

ADULT PROTECTIVE SERVICES REPORTING OBLIGATIONS

Persons in Regular Contact with the President of the United States

DC Framework | Multi-Jurisdictional Analysis | Defense & Military Obligations

ANALYTICAL SCOPE

This report applies Adult Protective Services (APS) mandatory reporting standards to persons who come into regular physical contact with the President of the United States. It addresses the DC-specific statutory framework, the reporting obligations of non-medical defense and military personnel, a cross-category matrix of exposure levels, and a multi-jurisdictional survey of the six locations where the President most regularly operates. It does not constitute legal advice and makes no clinical findings. All analysis is based on publicly available law and established clinical observation standards.

I. APS CLINICAL STANDARDS: WHAT TRIGGERS A REPORT

Adult Protective Services agencies do not require a medical diagnosis to open an investigation. The statutory threshold in every jurisdiction is 'reasonable cause to suspect' — a standard deliberately set below clinical certainty. The following categories of observable behavior constitute recognized APS reporting triggers across virtually all state frameworks:

A. Cognitive and Executive Function Indicators

- Disorientation to time, place, or context — including repeated misidentification of individuals, locations, or recent events
- Perseveration: returning repeatedly to fixed themes or statements regardless of the conversational context
- Word-finding difficulties, substitution errors, or mid-sentence loss of thought
- Confabulation: filling memory gaps with plausible but factually inaccurate statements, presented with confidence
- Impaired sequencing and executive function: inability to organize multi-step responses or adapt to new information mid-task
- Loss of contextual filtering — statements or disclosures inappropriate to the social setting

B. Behavioral and Affective Indicators

- Disproportionate emotional responses: anger, elation, or distress inconsistent with the triggering event
- Paranoid ideation: fixed beliefs of persecution or conspiracy, resistant to factual rebuttal
- Impaired social judgment in formal or high-stakes public settings

- Sleep-disruption patterns visibly affecting daytime alertness and engagement
- Gait, balance, or gross motor changes — a key physical marker in geriatric assessment

C. The Observational Standard

Courts and APS investigators regularly accept lay witness testimony about observed behavior patterns. The standard does not require a clinical examination. What matters is a consistent, documented pattern across time and contexts — precisely the kind of pattern that is observable by persons in sustained daily contact. In competency and guardianship proceedings, judges routinely rely on the testimony of non-medical witnesses: family members, aides, colleagues, and others who interact with the subject in naturalistic settings.

KEY THRESHOLD NOTE

Under DC Code § 7-1903, the mandatory reporting trigger is 'substantial cause to believe' that an adult is in need of protective services. For permissive reporters — which includes virtually every person in the White House environment — the threshold is simply 'reason to believe.' Neither standard requires a diagnosis, a formal evaluation, or clinical credentials in the observer.

II. THE DC STATUTORY FRAMEWORK

A. Governing Statute

The District of Columbia Adult Protective Services Act is codified at DC Code §§ 7-1901 through 7-1913. It establishes the most directly applicable legal framework for persons observing the President in DC, given that the White House complex is located in the District.

B. Mandatory Reporters Under DC Law

DC Code § 7-1903(a)(1) establishes mandatory reporting obligations for specific categories of professionals. These persons must report when, as a result of their appointment, employment, or practice, they have substantial cause to believe an adult is in need of protective services:

- Licensed health professionals (as defined in DC Code §§ 3-1202.01 et seq.)
- Conservators and court-appointed advocates
- Health-care administrators
- Police officers
- Bank managers and financial managers
- Social workers

Willful failure to report by any mandatory reporter constitutes a criminal misdemeanor under DC law, with corresponding civil and administrative penalties for licensed professionals.

C. Permissive Reporters

Any person may voluntarily report an alleged case of abuse, neglect, self-neglect, or exploitation when they have reason to believe that an adult is in need of protective services. Permissive reporters receive full good-faith immunity from civil and criminal liability for reports made without malice. This category encompasses the entire population of White House staff, family members, press corps members, and others not listed as mandatory reporters.

