

# **MENTAL HEALTH ANALYSIS OF THE SPECIAL COUNSEL'S REPORT ON THE INVESTIGATION INTO RUSSIAN INTERFERENCE IN THE 2016 PRESIDENTIAL ELECTION**

## **EXECUTIVE SUMMARY TO THE REPORT ON THE MUELLER REPORT**

We write as authors of *The Dangerous Case of Donald Trump*, which arose out of our professional response to a medical need. The public-service book predicted much of the course of the current presidency and has received high acclaim among our peers and the public; we have removed conflicts of interest by donating all revenues to the public good.

The Special Counsel's report provides an uncommon wealth of information regarding the President's mental capacity, begging for a mental health interpretation. Pursuant to our ongoing, primary professional responsibility to society to protect public health and wellbeing, and to warn against potential dangers to the public's safety and security, we have embarked upon this report.

Mental capacity refers to the mental soundness that is necessary to fulfill a task and is a fundamental and necessary component of fitness for duty. It is a functional, not a diagnostic, assessment, focused less on the President's personal mental health than on his capacity to fulfill the duties of his office as observed by co-workers and close associates. The information in the Special Counsel's report, deriving from multiple sources under sworn testimony, yields an assessment with uncommonly high confidence.

We found evidence in the report of:

1. Compromises in comprehension, or inability to take in critical information and advice;
2. Faulty information processing, in the form of mendacity, rigidity, self-occupied notions of "fairness," and poor memory;
3. Interferences to sound decision making, including loss of impulse control, recklessness, and inability to consider consequences; and
4. Proneness to placing himself and others in danger, including encouraging, recommending, or inciting violence on the part of his followers.

Specific examples are in the body of the report.

In summary, we believe<sup>1</sup> that the preponderance of evidence overwhelmingly supports the conclusion that this President is incapable of making sound, rational, reality-based decisions free of impulsivity, recklessness, paranoid and other demonstrably false beliefs, with most notably an absorption in self-interest that precludes the consideration of national interest. These characteristics not only affect the overall unfitness of this President; they also indicate a profound danger to national and international security in the nuclear age. Whereas we would still like to see the results of a proper, in-person evaluation, as stated above, a personal interview does not necessarily yield the most useful information in a functional assessment. In fact, we believe that we already have enough information to conclude that the President lacks the mental capacity to discharge the duties of his office, and that his incapacity in these respects represents a profound risk to public health and safety.

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<sup>1</sup> What about “the Goldwater rule”? some may ask. The Goldwater rule (Section 7.3 of the American Psychiatric Association’s code of ethics) has often been misinterpreted, and it is important that we make clear: the Goldwater rule is a call to action, stipulating that psychiatrists fulfill their primary professional responsibility to society by participating in activities that improve the community and better public health. Our obligation is not to a public figure but to society, and the rule states that, when asked about a public figure, we educate the public in general terms while refraining from diagnosis (or the equivalent). We adhere to the Goldwater rule by refraining from any diagnosis and, more importantly, uphold its principle by acting for the benefit of society through doing what we can to protect its health and wellbeing.

**\*A REPORT ON THE MUELLER REPORT\***

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**If One is Too Incompetent to Commit a Crime, Despite Trying Hard,  
Is One Competent to be President?**

**An Analysis of Presidential Mental Capacity**

Whether the President has the mental capacity to serve in his office is what we, who have been concerned enough to put our evaluations into the public-service book, *The Dangerous Case of Donald Trump* (edited by Bandy X. Lee and published in 2017 and 2019), have been questioning from the start. While the information in the Special Counsel's report has been deemed insufficient for criminal determination, it provides, even in redacted form, a wealth of relevant information regarding the President's mental capacity. Not having the mental capacity to make sound decisions and to refrain from violence, whether by encouraging, recommending, or inciting it on the part of his followers, whether or not he meets the criteria for being diagnosed as mentally ill, is dangerous as long as he remains President and constitutes a medical emergency that health professionals are obligated to respond to.

In medicine, mental capacity is about the mental soundness that is necessary to fulfill a task. For example, the office of president requires, at the very least, the ability to make sound, rational decisions based on reality and the ability not to place the nation in grave danger. The final determination of "competency" is a judicial decision usually made by the courts, while capacity is a medical assessment that psychiatrists, and especially forensic psychiatrists or other appropriately trained forensic mental health professionals, contribute to courts as expert witnesses to aid them in making their legal decisions. Similarly, presidential fitness is a political decision, but just as the courts routinely rely on physicians' assessments for fitness for duty,

political bodies should not be denied access to the same medical and professional information and expertise that the judicial system benefits from. We therefore offer our analysis as potentially valuable data, as a part of our professional obligation to protect public health and safety.

