

# [***Mom Convicted In Son's Deadly School Shooting; Biden Slams "MAGA" Over Opposition To Border Bill; Sen. Steve Daines (R-MT), Is Being Interviewed About His Opposition To Senate Border Bill; Biden: Senate Deal Has Implications For Mideast; Trump Team Vows To Appeal Court Ruling On Immunity; Some NYPD Beating Suspects Arrested In Arizona; Harry Back In UK As King Charles Battles Cancer; Country Music Star Toby Keith Dies At 63***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6B8P-Y651-F072-X17T-00000-00&context=1516831)

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

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**Body**

SANDRA SMITH, FOX NEWS CHANNEL HOST: All right, so we'll continue to monitor that. John, great to be with you. That was a busy two hours. Set your DVR, never miss AMERICA REPORTS. Thanks for joining us. I am Sandra Smith.

JOHN ROBERTS, FOX NEWS CHANNEL HOST: I'm John Roberts. We will see you again tomorrow. In the meantime, we turn it over to our colleague, Martha MacCallum, with "THE STORY" live from New York. Martha.

MARTHA MACCALLUM, FOX NEWS CHANNEL HOST: All right. Thank you very much, you guys. Good afternoon, everybody. I'm Martha MacCallum. And this is THE STORY. President Biden laying blame for the border mess squarely on Republicans today, telling them to "show a little spine" on this issue. Republican Senator Steve Daines joins me in moments. And country star, John Rich, reflects on the life and legacy of country icon Toby Keith.

But first, a bombshell verdict breaking just a short time ago. A mother convicted of involuntary manslaughter for her son's deadly school shooting rampage. Jennifer Crumbley's son, Ethan, pleaded guilty to killing four students at his Oxford High School in Michigan two years ago. He is now serving a life sentence. His father is also facing charges. He will be on trial next. Criminal Defense Attorney Mark Eiglarsh says that he does not agree with this verdict and he is standing by. Moments for now.

First, to Chief Correspondent Jonathan Hunt reporting live from Los Angeles. Hi, Jonathan.

JONATHAN HUNT, FOX NEWS CHANNEL CHIEF CORRESPONDENT: Hey, Martha, this absolutely is a groundbreaking verdict and would appear to set a significant precedent in holding parents responsible for the actions of their children in cases of mass shootings.

(BEGIN VIDEO CLIP)

UNIDENTIFIED FEMALE: We find the defendant guilty of involuntary manslaughter. On count two of involuntary manslaughter in regards to Tate Myre, we find the defendant guilty of involuntary manslaughter.

HUNT (voiceover): Jennifer Crumbley found guilty on four counts in all of involuntary manslaughter after prosecutors argued she had ignored obvious signs of her son's mental struggles, including pictures then 15-year-old Ethan Crumbley drew and on which he wrote "blood everywhere". On November 30th, 2021, Jennifer Crumbley and her husband James, were summoned to Oxford High School in Michigan after staff there found Ethan Crumbley's drawings. The Crumbley's were asked to take their son home and advised they could get same-day mental health care services. They said they couldn't take Ethan because they both needed to go back to work. Hours later, Ethan Crumbley shot dead four of his classmates and wounded seven others.

Jennifer Crumbley's attorneys had argued in court she couldn't possibly have foreseen the violence her son would turn to and that holding her responsible would set a dangerous precedent for parents everywhere. Prosecutors argued text messages between Crumbley and her son showed she could and should have taken action when Ethan made clear his mental struggles. But they argued Mrs. Crumbley was more interested in her two horses and an extra-marital affair she was involved in than she was in her son's well-being. Jennifer Crumbley faces 15 years in prison on each of those four counts of involuntary manslaughter.

(END VIDEO CLIP)

HUNT (on camera): Her husband, Ethan's father, James, will go on trial, Martha, next month facing the same four charges. Martha.

MACCALLUM: Jonathan, thank you very much. With that, we bring in criminal defense attorney, Mark Eiglarsh. He represented the school security officer in the Parkland, Florida massacre, who was recently cleared of all charges for his response, which was not a lot, to the shooting that killed 17 people. Mark, welcome. Good to have you with us today.