D. The Non-Resident Dimension

As established in prior analysis, the President is not a legal DC resident for domicile purposes — DC law explicitly carves elected federal officers out of statutory residency. However, DC's APS jurisdiction attaches to persons physically present in the District who are in need of protective services, not solely to legal residents. The reporting obligation applies to the reporter's location and professional status, not to the subject's domicile. The President's non-resident status does not eliminate DC-based reporting obligations for those who observe them in the District.

E. Federal Enclave Complications

The White House complex operates as a federal enclave under Congress's exclusive legislative jurisdiction. Federal supremacy doctrine raises genuine questions about whether DC's local criminal penalties for mandatory reporter non-compliance could be enforced against federal employees acting in their federal capacity within the enclave. However, the reporting obligation itself — and the good-faith immunity for those who do report — are unaffected by this complication. The Supremacy Clause creates an enforcement problem, not an obligation problem.

CRITICAL DISTINCTION

The federal enclave doctrine and the President's non-resident status complicate enforcement against non-reporting mandatory reporters. They do not eliminate the legal obligation to report. They do not remove good-faith immunity for those who choose to report. And they do not prevent DC APS from receiving and acting on reports filed by anyone with reason to believe protective services are needed.

III. NON-MEDICAL DEFENSE AND MILITARY PERSONNEL: THE UCMJ FRAMEWORK

This category represents the most legally unambiguous reporting exposure in the presidential environment, because the applicable law — the Uniform Code of Military Justice — operates entirely within the federal system, bypasses DC/federal jurisdictional friction, and carries its own criminal enforcement mechanisms.

A. UCMJ Article 92: The Core Provision

10 U.S.C. § 892 (UCMJ Article 92) governs failure to obey orders and regulations, and — most relevantly — dereliction of duty. Three variants apply with different force to military personnel observing presidential behavior:

1. Violation of a Lawful General Order or Regulation

Department of Defense Directives, military service regulations, and the Uniformed Services' adoption of medical ethics standards collectively establish regulatory frameworks governing the duty to report and escalate information relevant to command capability and continuity. A military officer who observes behavioral patterns materially relevant to command authority and fails to escalate through their chain of command may be in violation of existing regulatory frameworks — regardless of whether a specific order was issued.

2. Dereliction of Duty

This is the most directly applicable provision. The prosecution standard requires that the accused reasonably should have known of the duty, and willfully or negligently failed to perform it. Crucially, dereliction does not require a direct order — the duty can be established by the customs of the service, professional standards, and the functional requirements of the assignment itself.

MAXIMUM PENALTIES — ARTICLE 92

Willful dereliction of duty: Bad-conduct discharge, forfeiture of all pay, 6 months confinement.
Dereliction resulting in death or grievous bodily harm: Dishonorable discharge, forfeiture of all pay, 18 months confinement. Violation of lawful general order: Dishonorable discharge, forfeiture of all pay, 2 years confinement.

B. Application by Personnel Category

1. The Nuclear Football Bearer (Military Aide)

The military aide assigned to carry the Presidential Emergency Satchel (the 'nuclear football') is a field-grade officer whose functional mission is the most direct expression of the duty-competency nexus. Nuclear command and control protocols are premised entirely on the President being in a state of cognitive and volitional competence to receive information, evaluate options, and authorize use of strategic weapons. An aide who observes sustained behavioral patterns inconsistent with that competence — and who does not escalate through their military chain of command — is derelict in the core functional duty that defines their assignment. This is not a peripheral application of Article 92; it is its most direct application in the presidential context.