First, it is important for us to clarify that capacity evaluations are about function, in contrast to diagnostic examinations, which try to define specific illnesses that affect someone's personal mental health, so that a proper course of treatment can be prescribed. It is necessary to underscore, furthermore, that mental illness by itself does not disqualify one from effective leadership. We do not have the legal authorization to analyze the President's personal mental health, whereas we do consider the wealth of public information, now including sworn testimonies, that throws doubt on the President's capacity to fulfill the duties of his office to be central to our primary responsibility to society. Conventionally, a personal interview is usually required for a diagnostic examination. For a functional examination, by contrast, there are few tests as informative as observations by the person's colleagues on his actual performance as to how he is or is not able to function in his job. Seldom do we have as much detailed information on a person's behavior as is contained in the Special Counsel's report, which has been verified with the accuracy and expertise of a criminal investigation of the highest order. Therefore, we can make an appraisal with a level of confidence that far exceeds what we ordinarily have in our clinical practice.

A capacity evaluation consists of assessing four main components: (a) comprehension, or the ability to take in information and advice without undue influence from delusions or excessive emotional need; (b) information processing, or the ability to appreciate and make flexible use of information and advice; (c) sound decision making, or the ability to weigh different options and to consider consequences based on rational, reality-based, and reliable thinking without undue influence from impulsivity, delusions, magical thinking, or fluctuating consistency and self-contradiction; and (d) the ability to refrain from behavior that places oneself or other people in danger, such as inciting one's followers to commit acts of violence, and boasting of one's own repeated violence. When it comes to serving in a high governmental office, it also goes without saying that constantly repeating declarations of demonstrably fallacious untruths despite a consensus that these violate easily verified, objective, factual reality and that are often followed

by denying that those statements were made in the first place even when they were made in public and have been recorded on tape and video, would also be disqualifying.

## **Documentation of Donald Trump's Characteristics that Indicate Incapacity**

The Special Counsel's report (henceforth "the Report") includes many of the observations previously reported in the press and the media that have pointed out to us the President's clear and present dangerousness because of incapacity. What also emerges from the Report, however, is a broader view of the President's behavior and psychological state. Not limited to isolated disclosures, the long and broad view of the Report and its thorough analysis of intentions document not just instances but *patterns* of the President's behavior. These patterns of behavior lead us to enhanced confidence in our judgments about his psychological state. For example, forgetting a single name is not documentation of memory impairment; nor is an occasional thoughtless act proof of lack of empathy or cruelty. Repetitive patterns, however, are what we can compare to the thousands of patients we have collectively seen and relate to existing patterns of pathology. Focusing on some of the more alarming patterns of the President's behavior revealed in the Report, our concern is not the legal distinctions among collusion, coordination, or conspiracy, or whether or not a sitting president is indictable, but the cumulative implications regarding his dangerousness and incapacity.

### *A. Compromises in Comprehension*

**Inability to Take in Critical Information.** Briefly, the Report outlines how the Russians systematically and sweepingly attacked America before and during the 2016 election. There were dozens of connections, meetings, visits, attempts to engage, and phone calls between Russians and the President's circle. While the Special Counsel was not able to find the final legal proof of an actual agreement between Russians and the President, the Report indicates that some witnesses destroyed evidence, gave false testimony, pleaded the Fifth Amendment, lied, claimed false privilege, or used encryption applications or programs that did not preserve long-term records. The Report also makes clear that the President knew about, expected, and received benefit from Russian actions (Vol. I, pp. 4-10). Given the President's continued refusal to acknowledge the severity of these attacks, we can see that his comprehension and ability to

absorb important information from his own intelligence agencies, whatever the reason, is impaired. If he cannot protect the nation against a hostile force that has attacked us, it also points to dangerousness. While the Special Counsel concluded that a criminal act (*actus reus*) could not be established beyond a reasonable doubt in Volume I, a criminal intent (*mens rea*) is extensively well documented in the discussion of the intentions behind many of the President's actions in Volume II (as well as *actus reus*, if not for the Counsel's decision to abide by the Department of Justice policy not to indict a sitting president). These factors, combined with the evidence of mental incapacity, heighten dangerousness.