MARK EIGLARSH, CRIMINAL DEFENSE ATTORNEY: Thanks, Martha.

MACCALLUM: So, you know, when I look at this text message from Jennifer Crumbley, a frantic text message that was sent to her son after she learned that there was a shooting underway at his school. And let me remind everyone, this is the same day the school showed these images which I'm going to show in a moment that he had been scribbling that morning in class and the school then brought the parents in and said please take him home. She then texted to her son, "Ethan, don't do it." How damning is that text? Doesn't it not show knowledge that she believed her son was capable of potentially shooting and killing his fellow students.

EIGLARSH: It all depends on what you believe the facts are. That wasn't my understanding from watching the testimony. The school brought her and the husband in and gave them the option of whether they wanted to remove him or not based upon those drawings. The best evidence that they gave them the option is that they didn't force the kid out of the school. It's not the parent's school, it's the school's school. And they allowed him to return to the class. So, obviously they didn't share the same concerns that the jury apparently thought the parents should have had. Second thing is she texted her own son right before the shooting.

She didn't know that the shooting was going to go down. She wanted to follow up. You doing OK? Oh, yes, mom, I love you. I'm not defending her ability as a parent to be mother of the year. She is not. Nor was she perfect as a wife because her extramarital affairs apparently became the number one thing that prosecutors were focusing on in this trial, which they shouldn't have. But it is a high burden to claim that someone is criminally responsible for the deaths of those kids at the school. It fell way short of that.

MACCALLUM: All right, let's take a look at the children that you just mentioned. These four beautiful young high school students never made it home after that November day, Tate Myre, Hana St. Juliana, Madison Baldwin, and Justin Shilling. I just want to remind everybody because sadly, Mark, we see too many of these cases, but I think people remember these students at Oxford High School and what happened to them. And this is the, these are the images that he sketched that morning that prompted the school to call the parents in, and here's what they look like.

It says, the thoughts won't stop, help me with a picture of a gun and blood everywhere. And then, on the next one, it's almost as if he's trying to sort of correct whatever was on the first one. God only knows what was going through his mind, but he's like, I love my life so much, it goes on. What kind of precedent is set here, Mark, in terms of parental responsibility in this case is because it's not the first time that we have seen a parent charged with neglect, other charges that are related to a school shooting?

EIGLARSH: Yes, I think it's a scary precedent. Listen, I believe that parents should be held responsible when their kids are knowingly doing criminal acts or it's so obvious to the parent. In this case, it wasn't. She didn't know he was going to shoot up the school or she would have stopped him.

MACCALLUM: Alright, thank you, Mark. Mark Eiglarsh joining us. Another tragic case and a very serious outcome for this mother who could find herself in jail for many years on involuntary manslaughter for not, that this jury believed, taking action that she should have taken as a responsible parent. Mark, thank you very much. Good to have you with us.

EIGLARSH: My pleasure. Thank you.

MACCALLUM: So, President Biden speaking from the White House to blast MAGA Republicans for holding up a border bill. Senator Steve Daines, Howie Kurtz, Marc Thiessen, all lined up next.

(COMMERCIAL BREAK)

MACCALLUM: President Biden a short time ago blaming Republicans for the mess at the border, slamming their lack of support for the bipartisan Senate border bill and blaming one person in particular. Watch this.

(BEGIN VIDEO CLIP)

JOE BIDEN, PRESIDENT OF THE UNITED STATES: Now, all indications are this bill won't even move forward to the Senate floor, why? A simple reason. Donald Trump. Because Donald Trump thinks it is bad for him politically therefore, he doesn't even know it helps the country he's not for it. He'd rather weaponize this issue than actually solve it. So, for the last 24 hours he's done nothing I'm told but reach out to Republicans in the House and the Senate and threaten them and try to intimidate them to vote against this proposal.

(END VIDEO CLIP) MACCALLUM: Well, that message directed at members of Congress such as Senator Steve Daines from Montana, he is Chairman of the National Republican Senatorial Committee. Senator, good to have you with us. Does this put Republicans in a difficult spot, having said that you were looking for a deal that would have Ukraine, Israel, Taiwan funding all wrapped up in something that also strengthens the border to some extent.