2. Joint Chiefs Liaisons and the Chairman's Office

The Chairman of the Joint Chiefs of Staff has an independent statutory duty under 10 U.S.C. § 151 to advise the President, the Secretary of Defense, and the National Security Council on military readiness and capability. Liaison officers who serve as conduits between the President and the Chairman's office are part of the advisory chain. Suppression of observed information about

presidential cognitive or behavioral status that is material to military decision-making potentially constitutes interference with the Chairman’s statutory advisory function — a duty that operates independently of any individual order and is grounded in federal statute.

3. Secret Service Uniformed Division Officers

Secret Service Uniformed Division officers are sworn federal law enforcement officers. As peace officers physically present in the District of Columbia, they occupy an unusual dual position: subject to federal law as Uniformed Division members, and — under DC Code § 7-1903 — potentially within the category of 'police officers' who are mandatory reporters under DC’s adult protective services statute. The Secret Service’s own protective mission encompasses scenarios involving presidential incapacity. Protective protocols for incapacity are classified, but the legal framework governing those protocols — including 3 U.S.C. § 19 (presidential succession and continuity), the 25th Amendment, and the Service’s authorizing statute at 18 U.S.C. § 3056 — creates a legal architecture in which observed incapacity is operationally relevant information that protective officers have an affirmative duty to transmit within their chain of command.

4. NSC Military Detailees

Military officers detailed to the National Security Council serve in an advisory capacity that explicitly includes evaluating presidential decision-making context. These officers carry their UCMJ obligations with them regardless of their temporary assignment. An NSC military detailee who observes sustained behavioral patterns inconsistent with the deliberative capacity required for national security decision-making, and who neither documents nor escalates those observations, is exposed to the same Article 92 dereliction framework as any other uniformed officer in a duty-defined role.

C. The Command Authority Paradox

The structural problem that runs through all of these military applications is the same: the President is the Commander-in-Chief. Reporting concerns about the President’s cognitive status up the military chain of command eventually reaches the Secretary of Defense — a presidential appointee — and the Chairman, who serves at the President’s pleasure. The UCMJ obligation exists. The enforcement pathway runs through the very relationship it is designed to protect against. This is not a gap in the law; it is a gap in the institutional architecture that implements it.

IV. CROSS-CATEGORY MATRIX: DC-BASED INTERACTIONS

The following table summarizes reporting exposure for six primary categories of persons who regularly interact with the President in the District of Columbia.

Category	DC Legal Status	Obligation Type	Key Exposure
White House Physician	Mandatory Reporter (DC Code § 7-1903	Mandatory (DC local law) + UCMJ Article 92 + Tarasoff duty-to-warn	Criminal misdemeanor (DC); dishonorable discharge

Category	DC Legal Status	Obligation Type	Key Exposure
	— licensed health professional)		(UCMJ); civil liability (Tarasoff)
Nuclear Football Bearer	Permissive Reporter (DC); Mandatory under UCMJ	UCMJ Article 92 — dereliction of core functional duty	Bad-conduct to dishonorable discharge; forfeiture of pay; confinement
Joint Chiefs Liaison	Permissive Reporter (DC); UCMJ-bound officer	UCMJ Article 92 + statutory advisory chain duty (10 U.S.C. § 151)	Dereliction penalties; potential interference with statutory advisory function
USSS Uniformed Division	Likely Mandatory Reporter (DC police officer category)	Mandatory (DC Code § 7-1903) + protective mission duty	Criminal misdemeanor (DC); administrative/disciplinary action
Senior White House Staff	Permissive Reporter (DC)	Permissive — no mandatory obligation absent licensed credential	Good-faith immunity protects reporting; obstruction liability if concealment is active
Cabinet Secretaries	Permissive Reporter (DC)	Permissive (DC) + 25th Amendment constitutional duty (collective)	No criminal statute; significant constitutional and testimony exposure
First Family Members	Permissive Reporter (DC)	Permissive — active concealment may trigger DC § 7-1912 obstruction	Potential obstruction/interference liability if concealment is demonstrated
White House Press Corps	Permissive Reporter (DC)	Permissive — no mandatory obligation; press freedom considerations	Good-faith immunity; no criminal exposure for non-reporting

V. MULTI-JURISDICTIONAL SURVEY

The federal enclave doctrine shields conduct inside formal federal perimeters — the White House complex, military installations, certain federal buildings. It does not protect the significant volume of presidential activity occurring in private venues, commercial properties, and state-managed facilities across the country. The following survey addresses six jurisdictions where the President regularly operates.