**Inability to Work with Advisors.** When the highly-respected White House lawyer, Don McGahn, failed to meet the President's demands for obedience to the direction that he tell Acting Attorney General Rod Rosenstein to fire Special Counsel Robert Mueller, and then demand that he "put out a statement denying that he had been asked to fire the Special Counsel" (Vol. II, p. 114), he became the object of ridicule ("Lawyers don't take notes"), saw the impossibility of his role, refused to perjure himself, headed for the exit, and then provided 30 hours of testimony to the Mueller investigators.

In a similar manner, his advisors blocked the President from acting impulsively and self-destructively, hence preventing him from committing a crime. According to one segment of the Report:

The President's efforts to influence the investigation were mostly unsuccessful, but that is largely because the persons who surrounded the President declined to carry out orders or accede to his requests. Comey did not end the investigation of Flynn, which ultimately resulted in Flynn's prosecution and conviction for lying to the FBI. McGahn did not tell the Acting Attorney General that the Special Counsel must be removed, but was instead prepared to resign over the President's order. Lewandowski and Dearborn did not deliver the President's message to Sessions that he should confine the Russia investigation to future election meddling only. And McGahn refused to recede from his recollections about events surrounding the President's direction to have the Special Counsel removed, despite the President's multiple demands that he do so (Vol. II, p. 158).

These illustrate a president who is: (a) predisposed to rash, short-sighted, and dangerous acts, without consideration of consequences, motivated by self-protection to the degree that he does not appear capable of considering national vulnerability; and (b) surrounded only by the most informal and personal resistance around him to curtail those acts, until the pressure of his predisposition pushes out the advisors. It is clear that the course of events could have gone either way if those surrounding the President had yielded to the pressures to fire Mueller, or if they had spoken directly to Attorney General Jeff Sessions about limiting the scope of the Special Counsel instead of Rick Dearborn, a senior White House official, pocketing the message. The President's investment in a certain "reality" (that the Russian attack was insignificant) and his refusal to accept critical information or advice hence augment the dangers that our nation faces.

### *B. Faulty Information Processing*

**Mendacity.** Much has been made of the over 9,000 lies that the *Washington Post* (March 4, 2019) estimates the President has told since taking office. The Report sheds new light on an important area of the President's lying: that to his staff and colleagues. This trend is so obvious to others, and also so unusual among public servants, that it raises a question of serious mental pathology: namely, does he actually believe the obvious untruths that he repeatedly utters (in which case we would need to ask whether he is suffering from delusions), or does he know that they are untrue but utters them anyway (in which case he is deliberately and consciously lying as a means of attempting to manipulate others into advancing his financial, political, or psychological needs and interests, which at high quantities would cause one to ask whether this is a symptom of an antisocial or psychopathic/sociopathic disorder). Either instance would constitute faulty information processing. Although the President presented himself as critical of former National Security Advisor Michael Flynn within a few weeks of his inauguration in January of 2017 and then orchestrated Flynn's forced resignation, when Flynn came to his office after resigning, the President hugged him, told him he was a "good guy" and assured him, "we'll take care of you." After his departure, the President several times directed staff such as White House Chief of Staff Reince Priebus and Deputy National Security Advisor K. T. McFarland to reach out to Flynn and let him know he cares about him and to "stay strong" (Vol. II, p. 43-44).

In much the same manner as with Flynn, the Report details the President's playing both former Campaign Chairman Paul Manafort and former Attorney-Fixer Michael Cohen to "stay strong."

Cohen was expected by the President to adhere to a “party line” regarding: (a) denying the President’s continuing active engagement in a possible Trump Tower deal in Moscow well into the 2016 primary campaigns and during the run-up to the Republican convention; and (b) the payments to pornographic actress Stormy Daniels. From an email from one of his lawyer’s reporting on a conversation with attorney Rudolph Giuliani, Cohen was told, “the conversation was ‘Very Very Positive. You are ‘loved’.... they are in our corner.... Sleep well tonight[], you have friends in high places’” (Vol. II, p. 147). Similarly, Manafort apparently believed reassurances that the President would protect him. In “January 2018, Manafort told Gates that he had talked to the President’s personal counsel and they were ‘going to take care of us’” (Vol. II, p. 123).