SEN. STEVE DAINES (R-MT): Now, Martha, here's the truth, here are the facts. The reason you've got the White House and President Biden doing a tap dance at the moment, it's because President Biden's approval numbers at this point in his presidency are the worst in 75 years of American history. He's below Jimmy Carter numbers at this point and the number one issue is the border that's controlled by the Mexican cartels. It's out of control.

I'll tell you, if you take a look at what Biden inherited from President Trump, President Trump put policies in place like Remain in Mexico, like Title 42, building a wall. We saw some of the lowest numbers in decades. And on day one of President Biden's presidency, he went down to the White House and he, by executive order, he reversed these policies that were working. It's cause and effect. He inherited a secure border. He's created chaos by his own making. And so, what I'm hearing from the White House is he's trying to spin something here that just isn't true.

MACCALLUM: I mean, that that's been well documented, the border situation, and, and what went wrong, and, and the president's actions on it. But Republicans said they wanted something to tighten border security and what we hear is that there are, you know, even people on the terror watch list who are crossing every day.

So, this bill, while it has -- you know, I've listened to people on both sides of this bill, there is a lot of pluses and minuses in it for everybody. But one thing that it would cut back on dramatically are the long lines that we see of men by themselves pouring into the country.

So, you know, if there's a terrorist among them, wouldn't you want to be in the position of stopping at least that part of this problem at this point, and then, going back after the election, to really shut the border down?

DAINES: We'll go back and read the details of the text of that bill. You know, first of all, President Biden not enforce anything that we put in place.

(CROSSTALK)

MACCALLUM: I happen -

DAINES: There is a provision there, a paragraph that says he can create an emergency order and not enforce some of these provisions that are in that bill. This is the problem. President Biden and the Senate Democrats do not want to really solve the problem. They want to solve their political problem. It's a huge liability for them politically.

But if they want to solve the problem, President Biden can do that. Senate Democrats can tell President Biden, use some of the same exact tools that President Trump used, and we can secure the border again. It's that simple.

President Biden does not want to actually see an outcome. He wants a political outcome, not a secure border.

MACCALLUM: OK, Senator Daines, more debate to come on this. Doesn't look like it's headed anywhere in the Senate chamber at this point. So, we'll see where all of this goes. Thank you, sir. Good to have you with us today.

DAINES: Thank you.

MACCALLUM: So, at the end of his border remarks today, President Biden said that he wouldn't take any questions, but then, he took a few. Watch.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: Can we ask about the hostage deal, sir? What needs to get done for hostage deal to get resolved, sir?

JOE BIDEN, PRESIDENT OF THE UNITED STATES: This indirectly has a lot to do with the hostage deal and what's going on in the Middle East. The decision on what we do relative to Israel, decision what we do with terms of American funding of whether we're going to engage with the situation in Ukraine.

It all goes to a question of American power. It all goes to was America keep his word? Does America move forward? There is some movement, and I don't want to -- I don't want to (INAUDIBLE) choose my words.

There's some movement -- there's been a response from a -- there is better response from the opposition. But it -- yes, I'm sorry. From Hamas, but it seems to be a little over the top. We're not sure where it is.

There is this continuing negotiation right now.

(END VIDEO CLIP)

MACCALLUM: OK. Tough moment. Let's bring in Howie Kurtz, host of "MEDIA BUZZ"; and Marc Thiessen, former chief speechwriter for President George W. Bush, American Enterprise Institute senior fellow, and Fox News contributor. Gentlemen, thank you.

Howie, what goes through your mind as to see the President struggling for the word Hamas?

HOWARD KURTZ, FOX NEWS CHANNEL MEDIA ANALYST: Yes, it took him a long time to get there. And that was, perhaps, why some of his aides don't want him going on T.V.

Look, by repeatedly not going on T.V., he is giving up the world's most powerful megaphone, again, and again and again, to the point where it's political malpractice. But today, I would argue he made a mistake, or he -- there has nothing for him to do. He knows this bill was hanging on life support, and he just wanted to blame Donald Trump for it.

