayers are with those families that were affected by this tragedy today. And while we were not expecting it, we were ready and prepared for an event such like this.

Our KCFD units along with our mutual aid partners that were working to assist us at this event touched a total of 22 gunshot victims.

(END VIDEO CLIP)

CORKE: Shots were fired at around 2:00 in the afternoon on the west side of Union Station near the garage, as the rally was concluding, causing the crowd to duck for cover and to scatter.

Notably, more than 800 law enforcement officers were at the parade and rally as the shooting unfolded.

The mayor saying the day was "tragic" for everyone who was a part of it.

Meanwhile, tonight we are looking for more information, Trace, of not just about the shooting but about the possible motive, as well as the identities of those who are currently being detained.

Of course, as we get more information, I promise to pass it along. But for now, back to you.

GALLAGHER: Back to you as we get it, Kevin. Thank you.

We just got Amanda and Gracie Wiencks on the phone. They are a mother and daughter who were at the Chiefs Super Bowl victory rally and witnessed the mayhem firsthand. We want to bring them in, we've got great video they sent us to show you and kind of give us an idea.

Mom, Amanda, to you first, what did you -- when did you first realize that something was not right?

AMANDA WIENCKS, WITNESSED SUPER BOWL PARADE SHOOTING: It would probably be towards the end -- it was at the end of the rally where we kind of we're hanging out, waiting for some of the crowds to leave. And out of nowhere, people just kind of came rushing towards us in a panic.

They had a look of fear on their faces, you know. So, then, we hear, there was a shooter, there was the gunshots, and we needed to run. So, we just grabbed our belongings and kind of followed everybody in the crowd.

GALLAGHER: Yes. And I'm wondering, Gracie, to you, and I know you're only 11 years old, but I'm wondering Gracie, did you hear any of these shots? Did you hear any of the pop pops in it? And if you did, what did you think they were?

GRACIE WIENCKS, WITNESSED SUPER BOWL PARADE SHOOTING: Yes, I heard gunshots. I thought they were fireworks, at first and I want -- people around me thought there were fireworks, and then everyone started screaming, gunshots! Gunshots! And I was like, oh, that's not good.

GALLAGHER: No, it's not good. And Amanda, to you, I'm wondering, when you knew there were gunshots, what do you do at that point and time? Do you wait until the crowd goes? Do you hunker down? Do you run? What's your first instinct at that point in time?

A. WIENCKS: Honestly, the first instinct is to run. Obviously, everybody else is running for a reason. So, you're just going to go with the crowd, really. You can't really see anything other than the people around you, you know, the heads -- the top of their head, but you just kind of go with the flow of what everybody else is doing. And at one point, we were heading in one direction.

There was some confusion or something was going on. And all of a sudden, the everybody we were following told us to turn around and start running back the other way. And at one point, somebody even said, get down, get down on the ground, you know, and a bunch of us just went down to the ground.

GALLAGHER: And I'm wondering at that point in time, Amanda, do you cover Gracie? Do you try to -- is that your first instinct to cover your child? Is your first instinct to kind of try to get her away from the action as fast as you can?

A. WIENCKS: Absolutely. I definitely didn't have her -- she was very close to my side. The whole entire time. I had a good strong grip onto her.

But yes, when we went down to the ground, I was covering her -- covering her, you know, with my arms.

GALLAGHER: Yes. And Gracie, what about you? When this is all going on, were you frightened? Were you -- were you just kind of looking around, looking for the best place to go, and did you follow your mom wherever she went, and follow her instructions?

G. WIENCKS: Yes. I was like freaking out. I was like, I just didn't want to -- I was like, I didn't want to die. So, I was like, kind of follow my mom going to the farthest point away from it. So --

GALLAGHER: Yes. I mean, that's insanity -- the story. The video we're watching is just so compelling. Your story --

Lastly to you, Amanda, did you talk to people afterwards you know how extensive and bad this was? What's your -- what's your thought in hindsight after being there when it all happened?

A. WIENCKS: You know, we had to -- we had walked to Crown Center there were we were waiting on an Uber, but they were unable to come and get us. So, we were there actually, waiting on a ride out of there for quite some time.

So, we got to kind of -- we will -- we're watching all the police just run around crazy. The helicopters, everything. When we -- when we found out really what -- somebody was actually shot and there was more injured. It was very devastating. Just breaks my heart that --

(CROSSTALK)

GALLAGHER: Yes.

A. WIENCKS: You know, my daughter had to experience such a traumatizing things like this.

GALLAGHER: Yes.