As Cohen began cooperating with the Special Counsel in the Summer of 2018, however, the President’s comments turned highly critical, asserting that Cohen was lying in order to get a reduced sentence and publicly playing Cohen, Manafort, and Flynn off against one another. “The President also said that Cohen was ‘a weak person. And by being weak, unlike other people that you watch, he is a weak person’” (Vol. II, p. 150).

The criticism of Cohen included what were widely understood to be threats to his family. The Report describes this:

In the weeks following Cohen’s plea and agreement to provide assistance to this Office, the President repeatedly implied that Cohen’s family members were guilty of crimes. On December 3, 2018, after Cohen had filed his sentencing memorandum, the President tweeted, “‘Michael Cohen asks judge for no Prison Time.’ You mean he can do all of the TERRIBLE... things having to do with fraud, big loans, Taxis, etc., and not serve a long prison term? He makes up stories to get a GREAT & ALREADY reduced deal for himself, and get his wife and father-in-law (who has the money?) off Scott Free...” (Vol. II, p. 151).

The following month, in January 2019, the Report adds:

In an interview on Fox on January 12, 2019, the President was asked whether he was worried about Cohen’s testimony and responded: [I]n order to get his sentence reduced,



[Cohen] says “I have an idea, I’ll ah, tell—I’ll give you some information on the president.” Well, there is no information. But he should give information maybe on his father-in-law because that’s the one that people want to look at because where does that money—that’s the money in the family. And I guess he didn’t want to talk about his father-in-law, he’s trying to get his sentence reduced. So it’s ah, pretty sad. You know, it’s weak and it’s very sad to watch a thing like that (Vol. II, p. 152).

Then, “On January 23, 2019, Cohen postponed his congressional testimony, citing threats against his family” (Vol. II, p. 152).

In its analysis of his actions around Cohen, the Report considers the President’s “intentions” and points out the basis for “an inference that they were intended at least in part to discourage Cohen from further cooperation”:

Finally, the President’s statements insinuating that members of Cohen’s family committed crimes after Cohen began cooperating with the government could be viewed as an effort to retaliate against Cohen and chill further testimony adverse to the President by Cohen or others. It is possible that the President [believed the assertions in his tweets and/or that they] ... were not intended to affect Cohen as a witness but rather were part of a public-relations strategy aimed at discrediting Cohen.... But the President’s suggestion that Cohen ‘s family members committed crimes happened more than once, including just before Cohen was sentenced (at the same time as the President stated that Cohen “should, in my opinion, serve a full and complete sentence”) and again just before Cohen was scheduled to testify before Congress. The timing of the statements supports an inference that they were intended at least in part to discourage Cohen from further cooperation (Vol. II, p. 156).

Others too suffered the President’s mendacity. In his testimony to the Counsel’s office, Reince Priebus described how he had asked the President to return Jeff Session’s resignation letter while they were on a trip to the Middle East. The President told Priebus it was in his office in Washington. Former White House Communications Director Hope Hicks, however, described the President having shown the letter to senior staff on the same trip (Vol. II, p. 79).

When Don McGahn reported that the President had ordered him to contact Rod Rosenstein and have him fire the Special Counsel, the President denied this account and acted against McGahn. In a meeting in the Oval Office, the President pressured him to deny the reports. This was the same meeting in which the President mocked McGahn's taking notes, comparing him unfavorably to Roy Cohn (the former lawyer for both Senator Joseph McCarthy and Donald Trump, who was later disbarred as a lawyer for several violations of the law), who the President said never took notes. McGahn interpreted this as an attempt to "test his mettle" (Vol. II, p. 117) and see how committed he was to his memory of what had occurred. The President had also orchestrated pressure on McGahn by telling White House Staff Secretary Rob Porter "that it might be necessary to fire McGahn if he did not deny the story, and Porter relayed that statement to McGahn" (Vol. II, p. 120).

**Rigidity.** Rigidity is a common feature of a variety of mental health problems. We all have strengths and weaknesses, but it is the ability to recognize and adjust for them that allows most healthy individuals to adapt without forming rigid responses. Strong patterns of behavior, emotional reactions, or cognitive distortions can cause wooden or reflexive reactions to challenges and limit the flexibility and freedom an individual needs when making choices. Healthy individuals may react with less reflection or nuance than ordinarily available them, when they are exposed to an unusually severe degree of stress, but compromised individuals react this way most of the time, merely "doubling down" when challenged. This tendency can easily devolve into "attack mode" whenever under stress, causing the individual to act on the first emotional urge that surfaces, or to view the entire world as against them and thus must always be on the defensive, which can quickly turn into violence.