And now that Mitch McConnell who very much wanted to salvage aid to Ukraine, as well as tighten up the border by saying, this is it, it's not going to pass. It's dead. It's officially dead in my view. And Trump says, look, blame me. Blame me. I'm happy to have you blame me because it's a death wish for Republicans to pass this. And this is Donald Trump's Republican Party. And so, they are all bailing on it.

MACCALLUM: So, the president Marc has decided that he is not going to do the Super Bowl interview. He hasn't done an interview, a sit-down interview in 114 days. The last one was with CBS Scott Pelley the last real news conference was 56 days ago with Zelenskyy at the White House. Is this strategy going to serve him well as he pursues reelection?

KURTZ: Marc?

MARC THIESSEN, FOX NEWS CHANNEL CONTRIBUTOR: Pretty easily because he says it's so much Donald Trump. And that's what he --

MACCALLUM: OK, I'm sorry, you're breaking up a little bit, Mark. So, I'm going to go to Howie, we'll try to fix your audio and come back to you.

KURTZ: OK.

MACCALLUM: Howie, you heard that question?

KURTZ: I get, indeed. And look, it is in comprehensible to me that he gets a blowout jobs report number. Does he go on television and tout his economic program? No. He -- the Superbowl interview that you mentioned is the second year in a row. It's with CBS this time.

What? He is afraid of Norah O'Donnell or Scott Pelley? He can't handle it? I just don't understand. I mean, that's, you know, usually a pretty easy interview with a couple of tough questions.

And then, the hardest to believe, of all of this is that he didn't assume the role of commander in chief, when he finally launched the retaliatory strikes against Iran-backed proxies in Israel, excuse me.

I had to -- I had a senior moment against Iran-backed proxies in Iraq and Syria, and explain what he was doing? How do you not do that? He has every right as commander in chief to do that. And I think they are over protecting him and they're afraid he's going to have a moment like you just saw.

I say, if he makes mistakes, it's a small price to pay.

MACCALLUM: Yes. What -- you know what? But Howie, what does it tell us that he doesn't take advantage of all of these things? And I think that it's hard to analyze this any other way, but then to go back to moments like this, where he was in Las Vegas, and he confused Macron with Mitterrand, and Germany, with France. Watch this.

(BEGIN VIDEO CLIP)

BIDEN: Right after I was elected, I went to what they call a G7 meeting, all the NATO leaders, and it was in -- it was in south England. And I sat down and I said, America is back Mitterrand from Germany -- I mean, from France looked at me and said, you know what -- why -- how long you back for?

(END VIDEO CLIP)

KURTZ: Well, Mitterrand has been dead since 1996. So, that looks pretty bad.

MACCALLUM: Yes.

KURTZ: But, of course, now evens the score with Donald Trump mixing up Nikki Haley and Nancy Pelosi. So, that was a moment he can't get back.

MACCALLUM: Well, there is -- yes, there is a lot of criticism, which to go around to be sure.

Watch the -- yes, Peter Doocy just pressed a Karine Jean-Pierre on this France, Germany mix up. Let's watch.

(BEGIN VIDEO CLIP)

PETER DOOCY, FOX NEWS CHANNEL WHITE HOUSE CORRESPONDENT: How was President Biden ever going to convince the three quarters of voters were worried about his physical and mental health that he is OK, even though in Las Vegas, he told the story about recently talking to a French president who died in 1996?

JEAN-PIERRE: Am I even going to go down that rabbit hole with you, sir?

DOOCY: Why this like a rabbit hole?

JEAN-PIERRE: We're going to go. Go ahead. Go ahead.

DOOCY: He said you talk to Mitterrand and --

JEAN-PIERRE: Go ahead. You saw the president in Vegas, in California. You've seen the president in South Carolina. You saw him in Michigan. I'll just leave it there.

(END VIDEO CLIP)

KURTZ: Rabbit hole?

MACCALLUM: All right. So, we went to a lot of different places. So, that, that just that wipes it all away. And to your point, because I want to address that point. Let's look at these polls, because this is what voters think about these two older statesmen, who want to be president for another term here.

This is the NBC poll. At 81 years old, Biden -- Joe Biden not having the necessary medical -- mental and physical health to be president for a second term for 76 percent, they say that is a major to moderate concern. And the same for President Trump, 48 percent say that it is a major or moderate concern.