A. WIENCKS: Honestly.

GALLAGHER: Yes. It really is. Amanda and Gracie Wiencks, we are glad that you are both OK. And our best to you and the community there in Kansas City and we will keep our viewers up to speed on exactly what's going on. Thank you for joining us.

Meantime, speaking of shootings, police in Ontario, California, apparently stopped the school shooting before it all started, because of a concern classmate who spoke up about the suspect behavior.

According to these reports, an 18-year-old student planned to carry out an attack at a Christian school in Ontario, in Southern California that he attended.

Police reportedly discovered a slew of weapons at his home, including seven rifles, two revolvers, one handgun, and a shotgun among a thousand rounds of ammunition. The student currently being held at a jail in the Ontario area.

Meantime, on the subject of national security concerns, we have new warnings tonight about Russia potentially using nuclear weapons in space.

It's unclear for exactly what purpose but it's believed to be something to do with targeting satellites.

Some lawmakers say the danger is imminent, others are downplaying the threat. But we, we're not going to let this go until we check with our national security analyst and Hudson Institute senior fellow, Rebecca Heinrichs. Rebecca, it's great to have you on.

I just want your thoughts and you read all the articles today. I want to play this actual soundbite from Mike Waltz, because here is what he said, and then, we'll get your take.

(BEGIN VIDEO CLIP)

REP. MICHAEL WALTZ (R-FL): The issue is very serious. It is very grave. If we don't deal with this issue appropriately, if the administration doesn't take firm action, this could be a geostrategic game changer.

(END VIDEO CLIP)

GALLAGHER: Do you share his concerns, Rebecca, or is this a bit inflated?

REBECCAH HEINRICHS, NATIONAL SECURITY ANALYST: No, I share his concerns. Congressman Michael Waltz is a serious congressman. Chairman Mike Turner of Ohio is the chairman of the Intelligence Committee. He is the one that sounded the alarm today. And he is not an alarmist. He's worked very hard to make sure that the Intelligence Committee is nonpartisan. So, it is concerning that he would bring this up.

National Security Adviser Jake Sullivan confirmed that he intends to brief the Gang of Eight, the senior leaders of the national security committees.

GALLAGHER: Yes.

HEINRICHS: So, it is concerning. And we just need to know more about it at this point.

GALLAGHER: Yes. And all we know, at this point is we're talking about a nuclear weapon in space, Russia, being at the helm of this weapon, and something about going after satellites. Not exactly going after anything on the planet itself. But still, when you have Russia in charge of some kind of nuclear weapon in space, it is -- it is raising alarm bells.

HEINRICHS: Couple of things to keep in mind, Russia is at the end of a major nuclear weapons capitalization program. They have been investing in their nuclear weapons a long time. Second thing, if there is a nuclear weapon in orbit, that would be a violation of the Outer Space Treaty. Russia, of course, violates treaties all of the time. They are currently not in compliance with the New START Treaty, the last arms control treaty between the United States and Russia.

And so, you know, this is very concerning. And just remember too, just five days ago, we know that Russia launched a missile with a mysterious satellite on it. That's very concerning. And in 2021, Trace, Russia launched a direct ascent anti-satellite weapon that hit a satellite, spewed debris everywhere when our astronauts had just gotten to the International Space Station, putting them at great danger.

So, the Russians have a long history of violating treaties and of acting very, very irresponsibly in space.

GALLAGHER: Yes. Rebecca Heinrichs, great to have you on. Good analysis as always. We'll get back to you if we have other concerns. Thank you.

Now, to ***politics*** and brand-new Fox News polling. Once again, showing former President Trump holding a lead over President Biden in a head-to-head rematch. And the polling also has a few surprises. Marianne Rafferty is live to break down the new numbers. Marianne, good evening.

MARIANNE RAFFERTY, FOX NEWS CHANNEL CORRESPONDENT: Yes. Hi, Trace.

Well, President Biden definitely not feeling the love from certain voters in two critical swing states. Brand new Fox polling finds the president underperforming his 2020 tally in both Michigan and North Carolina. And Michigan Biden trails former President Trump by about two points. While that is in the margin of error. It is a state Biden won by three points in 2020.

The issue of the Israel-Hamas war has been a thorny one for Biden in Michigan, where Fox News polling finds Democrats' sympathies are pretty evenly split between Israelis and Palestinians in the conflict.

Now, Michigan also has the highest number of Arab Americans in the nation. However, voters overall on the state say they trust the former president by about eight points to do a better job in handling the conflict.

To the Tar Heel State, now a contest Trump won by four points in 2016, by even smaller margin in 2020, when Trump took that state by a little more than a single point, he now holds a five-point edge.