Jurisdiction	APS Framework	Who Must Report	Penalty (Non-Report)
District of Columbia	DC Code § 7-1903; APS jurisdiction extends to persons physically present regardless of domicile	Licensed health professionals, police officers, health-care administrators, social workers (mandatory); all others permissive	Criminal misdemeanor; civil and administrative penalties for licensed professionals
Florida (Mar-a-Lago, Palm Beach)	Fla. Stat. § 415.1034; universal mandatory reporting — all Floridians must report vulnerable adult abuse	Every person present. Cleanest and most demanding jurisdictional framework. Mar-a-Lago is not a federal enclave.	Criminal penalties; central abuse hotline mandated within 24 hours of suspicion
New Jersey (Bedminster)	N.J. Stat. Ann. § 52:27D-409; mandatory	Health professionals, law enforcement, paramedics	Civil and professional licensing penalties;

Jurisdiction	APS Framework	Who Must Report	Penalty (Non-Report)
	reporters are health professionals and law enforcement; permissive for all others	in Secret Service advance team. Bedminster is not a federal enclave.	criminal exposure for licensed mandatory reporters
New York (UN General Assembly; NYC events)	NY CLS Soc Serv § 473-b; near-universal — any person who believes an adult may be endangered must report	Effectively universal in non-enclave spaces. NYPD officers providing secondary security are mandatory reporters.	Criminal penalties; civil liability; licensing consequences for professionals
Virginia (Pentagon; military bases; transit)	Va. Code § 63.2-1606; explicitly includes qualifying non-residents temporarily in Virginia	Broad list including law enforcement. Non-resident status of President explicitly addressed — does not reduce APS jurisdiction.	\$1st offense, \$1,000 subsequent; licensing action; criminal referral for law enforcement non-reporters
Maryland (Camp David corridor; Andrews AFB; Walter Reed)	Md. Code, Family Law § 14-302; healthcare workers and law enforcement are mandatory reporters	Maryland State Police (motorcade and transit operations); licensed medical personnel from Walter Reed in consultative roles outside the federal enclave.	Criminal misdemeanor; professional licensing consequences
California (LA fundraisers; West Coast summits)	Welfare & Institutions Code §§ 15600–15675; strong framework with civil and criminal penalties. Tarasoff doctrine originates here.	Healthcare workers, many other professionals. California-licensed physicians in the traveling party have triple-layered exposure: mandatory reporting, Tarasoff duty-to-warn, and medical licensing obligations.	Criminal penalties; civil Tarasoff liability; medical license suspension or revocation

VI. STRUCTURAL FINDINGS

A. The Law Is Not Missing

The most significant finding of this analysis is that the legal framework is substantially complete. DC mandatory reporting law, the UCMJ, the Tarasoff doctrine, and multi-jurisdictional APS statutes collectively create a web of obligations that attaches to numerous persons in regular presidential contact. The threshold standards are consistent with — and in some jurisdictions lower than — standards applied to any other American adult. The good-faith immunity provisions that protect reporters are robust across all jurisdictions surveyed.

B. What Is Missing Is Enforcement Architecture

The enforcement pathways for each framework are compromised by a shared structural problem: the President is simultaneously the subject of concern and the apex of the institutional hierarchies through which enforcement would normally flow. The White House physician's commanding officer

is the patient. The UCMJ chain of command terminates in the Commander-in-Chief. The Cabinet officers empowered by the 25th Amendment serve at presidential pleasure. DC APS cannot compel entry into a federal enclave.