It appears, you know, despite the flubs that we occasionally see that right now, voters have few -- fewer concerns about Trump than they do about Biden. Howie, last thought.

KURTZ: Yes. I mean, he looks more frail, and the age issue is very, very real. And Karine Jean-Pierre couldn't even try to defend what Biden did in that mix up, because it's indefensible.

MACCALLUM: Yes. So, she just said he's been to a lot of places recently. Howie, thank you very much. Always good to see you.

KURTZ: Good to see you. Thanks.

MACCALLUM: So, former President Trump fuming at a "nation killing ruling" after a court labeled him "citizen Trump" and denying him from immunity from prosecution -- denying him immunity, I should say, from prosecution.

Andy McCarthy and retired NYPD inspector Paul Mauro, joining us on that in the next coming stories right after this.

(COMMERCIAL BREAK)

MACCALLUM: Former President Trump's campaign says that he will appeal a ruling that came down today that says he does not have immunity against charges of election interference. Special Counsel Jack Smith asked the Supreme Court to fast track the case. The justices said no to that. They pushed it to the lower D.C. Court, which is normal procedure to ask them to weigh in first. The legal battle has already put the trial on hold that was set to begin next month in Washington.

So, what does all this mean for the former president and for the election? Let's bring in former Assistant U.S. Attorney Andy McCarthy, a Fox News contributor. Andy, always good to have you with us. It's a 57-page decision by a three-panel group of judges.

(CROSSTALK)

ANDREW MCCARTHY, FOX NEWS CHANNEL CONTRIBUTOR: Thanks, Martha.

MACCALLUM: That include one Trump appointee and two Biden appointees on this three-panel system. And one of the things that they said is, "former President Trump's stance," meaning, complete immunity, basically for presidents, "would collapse our system of separated powers by placing the president beyond the reach of all three branches."

What do you think about this decision, Andy?

MCCARTHY: Well, the panel did a very thorough rejection of President Trump's position that he is immune from federal prosecution that made a distinction between discretionary acts that a president takes, such as, you know, granting a pardon, which they accept that a court has no business reviewing, but they distinguish that from ministerial acts or private acts, where a president is basically in the position of following the congressional laws that he takes oath of office to uphold.

And on grounds of constitutional law and policy, they looked at the prior rulings. And even though the Supreme Court has never resolved this precise question, they made a very convincing case that I don't think too many people are surprised by that the president doesn't have immunity.

MACCALLUM: So, let's put up on the board, the Trump campaign courtroom calendar. It is very extensive. And I'm wondering what you think, what the impact is on the timing of all of this. And whether or not we will see any January 6 case happen before the election, and whether the Supreme Court is going to deal with this issue in the -- in the interim. Andy?

MCCARTHY: Yes. So, Martha, very interestingly, probably just as important in some ways as the 57 page opinion from the court is this short one page order that it issued, which basically says if Trump wants to try to now take the next step of appealing to the full circuit en banc, as they say, all eleven judges. He can do that but they are not going to continue to keep the case away from Judge Chutkan if he decides to go that route.

So what the court basically said to the former president is, you have until Monday to appeal to the Supreme Court. And if you do that, then we'll hold the case in abeyance away from the district judge, Judge Chatkan, until the Supreme Court decides whether to take the case or not.

So the court is aware that the president or the former president wants to delay things, and it's kind of cutting out that middle step. It doesn't mean that Trump can't try. It just means that the case will go back to Judge Chutkan and then she can start holding pretrial hearings and the like.

That makes it a lot more likely that this case could get to trial. But the other moving part here is that the Supreme Court is going to consider the obstruction statute in connection with some of the January 6 cases. We won't get a ruling on that until the end of June. So as a practical matter, I don't think she could start the case prior to then. And depending on what they do with that case, it could require a big overhaul of Jack Smith's indictment. So we'll just have to continue to watch that.

MACCALLUM: Indeed we will, Andy. Thank you very much. Andy McCarthy joining us in New York.

MCCARTHY: Thanks, Martha.

MACCALLUM: So later this hour, we will speak with John Rich, who joins us live with a special tribute to his good friend, country music legend Toby Keith.