Meanwhile, President Trump setting his attention on Nikki Haley's home state of South Carolina, where he was joined by the state's governor Henry McMaster, Senator Tim Scott, as well as Congresswoman Nancy Mace. But many of his attacks weren't directed at Haley.

(BEGIN VIDEO CLIP)

DONALD TRUMP, FORMER PRESIDENT OF THE UNITED STATES: Crooked Joe Biden did our economy exactly what he did to our border. He inherited an amazing success from me, he wrecked it almost immediately, turned it into something resembling much worse, actually, not resembling, much worse than a third world nation, a banana republic.

(END VIDEO CLIP)

RAFFERTY: And tonight, we're just a little over a week out from the South Carolina primary, that's going to be held on February 24th. Trace.

GALLAGHER: Indeed. Marianne, thank you.

South Carolina Congresswoman Nancy Mace, spoke at the Trump rally tonight. And she joins us now live. Congresswoman, it's great to have you on.

I want to throw these polls up on the air, because I think they're important battleground. We're talking first about North Carolina. And you can see on the screen here, Biden now at 45 percent. Trump and 50 percent.

If you go back to 2020, Joe Biden lost this state by just over a point. So, it's an increase for the former president.

And then I want to move to Michigan, because here is a big one. You've got Biden, 45; Trump, 47 in 2020. The president won this 50 to 47 percent. So, that's almost a five-point swing. Your thoughts?

REP. NANCY MACE (R-SC): Well, what we're seeing on the ground is the enthusiasm. The big differences here over previous elections is the enthusiasm for Donald Trump on the ground.

The base gets out, we unify our party when he's the nominee. There was no stopping him from the presidency. And I thought that's what I'm seeing here on the ground.

GALLAGHER: You know, what I was interested in Congresswoman is on this North Carolina poll, it's as likely to make you rethink your support. And when it talked about Trump beggar -- backers, it was the legal issues, 23 percent. The Biden backers, it was the acuity issues, the mental acuity, and you can see the number at 40 percent. I mean, this is looming large for the Democrats. The president's memory, et cetera.

MACE: Well, absolutely. And even Joe Biden's own department of justice stated on the record that he wasn't mentally fit to be prosecuted. If you can't be mentally fit to be prosecuted for a crime you committed, how are you mentally fit to be president of the United States of America?

There's a lot at stake here. I talk to voters every day, the border, inflation, spending, taxes, et cetera. And no one knows who's behind the wheel on the White House tonight.

GALLAGHER: Yes, and I want to play this because I'm wondering what your opinion is because the White House Press Secretary Karine Jean-Pierre was talking about the release of this transcript of the audio, potentially from this conversation between the president and Special Counsel Robert Hur. Watch.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: So, you want to say --

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: -- at the White House Counsel.

UNIDENTIFIED FEMALE: Given that you think the report is flatly wrong, gratuitous, you can't say if you want the material to be made public, if the American people should see this?

(CROSSTALK)

KARINE JEAN-PIERRE, WHITE HOUSE PRESS SECRETARY: What -- no, what I can say it's being -- they are discussing it. They are looking at it. There is a process that's involved. And so, the White House Counsel can -- obviously, has taken these questions from all of you. And so, they are looking into it.

(END VIDEO CLIP)

GALLAGHER: Should we hear it? Should we see it?

MACE: Absolutely. Release the tapes. We should know what Joe Biden's acuity is. What and why the Department of Justice made that statement on the record, which is pretty awful for Joe Biden. And you can see everyone's scrambling in the White House they don't want to answer questions about his mental acuity or his mental fitness.

GALLAGHER: Yes.

MACE: And quite frankly he shouldn't be president. The 25th Amendment is there for a reason.

GALLAGHER: Yes. Congresswoman Nancy Mace, good of you to join us. Thank you.

MACE: Thank you, Trace, as always.

GALLAGHER: Well, there is also breaking information on two of the illegal immigrants accused of attacking New York police officers near Times Square. One of them has been arrested again. After committing, yet another crime and the other is free after somebody now we know who, posted $15,000 cash bail.

Bill Melugin, live with the details on that. Bill, good evening,

BILL MELUGIN, FOX NEWS CHANNEL NATIONAL CORRESPONDENT: Trace, good evening to you.

It's the kind of story that just makes you want to bang your head against the wall. One of the illegal immigrants who is released with no bail after attacking NYPD officers has now been arrested again. This time, for a Macy's store robbery.