A deceptive strategy of *ad hominem* emphasis on his opponents, as a way of avoiding rational and evidence-based debates over issues of public policy, together with a combative strategy of ridiculing his opponents rather than debating about their policy positions, before they have even had a chance to speak ("hit first and ask questions later," as in: "low-energy Jeb," "little Marco," "crooked Hillary") enabled the candidate Trump to distract enough highly-stressed voters from focusing on the actual policy differences between himself and his opponent, that he was able to turn a loss in the popular vote into a victory in the Electoral College. He has also shown predatory skills, being remarkably talented at ridiculing his opponents and brazenly talking down challenges. He attempts, and sometimes succeeds, at overwhelming his opponents with

unabashed grandiosity and assurance in his ability to overwhelm opposition not with rational, evidence-based arguments, but with unsupported, factually untrue assertions that he appears to make up one day and then deny the next, *ad libitum*. In psychological terms, this is described as the most primitive form of cognition, which is called “magical thinking” or “wishful thinking,” which follows “the pleasure principle” (whatever makes one feel good, or at least less distressed, and appears to gratify one’s wishes), rather than “the reality principle” (which will often frustrate or be incompatible with one’s wishes).

Clinical and empirical research shows that this kind of brashness often comes from a reaction against one’s own vulnerability and an inability to tolerate the reality of human weakness and uncertainty. The Report, being an investigative document, is likely one of the greatest challenges to a president who has repeatedly shown an intolerance of investigative reporting, calling it “fake news” and “the enemy of the people.” In the Special Counsel’s measured but exhaustive compilation of well-sourced facts and observations, it provides a wall of evidence that the President has probably never encountered. It cannot be blown through with bluster and an overwhelming will to deny whatever facts one is uncomfortable acknowledging. It is out there, carefully compiled, clear, convincing, for all to see. By not reaching a verdict, perhaps brilliantly, the Report focuses attention on the facts themselves, not on a conclusion that can be questioned or framed as “angry” or “partisan.” However, being faced with an indisputable catalogue of facts, and unable to alter his defenses according to the needs of the situation, the President has already resorted to his customary strategy of lashing out, creating ever greater present dangers for the nation, as can be seen from his initial reactions of attack and threat against McGahn, even to the point of accusing his opponents raising the prospect of treason. Our deepest concern is that when reality smotheres his accusations and neutralizes his assaults, that will be when he resorts to the most dangerous and violent strategies. For example, in discussing the possibility of his being defeated, about which he said that he had “the police,” “the military,” and “the bikers for Trump” on his side—implying the threat of a violent *coup d’état* (with only what we would call “implausible deniability”) if he were denied victory.

**Peculiar Frequent Use of “Unfair”.** Given the President’s pride in being tough and hitting back “ten times harder” than he has been hit, his frequent use of the word “unfair” is striking. He uses it in a way that implies that anyone who frustrates him, even if they do so because the law requires them to disobey his orders to break the law, is being “unfair” to him personally. It

does not seem to occur to him that there are objective laws apart from his personal wishes and interests. In an interview with the *New York Times* on July 19, 2017 (Vol. II, p. 93), the President complained that “Sessions should have never recused himself, and if he was going to recuse himself, he should have told me before he took the job, and I would have picked somebody else.” The President described this as “very unfair to the president.” Again, in anger directed to Sessions following Comey’s failing to state in a May 2017 testimony that the President was not under investigation, “The President said that the recusal was unfair and that it was interfering with his ability to govern and undermining his authority with foreign leaders” (Vol. II, p. 63).

The President dictated to Lewandowski language that the President wanted Sessions to use in announcing limiting the Special Counsel’s purview to “future elections.” Lewandowski was to relay this to Sessions. According to Lewandowski’s notes, the President’s dictation included, “our POTUS ... is being treated very unfairly. He shouldn’t have a Special Prosecutor/Counsel b/c he hasn’t done anything wrong.... He didn’t do anything wrong except he ran the greatest campaign in American history.... I am going to meet with the Special Prosecutor to explain this is very unfair and let the Special Prosecutor move forward with investigating election meddling for future elections” (Vol. II, p. 91).