(MUSIC)

(COMMERCIAL BREAK)

MACCALLUM: Breaking moments ago, a grand jury indicting one of the suspects in the beating of two New York City police officers near a migrant shelter. He is the only suspect who was held without bail, and he was in court today. You see these images on the screen. So here's what his lawyer had to say. Watch this.

(BEGIN VIDEO CLIP)

MARK JANKOWITZ, YOHENRY BRITO'S ATTORNEY: At this point, all I can say he's pleading not guilty, and I have no comment about the balance of the case at this point.

UNIDENTIFIED FEMALE: Why not guilty?

JANKOWITZ: Because he's entering a plea of not guilty, that's why, right? Does that mean he did not engage in an interaction with police as it's alleged, no. All it means is he's procedurally entering a plea of not guilty and he's pleading not guilty to all the charges at this time.

(END VIDEO CLIP)

MACCALLUM: So the attack happened last month in Times Square. We have all seen this video many times. At this point, the other suspects, you can see them kicking this police officer in the head. I mean, it's a horrific video. So the other suspects have been released with no bail, and you saw how they exited with sort know both fingers up.

So sources tell Fox that the feds arrested three of these individuals yesterday at a bus station in Arizona. With that, we bring in retired NYPD Inspector Paul Mauro, founder of opsdesk.org and a Fox News contributor. Paul, good to have you with us.

You know, there's a reason that these individuals were likely apprehended in Arizona because there's ICE cooperation in Arizona. They were on a bus that went all across the country, but perhaps the first friendly state that they got to where there would be coordination between ICE, whose job it is to remove unsafe individuals, who came here potentially illegally, kicked in in Arizona. What do you make of this situation?

PAUL MAURO, FOX NEWS CONTRIBUTOR: Well, first of all, they really shouldn't have even been in the wind to begin with. As we've covered, this was a bail eligible offense for which Alvin Bragg chose not to ask for bail. My understanding, according to the reporting, is that he was involved in the decision not to ask for that bail. But furthermore, you have to say to yourself, what were they thinking when they decided, OK, we're just going to let these guys out because the standard in New York, and this is important, is simply this. When you're granting or requesting bail, it's whether or not the perpetrators will return for their court date. That's it. It's really that simple.

Unfortunately, it's that simple. New Yorkers have been asking for a dangerousness standard for bail for years, but the courts won't grant it. So on the standard of whether or not they'll come back to court when their court data comes up, which is about three weeks from now, Alvin Bragg's office still cut these guys loose despite the fact that they had no community ties, they're here illegally, they have no family here, and they're facing felony charges. Of course they were going to leave. He had to know that.

MACCALLUM: Yes.

MAURO: And so that leaves you to a very uncomfortable conclusion, which is that he didn't care and maybe even wanted them to flee.

MACCALLUM: Yes. I mean, it's hard to see it any other way. Here's Kathy Hochul, the governor of New York, complaining about Alvin Bragg on "Morning Joe" today. Watch this.

(BEGIN VIDEO CLIP)

KATHY HOCHUL, NEW YORK GOVERNOR: What I have been told by him in his office is that they were not clear on actually who the perpetrators were. But you can hold these people while you're still investigating. You don't let them out. There were New York City police officers beaten on the ground by migrants, and that's not acceptable anywhere.

(END VIDEO CLIP)

MACCALLUM: So if it's not acceptable, she can fire Alvin Bragg, Paul. Will she?

MAURO: She can fire him. She won't, of course. It's not politically expedient. She can also rescind an executive order that's in place from her predecessor, Andrew Cuomo, that does not allow for state employees to cooperate with ICE. That's within her power. She's not doing that either. This is pure ***politics*** and I think it shows.

MACCALLUM: Yes. Paul Mauro, thank you very much. Good to see you, Paul.

MAURO: Thank you. Good to see you.

MACCALLUM: So today, the first sightings of King Charles III since the news that he is undergoing cancer treatment as Prince Harry arrived to be with his father, on the right hand side of your screen, earlier today. We've got an update for you on all of this live from London next.