19-year-old Darwin Andres Gomez-Izquiel is accused of assaulting a Macy's security guard and stealing clothes worth over $600, and is now back in custody for this new crime.

Now, before he was captured, NYPD posted in part, "One of the migrants who assaulted our officers last week in Times Square is back at it again. This time he was part of a group that robbed the department store in Queens. They also assaulted an employee. Different borough, different crime -- same disregard for the law. This is the last thing New Yorkers need."

Police say they are still looking for three other people who are with him for that robbery, and also assaulted the security guard by punching him in the face. They released these images and are asking the public for help in finding them.

In the meantime, Yohenry Brito, an illegal immigrant from Venezuela who was the only person being held in bail in connection with the attack on NYPD officers in Times Square, suddenly made bail today and was released after a so-called sanctuary church paid his $15,000 bond. Two other illegal immigrants charged in the Time Square beating have now been picked up by federal agents on civil immigration holds and are expected back in court later this week.

In the meantime, New York City Mayor Eric Adams is now stressing with urgency that New York City has "run out of room" as the migrant crisis continues to engulf not just his city, but other sanctuary cities all around the country, Trace.

GALLAGHER: A lot of places out of room. Bill, thank you.

While the FOX NEWS @ NIGHT "COMMON SENSE DEPARTMENT" can't figure out the reasoning of a Boston City council woman, urging residents in Boston suburbs to take illegal immigrants into their homes as roommates, rent free.

The councilwoman says we have "a shared responsibility". So, the president opened the borders, they filed in by the millions, overwhelming sanctuary cities and states, and now we should all do our part to house them?

That I did comes at the same time that some Denver City Council members are pushing to change the city charter, and allow migrants to become police officers. Meaning that people who broke the law to cross the border would now be hired to enforce the law.

But I guess being a cop is better than beating a cop. And "COMMON SENSE" just learned that between last October and January, three months, the Border Patrol arrested more illegal immigrants on the terror watch list than they arrested from 2017 to 2021.

And now, because the border bill failed and budgets are tight, ICE is planning to release 16,000 migrants who are currently detained. They would then be free to roam the country and become a roommate in Boston, a cop in Denver, a criminal in New York.

"COMMON SENSE" thinks, whether they share your room or steal your wallet, we would all feel a sense of shared responsibility.

Let's bring in Reformed California chairman and state assembly candidate Carl DeMaio, along with California GOP delegate, Roxanne Hoge. Roxanne, to you first. You want to be a cop, you're looking for a roommate, come to America illegally, and we will take care of you. Your thoughts.

ROXANNE HOGE, CALIFORNIA GOP DELEGATE: My thoughts as a legal immigrant are that people don't understand -- because Americans are so generous and kind, just how hard it is to emigrate here legally. And that's the way to come in. Through the front door. There's no pathway to homeownership if you break into my house, there should be no pathway to citizenship for people who break into the country. Period.

GALLAGHER: Yes. It really is. And the migrant teen who was released, Carl - - the migrant teen who was released after beating up cops in Times Square, as Bill was saying, busted again for robbery. Only migrant who was actually held is now been released by a priest, a Lutheran priest to pay the $15,000 in bail. It's unbelievable what's happening in this country.

CARL DEMAIO, CHAIRMAN, REFORM CALIFORNIA: They are prioritizing the rights of criminals over law abiding citizens of non-citizens over American citizens. And how much more of this do we have to witness before the American people rise up? And I don't care if you're a Democrat and independent or Republican. This is insanity. It's also very scary. Because we are seeing, as you mentioned, a record number of people on the terror watch list coming in.

GALLAGHER: Right.

DEMAIO: And this is going to get to a point where people are going to get killed, this is going to absolutely hit us hard, and it's going to be a public safety hazard in every community.

GALLAGHER: I want to get your thoughts on that too, Roxanne. What was just three months. Right? October to January, and they had 59 people on the terror watch list. That's more than they -- than they caught from 2017 to 2021. That is a bold statement.

HOGE: And those are the only ones that they caught.

GALLAGHER: Right.

HOGE: There are so many gotaways. As Bill tells us with his reporting all the time. I mean, it is -- it's terrifying for public safety, but also public health.

What happened to that? We spent three years locked in our houses without being able to go anywhere if you didn't have a shot.

Meanwhile, everything's just streaming across the border.

GALLAGHER: Yes.

HOGE: Measles, mumps, rubella, T.B., whatever.

GALLAGHER: You're talking about everything. Foxnews.com says CBP. sources tell Fox News Digital that more than 20,000 Chinese nationals have illegally crossed since the new fiscal year began on October 1st. More than 90 percent of them crossing into your neck of the woods, the San Diego Sector, Carl.