This pattern represents a degree of immaturity that in an adult is a sign of either regression or arrested development, neither of which is normal. Cognitively, it shows a lack of abstracting abilities, in that he cannot conceive of “fairness” occurring outside of fulfilling his desires. This results in a “whining” lack of tolerance and peevish retaliation, ill-suited and dangerous in a nuclear-age commander-in-chief.

**Poor Memory.** After refusing for more than a year to be interviewed by the Special Counsel (p. C-1), the President finally agreed to respond to questions only in written form. Even with the help of his lawyers, however, his responses were not able to bring up substantial details that would be useful for the investigation but mostly state that he “on more than 30 occasions ... does not ‘recall’ or ‘remember’ or have an ‘independent recollection’” (p. C-1). By contrast, he rarely lacks certainty in his public statements, even with highly questionable content, and touts himself as having “the world’s greatest memory” or “one of the great memories of all time.” Making oneself impossible to indict by failure or refusal to recall does not prove innocence or guilt but

can be valuable data: overall, in his remarkably brief answers (often the questions are longer than the answers), there is not a single question or part of a question that he answers without some variation of “I do not recall” or “I do not remember” (pp. C-11 to C-23)—to the point that his testimony merely demonstrated “inadequacy of the written format” (p. C-1).

Again, the patterns are more informative than individual instances, and the form of his testimony is significant in terms of: (a) the near absence of content, which indicates an extreme reluctance or inability to offer information; (b) a written language so starkly removed from the president’s ordinary manner of parlance, that it reads like “legalese” (or a lawyer’s language, which is a client’s legal right, but in mental health is a possible indication of high levels of contrivance and therefore likely unreliability); and (c) with his failure to “recall” substantial information (regarding Donald Trump Jr.’s Trump Tower meeting, Russian hacking that includes WikiLeaks, the Trump organization’s Moscow project, and Russian contacts during the campaign and the transition), there are only two possibilities: either he truly does not remember, or is making a total fabrication—and either is pathological and highly worrisome with respect to a president’s capacity to serve, warranting an evaluation.

Avoiding interviews or answers that would make oneself indictable is comparable to a mentally impaired person avoiding doctors and hospitals at all cost so as not to be diagnosable. Whereas in criminal justice it is a legal right, in mental health it is valuable information regarding one’s mental state. A lack of genuine effort with respect to an issue of national security, when the country was unequivocally and effectively attacked by an enemy nation, is alone a sign of severe incapacity to fulfill the duties of the presidency.

### *C. Interferences to Sound Decision Making*

**Loss of Emotional Control.** A number of accounts in the Report indicate the alarming frequency, intensity, and lack of control of the President’s propensity to angry outbursts. Former White House Chief Strategist Steve Bannon described the President’s anger upon learning of Sessions’ recusal, “as mad as I’ve ever seen him,” and he “screamed at McGahn” (Vol. II, p. 51). In response to Comey’s confidential briefing to congressional leaders on the existence of the Russia probe in March, 2017, “notes taken by Annie Donaldson, then McGahn’s chief of

staff, ... state, 'POTUS in panic/chaos.'" Others reported that the President was "beside himself" (Vol. II, p. 54).

Following Comey's testimony in Congress on May 3, 2017, "McGahn relayed that Comey had declined to answer questions about whether the President was under investigation," in spite of the President's request to Comey to state that he was not under investigation. "The President became very upset and directed his anger at Sessions. According to notes written by Sessions' Chief of Staff Jody Hunt, the President said, 'This is terrible Jeff. It's all because you recused. AG is supposed to be most important appointment.... I can't do anything'" (Vol. II, p. 63).

After Comey's firing and Rosenstein's appointment of the Special Counsel, the President again lashed out at Sessions and demanded his resignation. Hope Hicks described the President as "extremely upset by the Special Counsel's appointment. Hicks said that she had only seen the President like that one other time, when the Access Hollywood tape came out during the campaign" (Vol. II, p. 79).

In addition to inability to control his anger in dealing with cabinet secretaries, what is striking about these incidents is the nature of the provocation—threats to self. The President was not reported as furious that a staff member or cabinet secretary had bungled an important legislative or foreign policy initiative. What triggered his ire was the threat to him and his stature, personally. This is most clearly reflected in the President's widely reported response to hearing of the appointment of the Special Counsel: "Oh my God. This is terrible. This is the end of my Presidency. I'm fucked" (Vol. II, p. 78). These statements stand out because of the degree to which they constitute a virtual admission of guilt—for if they did not support that conclusion, why would they be "terrible?" Why would he be "fucked," unless that means "found guilty?" But in addition to the fact that Mr. Trump's remarks imply his guilt (for some unnamed offense or offenses), it is worth noticing also how exclusively self-referential they are. There is no, "What are we going to do? This will undermine all our plans and policies." The singular reaction is perhaps indicative of the extent to which the President is, as with his contrary reaction to Russia's attack on the integrity and validity of our process of electing a President, preoccupied with himself to the point where he does not even consider the good of the nation.