(COMMERCIAL BREAK)

MACCALLUM: Getting a first look at King Charles since the announcement of his cancer diagnosis. This is earlier today with Queen Camilla. The palace says that the cancer is a separate issue from the prostate procedure that he had done last week. And the British Prime Minister, Rishi Sunak, saying that doctors caught it early and wishing for a full, complete recovery for the king.

We also saw Prince Harry arriving in the UK today to visit his father after speaking with him by phone. There he is in the middle of that picture in the back of a car as he was brought into Clarence House. With that, let's bring in Gareth Russell, Historian and Author of "The Palace: From the Tudors to the Windsors, 500 Years of British history at Hampton Court." Gareth, good to have you back. Thank you very much for joining us today.

So we're told that the king spent about 45 minutes with his son Harry at Clarence House before taking off in a helicopter for Sandringham. What do you think of that? What do you make of this visit?

GARETH RUSSELL, HISTORIAN/AUTHOR: That's a great question. I think a lot of people were surprised at how quickly Prince Harry flew from LA to London. Some people were saying, does this indicate the cancer is actually more aggressive in his father? But one thing I would say to that is that, the palace have confirmed that the king actually personally told all of his family that he was unwell before the public announcement was made.

So Prince Harry hopping on that plane mightn't indicate panic, but it's certainly a big step. I mean, it's probably the worst kept secret in Britain and America that relations within the royal family have not been friendly since Prince Harry's interviews and memoir spare. So this is really the first sustained contact that the king and Prince Harry have had. And sometimes it takes something like an illness to put petty squabbles in the rear view mirror.

MACCALLUM: Yes. Any indication of how long he will stay? There were questions about where he would stay. Perhaps he's going to stay at Clarence House. He does not have his own home anymore within the royal string of palaces.

RUSSELL: Yes. We think probably Clarence House. So for viewers, Clarence House is within walking distance of Buckingham Palace. It's a lot smaller. It's actually for Charles III's grandmother, the Queen Mother, spent her years as a widow and he inherited it. And has chosen to live there rather than live in the grandeur and often very cold Buckingham Palace.

If Prince Harry stays there, Martha, it means he has access to full time royal security, which is, as we know, a big concern of his. So we think it'll be at Clarence House. But what we are hearing is that there are no plans for Harry to meet his brother, Prince William. That's what's come out in the British press today, that so far the brothers have not timetabled a meeting. So that's interesting.

I think a lot of people were expecting them to meet. Others said that after spare the Netflix series and the Oprah interview, that relations between the brothers are still very cold.

MACCALLUM: Yes. And, of course, Catherine, Williams' wife, the Princess of Wales, is still recuperating from her own surgery and her own hospital stay. And we really have learned next to nothing about her condition at this point, except that they said it went well and she went home. What can we learn from the announcements that have been made about King Charles' calendar in terms of what might happen next?

RUSSELL: Yes. So I think it's been made very clear that the king will not step back from his constitutional duties, which are to advise, warn and consult with the elected government. The Prime Minister Rishi Sunak made it really clear that he's still in regular contact and will have his constitutional weekly meetings with the king. However, on his doctor's advice, he will not be undertaking foreign travel, sort of day to day greetings or any crowd work, for want of a better word.

And we are understanding that Queen Camilla and Prince William will be the ones picking up the slack there. And their diaries will be arranged so that they can do their own engagements, but also the kings.

Prince William's going to step in to do an ambassador ceremony at Windsor Castle and a big fundraiser for the air ambulance in London, which, of course, he served with shortly before and after his marriage. It does also mean, Martha, though, that he'll be spending less time with Catherine. He had wanted really to be with her and the children for as much time as possible. He has had a decent amount of time with them as Catherine recovers from her surgery. But unfortunately, duty takes precedence in this, and he is heir to the throne.

MACCALLUM: Well, we all know sometimes life gets in the way of all your plans, right? And it seems like that's what's happening for this family right now, as a lot of families can relate to that. Gareth Russell, thank you very much. Great to see you. Thanks for being here today.

RUSSELL: Appreciate it.

MACCALLUM: So coming up, a very heartbreaking day for country music fans. I will speak with John Rich, who is here to pay tribute to his fellow music star and American patriot, Toby Keith, who passed away at the age of just 62 after his own battle with cancer.