DEMAIO: 20,000 Chinese nationals, and then, when you take a look at all the releases from Border Patrol onto our streets, we've had 75,000 illegal immigrants released on the San Diego streets since September 15th.

GALLAGHER: Yes.

DEMAIO: That -- that's astonishing. That is a -- the size of a medium sized city. And you see where are they going? Are we tracking them? Who is paying for them? You know, are they getting the free airline tickets?

GALLAGHER: Right.

DEMAIO: What is appalling also about what you mentioned during the "COMMON SENSE" segment. ICE says that they want to release, what? 12,000?

GALLAGHER: 16,000.

DEMAIO: 16,000 illegal immigrants on the streets. Why? They didn't get a budget increase. Well, how about this? Shut the border, secure the border and you wouldn't have to release that many people onto our street.

GALLAGHER: Yes. How about you shut the border? Carl, Roxanne, thank you both.

Coming up, new information on how the Biden administration pressured banks to surveil citizens like you by using words like MAGA to search their private transactions.

And later in the "NIGHTCAP", this subject is spreading like wildfire on social media. Men on dating apps lying about their political beliefs because apparently Gen Z women won't go out with a man who calls himself a conservative. Would you lie about your ***politics*** just to get a date?

Yes, or no? Let us know X and Instagram. We'll read the best responses in the "NIGHTCAP", coming up.

(COMMERCIAL BREAK)

GALLAGHER: Well, FOX NEWS @ NIGHT has been all over this story, because it includes two of our favorite subjects: unjustly targeting conservatives and invading your privacy, which both appeared to happen when the Biden administration surveilled conservatives' private financial transactions.

Today, some treasury officials told their tales to the House Financial Services Committee under oath.

The senior national correspondent Kevin Corke is back live in Washington with the very latest on this. Kevin.

CORKE: Well, another wild day here in Washington, Trace.

If you thought the Lois Lerner IRS case was a one off, well, think again. For the first time, the Biden administration is now going on the record to confirm that some of the key words used in their post January 6th investigation -- it really frankly targeted conservative's financial records.

These key words are going to shock some of you at home. We're talking about terms like MAGA and Trump, Kamala, Biden, Schumer, and Pelosi. And there were others too. These were all included in the push by federal investigators for banks to surveil private financial transactions, following the protest at the Capitol on January the 6th, that according to a letter obtained by Fox News Digital.

The letter from Treasury to Senator Tim Scott, notes that exchange events, air quotes, convened it by its Financial Crimes Enforcement Network, or FinCEN, began shortly after January the 6th.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: It was sharing key terms around acts of violence, words --

REP. ANN WAGNER (R-MO): Bible? Gun violence? Those are -- or gun purchases? You know, I'm trying to understand here. These are legal purchases. These have nothing to do with terrorism or money laundering or anything that would come under data privacy.

(END VIDEO CLIP)

CORKE: Think about that. Using the term Bible as a search term. Amazing. In his letter, by the way, Senator Scott wrote that the surveillance represented a flagrant violation of Americans privacy and the improper targeting of U.S. citizens for exercising their constitutional rights, all without due process.

Amazing stuff, Trace.

GALLAGHER: And we will stay on it. Kevin Corke, live in D.C. Kevin, thank you.

First up in tonight's "REAL NEWS ROUNDUP", a number of opinion pieces published this Valentine's Day, asking people to avoid buying flowers because of the alleged harm to the environment. A Washington Post editorial said, "The race required to provide a mass-produced bit of nature at any hour, in any place, for as little as 10 bucks a dozen -- contribute significantly to the destruction of nature itself."

Maybe instead of, will you accept this rose, future reality stars on "The Bachelor" will ask, will you accept this reusable grocery bag? Passengers on a Southwest flight to Hawaii being praised for cooling hot tempers after a fistfight broke out midair. The men involved reportedly were detained upon arrival. Unclear if they will face charges. Still don't know what the battle was about.

Democratic lawmakers in Colorado now proposing legislation that would require public and charter schools to use a child's preferred name and pronouns, making it the first state law to enshrine gender transitions at schools. California published guidance along the very same lines, but that guidance is not backed by the law.

Meantime, a ski shop in Switzerland is facing backlash after reportedly posting a sign that says it would not rent equipment to, quoting here, "our Jewish brothers". The shop said the decision was made after a series of annoying incidents and at least one theft. Police in the region opened an investigation for a possible criminal violation.