**Recklessness.** The Report describes a number of instances in which the President acted against the advice of others, including the White House lawyer, McGahn. Following Comey's March 2017 meeting with congressional leaders at which he disclosed the existence of the Russia probe, the President twice called Comey directly, notwithstanding guidance from McGahn to avoid direct contacts with the Department of Justice.

The President initiated several efforts to have him removed or at least to limit his powers. In the first one, he raised issues about Mueller's supposed conflicts of interest. These were generally dismissed by McGahn, Bannon, and others. McGahn told the President that if he wanted to pursue these, he should do so through his personal attorney since this was not a White House matter. McGahn also pointed out a number of weaknesses in the President's arguments and that advancing them could add evidence of an attempt to obstruct the Special Counsel. In spite of this, the President's personal attorney did contact the Special Counsel's office asserting the alleged conflicts (Vol. II, p. 83).

Four days later, June 17, 2017, the President called McGahn and directed McGahn to contact Rosenstein and direct him to fire Mueller. McGahn had no intention of doing so. In a second call the same evening, the President told McGahn, "Call Rod, tell Rod that Mueller has conflicts and can't be the Special Counsel." McGahn recalled the President telling him 'Mueller has to go' and 'Call me back when you do it.' McGahn understood the President to be saying that the Special Counsel had to be removed by Rosenstein" (Vol. II, p. 86). McGahn prepared to resign including going to his office to remove his belongings. In the end, the immediate situation seemed to be resolved by McGahn continuing in his position and the President not again mentioning the direction to call Rosenstein (Vol. II, p. 83-87).

In a parallel sequence of events in June and July, 2017, the President directed Lewandowski to contact Sessions and have him make a statement that the President dictated to Lewandowski, in which Sessions would assert that the President had done nothing wrong and that the Special Counsel's authority would be limited to "investigating election meddling for future elections" (Vol. II, p. 91). Scheduling conflicts delayed Lewandowski's opportunity to meet with Sessions. A month later, the President asked Lewandowski about progress. Lewandowski asked Rick

Dearborn, a senior White House official to serve as an intermediary and gave Dearborn a typed version of the statement the President had dictated for Sessions. Dearborn apparently never acted on this and the specific request dropped, but was followed by further criticisms of Sessions by the President (Vol. II, p. 93).

**Inability to Consider Consequences.** In the above two instances, the President directed actions to be taken, the dismissal of Mueller as Special Counsel and the limitation of the Special Counsel's role by an unrecused Sessions which were only avoided by the passive resistance of those he directed. The combination of reckless decisions, the consequences of which were avoided only by staff resistance, false denials, themselves an indicator of guilty intent, and threatened vengeance against those who kept the recklessness in check and told the truth about it illustrate a dangerous pattern of impulsive harm doing which, when countered, is only redirected in more threatened harm. Above all, in a post-Richard Nixon era, knowing that that former president was forced to resign primarily because his firing of law-enforcement officials who were facilitating or even just permitting the investigation into his behavior to proceed, constituted an obstruction of justice, a rational person presumably would have considered the consequences of such actions. The President himself discovered that the firing of Comey did not "take the pressure off" but only brought on a new Special Counsel with new investigations into him that did not work to his advantage.

#### *D. Placing the Nation in Danger*

**Danger to Self or Others.** Tendencies that place oneself or others in danger are also core components that indicate a lack of capacity to fulfill the duties of his office. There are numerous reports of the President placing the nation and the world in danger, with empirical studies documenting an unprecedented rise in hate crimes, schoolyard-type bullying, white supremacist killings, assaults directly implicating the President, and the extraordinary pipe bomber who sent sixteen explosives to the President's most prominent critics, and most recently the mosque shootings in New Zealand citing "common purpose" with the President. In addition, the emotional characteristics noted above, including impulsivity, recklessness, and an inability to consider consequences of his actions, created a particularly dangerous situation in the nuclear age, where thousands of thermonuclear weapons are under his sole command without an



adequate set of formal checks or balances. Apart from these, and apart from the outright denial of Russia's well-documented attack on the United States' 2016 elections, including siding with that enemy nation's leader over his own intelligence agencies and the attempt to block investigations into Russia's attack, there is evidence from the Report that indicate general evidence of danger.