C. Florida Is the Clearest Jurisdictional Case

Of all the jurisdictions surveyed, Florida presents the cleanest and most legally unambiguous situation. Mar-a-Lago is not a federal enclave. Florida's universal mandatory reporting statute applies to every person present — staff, guests, security personnel, and state or local law enforcement. Palm Beach County APS has clear jurisdiction. There is no federal enclave defense, no non-resident exemption, and no Supremacy Clause ambiguity. Every person at Mar-a-Lago who observes behavior meeting Florida's vulnerable adult threshold is a mandatory reporter under state law, with criminal penalties for willful non-compliance.

D. Non-Medical Military Personnel Bear the Most Unambiguous Federal Obligation

Among all non-medical personnel categories, uniformed military officers — particularly the nuclear football bearer, Joint Chiefs liaisons, and NSC detailees — bear the most legally unambiguous obligation. Their duty does not depend on DC local law, is not affected by federal enclave doctrine, and does not require a clinical credential. It flows directly from the functional requirements of their assignments and from UCMJ Article 92's dereliction-of-duty framework. The duty is established by the custom of the service, the nature of the mission, and — in the case of the football bearer — the explicit operational premise of nuclear command and control authority.

SUMMARY FINDING

The legal architecture creating reporting obligations for persons in regular presidential contact is substantially intact across DC local law, UCMJ, multi-jurisdictional APS frameworks, and the Tarasoff doctrine. The primary gap is not legal but institutional: the enforcement mechanisms for every applicable framework run through, or terminate at, the very office whose occupant is the subject of concern. This is a structural vulnerability in American governance that predates any individual president and that the existing legal frameworks were not designed to resolve unilaterally.

APPENDIX: KEY STATUTORY REFERENCES

- DC Code § 7-1901 to 7-1913 — Adult Protective Services Act (District of Columbia)
- DC Code § 7-1903(a)(1) — Mandatory reporter categories and reporting trigger standard
- DC Code § 7-1908 — Good-faith immunity for reporters
- DC Code § 7-1912 — Obstruction of APS investigations
- 10 U.S.C. § 892 (UCMJ Art. 92) — Failure to obey order or regulation; dereliction of duty
- 10 U.S.C. § 151 — Statutory duties of the Chairman of the Joint Chiefs of Staff
- 18 U.S.C. § 3056 — Secret Service authority and protective mission

- 3 U.S.C. § 19 — Presidential succession and continuity of office
- U.S. Constitution, Amendment XXV, Section 4 — Cabinet declaration of presidential inability
- Fla. Stat. § 415.1034 — Florida universal vulnerable adult mandatory reporting
- N.J. Stat. Ann. § 52:27D-409 — New Jersey adult protective services reporting
- NY CLS Soc Serv § 473-b — New York endangered adult reporting
- Va. Code § 63.2-1606 — Virginia adult protective services; non-resident coverage
- Md. Code, Family Law § 14-302 — Maryland mandatory reporting framework
- Cal. Welf. & Inst. Code §§ 15600–15675 — California Elder and Dependent Adult Abuse Reporting Act
- Tarasoff v. Regents of the University of California, 17 Cal. 3d 425 (1976) — Duty-to-warn doctrine

APS Hotlines Referenced in This Analysis:

- DC Adult Protective Services: (202) 541-3950 (24/7)
- Florida Abuse Hotline: 1-800-962-2873
- New Jersey Adult Protective Services: County APS (designated county boards)
- New York: Local social services district offices and area agencies on aging
- Virginia APS Hotline: 1-888-832-3858 (24/7)
- California Adult Protective Services: County APS agencies

This report was prepared as an analytical synthesis of publicly available legal authorities. It does not constitute legal advice, a clinical assessment, or a formal APS report. All analysis is offered for informational and educational purposes.