And with that, let's bring in Elizabeth Pipko, the Founder of the Digital Holocaust Museum Project, Less People Forget. Elizabeth, great to have you on. So, the sign said, "We are no longer renting our sporting equipment to our Jewish brothers". I mean, if that sign was, if it was anywhere, I mean, it's unbelievable that this happened at a ski resort in Switzerland.

ELIZABETH PIPKO, FOUNDER, DIGITAL HOLOCAUST MUSEUM PROJECT: Right, it is beyond unbelievable. I have to be honest, when I first saw this story, I thought to myself, I don't know if I should laugh or cry, right? It's so awful, so obviously anti-Semitic, so abhorrent, but also just so ridiculous, right? Almost as ridiculous as the fact that the owner of the shop later apologized, saying he didn't like the wording that he used in the poster, but not apologize for trying to ban Jews from his shop.

OK, clearly, no one has learned their lesson about anything, OK, but even more importantly, it's like every day you wake up and something new is happening. And I can't help but wonder how many people are waking up thinking to themselves, are we back in the 1930s?

GALLAGHER: Yes, it really is, it's amazing to me. Now to antisemitism on campus, North Carolina Congresswoman sent a letter to Columbia University. The letter in part reads, quoting here, "Columbia University is an environment of pervasive anti-Semitism that has been documented at Columbia for more than two decades before the October 7th, 2023 terrorist attack, and of course, also a number of post-October 7th incidents at Columbia. What do you think about this investigation?

PIPKO: I have to be honest here, Trace. I have heard stories from friends of mine about Columbia University and being a Jewish student on campus there for years. If I can share a personal story that means a lot to me. A good friend, Jonathan, who I grew up with, attended Columbia University, and in 2019 filed a complaint against the school. He faced anti-Semitic harassment, bullying, taunts from students, but also had to sit in class at a certain point where a professor actually glorified those who murdered his uncle.

For context, Jonathan's uncle was kidnapped and then murdered by the military wing of Hamas. After that happened, in honor of his uncle, he filed this complaint in 2019, OK? And then in November of 2023, the school began looking into it. Obviously, multiple years after the complaint was filed, and also multiple years since Jonathan actually graduated. That should tell us everything we need to know about how Columbia University feels about their Jewish students.

GALLAGHER: Yes, and they're not alone. There are other universities that are also under investigation. So, the Fox News poll, this is from Michigan. In the Middle East conflict, do you side more with Israelis or Palestinians? Look at the numbers there. And Democrats, it is dead even, 37-37. Republicans way in favor of Israel. Independents in favor of Israel slightly. Look at the numbers under age 35. 38 percent Israeli, 48 percent Palestinians. Liberals, it's kind of the same thing. It's kind of unbelievable and on that note, I want to play this next sound bite, Elizabeth, because this is the president where it seems to me like he was full-throated support for Israel three months ago, and now he seems to be kind of leaning off of that. Watch.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Too many, too many of the over 27,000 Palestinians killed in this conflict have been innocent civilians and children including thousands of children.

(END VIDEO CLIP)

GALLAGHER: You know, first it was about, you know, integrity and now it seems to be about votes, et cetera. What are your final thoughts on this?

PIPKO: I think it is lost on no one, Trace. So, we're in an election year, right? And in an election year that you can kind of actually see the temperament, see the character of our political leaders. We've known Joe Biden for 10, 20, 30, 40 years now. We know where he stands on important issues like the Middle East and like Israel. Clearly, right now, he's listening to the most important or even the loudest, sorry, voices in the room which seem most important to him. I think now in 2024 it's actually the loudest voices on social media probably that he's listening to, but clearly his campaign believes he needs those voices, he needs those votes to win in November and that's why he's changing course here -- and I hope everyone remembers that at the ballot box this year.

GALLAGHER: Yes, and he does appear to be changing course. Elizabeth Pipko, it's great to have you on as always. Thank you.

PIPKO: Thank you so much.

GALLAGHER: And coming up, an update on the legal challenges a pastor faces for helping the homeless. We've had him on a couple of times, right? He was fined again and again and again for bringing the homeless in out of the cold. Well, now he appears to be winning his case, but it has come at a cost. And imagine catching this on your security camera. Plus, I wonder if they serve the big salad. Do you get the reference? Today's best "VIRAL VIDEOS" are next.

Meantime, 8:35 on the West Coast, a "FOX NEWS @ NIGHT" trip across America. First, a live look at Roswell, New Mexico, where Elvis Plain sat on a runway for over 35 years until it was sold about a year ago.