We know, from the first months of the Trump administration, in response to concerns about his potential for rash and dangerous acts, there was much talk about the protection provided by key associates such as Secretary of State Rex Tillerson, Secretary of Defense James Mattis, Reince Priebus' replacement as White House Chief of Staff, John Kelley, and Michael Flynn's replacement as National Security Advisor, H. R. McMaster. The Report corroborates these claims and further confirms that the country has been protected against directions to the Assistant Attorney General to fire the Special Counsel or directions to the Attorney General to announce that the Special Counsel limit his investigation to future elections, not by forceful assertion of national interest, but by the passive resistance of those around the President, often in an attempt to protect the President from himself. Still, the President has ousted these moderating forces rather than listen to them. Former President Ronald Reagan, who some have suspected of having suffered from the early stages of dementia while still in office, at least surrounded himself with capable personnel. The current President seems unable to do this; rather, only a few capable staff remain *in spite of* the President. With the President's apparent symptoms worsening in plain public view, such as his "tweeting" angry messages over fifty times over the course of twenty-four hours a few days ago, a departure from his already escalating pattern of "tweets," the likelihood of grave danger to national and international security can no longer be overlooked.

## **Conclusion**

The Special Counsel's report offers an extraordinary level of high-quality information on the President's apparent lack of mental capacity: compromises in comprehension (inability to take in critical information and advice), faulty information processing (mendacity, rigidity, self-occupied notions of "fairness," and poor memory), interferences to sound decision making (loss of impulse control, recklessness, and inability to consider consequences), and proneness to placing himself and others in danger. Without the limitations on the President's dangerous

decision making that the Report reveals on the part of his own surrounding staff, generally regarded as distinguished and formidable, the national interests of the United States and, indeed, the world would have been placed at much greater risk by the mental functioning of the current President. The President has now eliminated most of those staff.

Mental capacity does not relate primarily to a person's specific psychiatric diagnosis; in other words, the presence of a mental disorder does not render a person incapable of making rational and realistic decisions. It is also separate from criminal-mindedness, and in most cases does not exonerate from criminal wrongdoing (when the act is present). The combination of mental incapacity and criminal-mindedness, however, creates *the most dangerous* kind of leadership possible. Given the clear and pervasive, cumulative patterns we have summarized from the Special Counsel's report of the President's impaired capacity to make responsible decisions free of impulsivity, recklessness, suspiciousness that leads him to believe that he needs to defend himself against betrayal or persecution, absorption in self-interest that precludes attention to the national interest, inability to weigh consequences before taking action, detachment from reality, creation of chaos and danger, and cognitive and memory difficulties, there is compelling medical evidence that he lacks the capacity to serve as president.

In the interest of making a reasonable attempt to obtain a personal interview, we make a final recommendation that the president sit through a formal evaluation by a panel of independent, nongovernmental body of experts, which the President should be able to agree to if he believes he is fit to serve. We believe that, given the enormous high-quality data now available, and the extreme dangers implied in presidential incapacity, it is imperative that the president clarify the matter of incapacity for the good of the country. However, absent this examination, we believe that we have enough evidence to come to a conclusion if necessary.

**Prepared on the 25<sup>th</sup> of April, 2019, by:**

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**Disclaimer:**

We declare ourselves to be free of conflicts of interest. We receive no support from pharmaceutical companies or the federal government, and although we each contributed to *The Dangerous Case of Donald Trump: 37 Psychiatrists and Mental Health Experts Assess a President*, this book itself is meant as a public service, and we are taking no profit from it. We also do not engage in political activism but are responding to what we see as a public health crisis by putting our skills as expert witnesses to service. Evidence from the Special Counsel's report and from elsewhere confirm our assessment and support our actions as fulfillment of our professional obligation to society, as outlined in our ethical guidelines and obligated by the law, whereby we are mandated to report to relevant authorities when we identify clear danger to the public's wellbeing. In this case, the authorities are the American people, and hence we are releasing this report to the public at the same time as to the Chairman of the House Judiciary Committee.