(MUSIC)

(COMMERCIAL BREAK)

(MUSIC)

MACCALLUM: Oh, what a big lost today in the music world. Country star Toby Keith has died at 62 years old after a battle with stomach cancer. His song "Should Have Been A Cowboy," "How do You Like Me Now," "Red Solo Cup," I also love "I Love This Bar" and I Ain't As Good As I Once Was," all great songs that will live long into his legacy for all of us in his career that spanned three decades.

His patriotism, his love for our veterans and our active troops came through not only in his music, but in all of his support and the time he spent with all of them. He performed for our soldiers and our marines all around the world, almost a dozen USO tours overseas. Country music star John Rich calls him a bigger than life kind of guy, and he joins me now.

John, welcome. It's good to have you with us today. But what a loss, I mean, just going back through Toby Keith's hits is just a journey for all of us through nostalgia and a great artist.

JOHN RICH, COUNTRY MUSIC STAR: Yes. It was a gut punch this morning, I think, for everybody. All of his fans, all of us in Nashville that knew Toby Keith, played shows with him over the years. But, you know, he accomplished something pretty extraordinary that a lot of people don't accomplish, and that is he created things that will live longer than he know they'll go on forever. Just like you said, these songs are classics.

And especially the songs you wrote about our country, and about the men and women who serve and sacrifice in our military. I mean, there was no doubt, to use one of his titles, he was all action and not much talk. He had a little less talk and a lot more action, one of my favorite Toby Keith songs.

He put his money where his mouth was. He showed up in those dangerous places over and over to make sure our troops knew that he had their back.

MACCALLUM: Yes, so true. I'm just -- we're watching all these images of him on these USO tours, and it's hard to underestimate how joyful and meaningful these visits are for our men and women who are serving overseas and how much they loved to see him come around that corner and just make them smile. So he gave us a huge gift for all of our patriots.

But he really, you know, came from Oklahoma, worked his way up through the country music ranks, did some crossover tunes as well, John. Just give us a moment of your thoughts about him as an artist.

RICH: Well, so one thing that I think separates artists out there is who is the most authentic, who really is who they say they are. You know do they - - is the lyrics of their songs really who they are and how they really think? And I can tell you from firsthand experience, Toby Keith was the same man off stage as he was on stage. And I think the fans knew that. They knew he was the real deal, the real McCoy.

You know, he did it his own way. He was an independent thinker, independent guy. And some of those trips that he made overseas -- those were dangerous spots he went to. He also went to military hospitals, a lot of places that most people wouldn't think about going. They knew he had a heart as big as he was.

He was a big man, 6'4" something, and his heart was every bit that big. It's a huge loss to Nashville and to everyone.

MACCALLUM: Well, he talked about his faith in recent months right before he left us, saying, you know, that he was thankful that he had God and his faith because it was helping him to get through all this, John. Last thought before we go.

RICH: I saw that interview. I was so happy to see that interview this morning. I actually saw it where he said, you know, throughout his life, like a lot of people, he would only lean on God when times were tough and not so much when times were good. But he learned through this process, lean on God every single day. And he said, no matter how this turns out, I know where I'm going because I've got my faith in God. I thought that was a great way to hear from him on his last interview.

MACCALLUM: Well, I certainly hope we see a really great Toby Keith tribute at the Super Bowl. I think that would be a fantastic way to remember him as that big weekend comes up. That should be a really bright, patriotic moment for all Americans. So let's hope that's what we get.

John, thank you very much. Always good to see you. Thanks, my friend.

RICH: Thank you, Martha.

MACCALLUM: So before we go, I am on special assignment today in South Carolina. Earlier, I interviewed jurors in the Alec Murdaugh murder case. I asked them some pointed questions about Murdaugh's claims that their guilty verdict had been influenced by the court clerk. And did they agree with the ruling just days ago that he should not have a new trial?

It drops this Friday on the new Fox Nation Special, the "Fall of the House of Murdaugh: The Jurors Speak." This is our latest edition in this ongoing series, so check that out on Friday.

And that is "The Story" for today, February 6. As always, "The Story" goes on. We'll see you back here tomorrow at 3:00. Stay tuned, though, "Your World" starts right now.

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