Over to the Silversides Museum in Muskegon, Muskegon, Michigan. On the screen is a real World War II submarine. And finally, a live look, Brooklyn, New York, where Tootsie Rolls were founded in 1896, who knew? And if you can't join us live, don't forget, set your DVR and watch us anytime. We're coming right back.

(COMMERCIAL BREAK)

GALLAGHER: We have an update on a story we've been following very closely for weeks on FOX NEWS @ NIGHT. The city of Bryan, Ohio has agreed to drop all criminal charges against the pastor who opened up his church to the homeless. But there's a bit of a catch. Let's bring in Pastor Chris Avell from Dad's Place Church, and his attorney, First Liberty Institute Senior Counsel, Jeremy Dys. Thank you both for coming on. Chris, to you first. So, there's an agreement in place. They're going to drop all the charges. They're going to work on permits, but what's the rest of the deal? What's your part of the bargain?

CHRIS AVELL, PASTOR FROM DAD'S PLACE CHURCH: Well, we're still the church operating 24/7, and honestly, Trace, I'm just grateful that the city, you know, they've come in, they've made Dad's Place even more safe and even more wonderful. And we're just going to keep doing what we do, that's stay open 24/7, share the gospel with everyone, and everyone's always welcome at Dad's Place. So, we're just excited.

GALLAGHER: When you say it's open 24/7, Pastor, does that mean the homeless are allowed that you let them back in at night and some of these cold nights in Bryan, Ohio?

AVELL: Everyone's allowed. Yes, I mean, we're a church 24/7, so certainly we don't say if you're homeless, you're not welcome. Absolutely, everyone is allowed, from the richest of the rich to the poorest of the poor to people who have houses in Malibu to people who don't have any place they call home. So, absolutely, everyone's welcome at Dad's Place.

GALLAGHER: Jeremy Dys, to you now. First Liberty writes the following here, "The city has agreed to drop all criminal charges against Dad's Place pastor, Chris Vell. Dad's Place has in turn agreed to cease residential operations and to seek proper building certifications and zoning permits." It seems to me like the church did agree not to let these homeless stays there overnight. Is that not part of the agreement? Because the concern here is, as the pastor was saying, he was not going to let these homeless people stay out in the cold in these cold nights. Am I not reading the words properly here, Jeremy?

JEREMY DYS, FIRST LIBERTY INSTITUTE SENIOR COUNSEL: Well, we agreed to give up a residential program that the church never had. The church has always been a church operating 24 hours a day. And as you just heard the pastor say, it doesn't matter who you are. If you don't have a home, if you need to run away for a few minutes from a home that is perhaps abusive, or just need to get out of the cold because you're walking too long outside at night in the middle of the winter in Ohio, you're welcome at Dad's Place 24 hours a day.

This is a church that is doing church things and has always been doing church things. And the fact that the city ever came after him to prosecute him for criminal activity, for violating, they think the ordinances of the town is just ludicrous. I'm glad that the town has now dismissed those criminal charges and we can now sit down with the city and reason together about how Dad's Place contributes to the future of Bryan, Ohio, something that the church is eager to do and get on with, with the good ministry that they're doing there in the city.

GALLAGHER: And I wonder, Pastor, when you finally get these permits, and we know it's bureaucracy so it might take a while, when you finally get these permits, how will this change the operation of the church? What will you be able to do differently in reference to everybody, including the homeless?

AVELL: Well, I think it will open up, there's a lot of work to do, we're the church, and so I think it opens up even more opportunities to reach more people and to help more people and to show Christ's love to more people. That's what we're all about. This is about Jesus and we're about showing his love to people. And so, it would just be amazing as we get permits and other things that would actually allow us to expand our ministry reach. So, we're very excited about this.

GALLAGHER: A quick question for both of you. Do you believe, Pastor Chris, that you won this battle? Is there a winning -- winner or loser in this?

AVELL: Well I never believed this was a battle of flesh and blood, but something else going on. And I believe, I think that the kingdom of God has won be both through the city and through Dad's Place. I think the city has done a fantastic job of working to make dad's place a safer place. And I believe we as a church have done as well as we can to be a welcoming place that shows the love of Christ to everyone who walks through the door.

GALLAGHER: Yes, and Jeremy, to you, you've fought very hard for Dad's Place. Do you believe that you came out on top in this battle?

DYS: The community of Bryan, Ohio as a whole is a better place today because of Dad's Place. And because those criminal charges are dropped, not only is it safer for Pastor Avell to continue to do his ministry, but across the country people are more welcome to engage their religious freedom as well without any fear of being prosecuted for doing so. I think that's the important message to be sent around the country, that cities around the country should never resort to prosecuting their pastors. Instead, they ought to sit down together to figure out how they can work together, state and the church, to figure out how they can serve the community better. That's the lesson we're now seeing in Brian, Ohio. And I'm proud to be a part of the legal team making sure that is the case both in Brian and around the country.

GALLAGHER: And we have been proud to have you guys on because it was a fight worth fighting and you know we're very pleased that the outcome is what it is. Jeremy, Pastor, thank you for coming on again.

AVELL: Thank you so much, Trace.

DYS: Thanks for having us.

GALLAGHER: Well, first up in tonight's "VIRAL VIDEOS", imagine catching this on your home security camera. A Melbourne mom got a call that her family's basketball hoop was in the middle of the road. It was hit by crazy winds and got pushed all the way down the driveway. Now, you talk about a flagrant foul.

An artist in Los Angeles recreating the famed Monks Cafe scene from the 90s sitcom, "Seinfeld," but on a mini scale, the artist did miniatures, right? Everything from mini condiments to logos. We're all wondering if it included the big salad, right?

And a cathedral in England celebrating National Pancake Day with some serious challenges. Choir kids racing down the long hallways trying to balance pancakes on pans. The church says it is a long-time tradition, and good for them.

Up next, would you hide your political beliefs to score a date? Some men are doing just that to get noticed on dating websites. Would you do that? The "NIGHTCAP" crew is next.

(COMMERCIAL BREAK)

GALLAGHER: We're back with the "NIGHTCAP" crew: Kevin Corke, Bill Melugin, Marianne Rafferty, Carl DeMaio, Roxanne Hoge, and Elizabeth Pipko. Tonight's topic is valentine's love and little white lies. Conservative young men are now saying they have to hide their political beliefs from women on dating apps because apparently none of these women will go on a date with them. Would you ever lie about your political beliefs to get a date, Roxanne Hoge?

HOGE: I'm a girl, so we don't have to. We just, we just are here. But my husband, I'm not going to say he lied, but he came to my poetry readings.

GALLAGHER: Yes. So, he wasn't pulling.

HOGE: Yes.

GALLAGHER: No chance. OK. Yes, I mean, whether you're a girl, it's the same thing. Marianne Rafferty, would you lie, would your husband lie, would somebody lie to get a date? Should they?

RAFFERTY: No. No, no, no, no. No. And we just happened to agree on everything, so it worked out.

GALLAGHER: Really?

RAFFERTY: But no, I don't think it's a good idea to start out that way.

GALLAGHER: Kevin Corke, lay it on us. What do you think?

CORKE: Back then, absolutely. Now, nah. At this age, if you don't like what I am, hit the bricks.

GALLAGHER: Really?

CORKE: Yes.

GALLAGHER: And Elizabeth Pipko, would you buy it if somebody was feigning that they were something they weren't?

PIPKO: Well, my husband did claim for a year that he liked sushi, and I think he was spitting in a napkin the entire time -- behind my back. But I will say, apart from that that that would be my limit, honestly. But he played it off quite well and it worked.

GALLAGHER: OK, Carl DeMaio. When I met my partner, he knew I was a conservative Republican, he was a Democrat. Today, he's a Fox News watcher, he's not registered as a Republican, but I know how he votes.

GALLAGHER: We are glad that he is watching tonight. Bill Melugin, your thoughts on this?

MELUGIN: No, I don't care and it's going to come out at some point anyways, regardless if it's the first date, second date, third date, so, no.

GALLAGHER: Here's the poll. Would you lie about your political beliefs to get a date? Yes, five percent. Instagram, nine percent.

Here we go. You had J. Clover, right? J. Clover says, "In Massachusetts, it's hard not to." Yep, J., I hear you.

Samuel Vela says, "I would tell her I'm a conservative, but I'm willing to identify as a liberal."

John Thornton says, "Depends how hot the date is. The hotter the date, the bigger the lie." Oh, isn't that the truth?

Susan Raney, "It's like wearing makeup. At some point, the mask comes off, and the other party is left with a shocker." That's the one there.

And then Jeffrey Rader says, "I won't say that it's because of any moral belief, as I've said many untrue things in the pursuit of a romantic encounter. But when it comes to deeply held beliefs, I wouldn't be able to fake it for more than 30 seconds." And I think, yep, that's probably the way it goes, no matter what you do. They can always tell if you're faking it.

Thank you all for joining the "NIGHTCAP", and thank you all for watching the "NIGHTCAP", and America's late news, FOX NEWS @ NIGHT. I'm Trace Gallagher in Los Angeles. We'll see you back here again tomorrow night.

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