

HOSTAGE NEGOTIATION STUDY GUIDE 2010



This study guide is designed to provide the law enforcement Explorer with basic principles. The guide is not all inclusive, and does not delineate specific techniques that must be used. The focus of this guide is to provide principals that are flexible and adaptable to various law enforcement situations.

Following the basic principals in this guide should allow the law enforcement Explorer to successfully handle various law enforcement training activities safely and professionally.

The study guide was developed through the cooperation of International Association of Chiefs of Police and the Federal Law Enforcement Training Center.



HOSTAGE NEGOTIATION TRAINING KEY

Hostage taking has occurred throughout recorded history including ancient Greek, Norse and Roman mythologies. In recent history, political events in Algeria, Kenya and Vietnam demonstrate horrific examples. Infamous Mao Tse-tung and Che Guevera defended the ideology. Patty Hearst's kidnapping demonstrated the organized manipulation of the individual and the media. Hostages virtually guarantee media coverage showing the governments inability to protect the public. With repeated hostage takings, the government may become overly restrictive and provide rumor or media material for fostering civil discontent to the media.

Criminals, mentally disturbed, prisoners and terrorists are often the categories for hostage takers. Hostage situations have occurred from escalations of family member-on-member, family member-on-employee, intoxicated co-worker domestic dispute situations, angry client-on-employee and angry employee-on-client workplace violence (such as at the VA hospitals and clinics). In 1993, 2.2 million people were attacked at their work, 16 million were harassed, 6.3 million were threatened with violence and one sixth was attacked with lethal weapons (McMain, Mullens, 1996). Unlawful demonstrations at government buildings have disrupted governmental proceedings and have escalated into hostage situations (UCLA, Berkley, CA; Howard University, Washington, DC; and the Secretary of Agriculture's office, Washington, DC).

Hostage takers participate in either well planned or spontaneous reactions to a situation. *Professional criminals* (robbers, burglars, and carjackers) may take a hostage accidentally or as a fight or flight panic reaction when the criminal act is discovered and interrupted, trapping the criminal(s) without a preconceived plan. The hostages are then used as barter for escape. *Inadequate personalities* are emotionally disturbed persons that may take a hostage to obtain and maintain prolonged attention to themselves or their plight. Mental and/or emotionally disturbed employee(s), or other(s) visiting a facility (State Department incident) can result in a potential hostage, a high risk suicide or acting out disgruntled employee situation. Although it is certainly possible for you to become the victim of a terrorist hostage situation, you are far more likely (statistical) to be taken hostage by a criminal or emotionally/mentally unstable individual. *Loose groups* such as incarcerated criminals have accomplished takeovers and obtained hostages in Federal office buildings, courthouses, and at Oakdale, CA; Louisiana and Atlanta, GA prisons. Prison inmates with unplanned spontaneous hostages may respond more quickly to an effective tactically compressed window-of-time frame and an early show of force. However, a carefully planned hostage taking window-of-time frame should be tactically stretched out with delaying tactics to minimize immediate harm to hostages. *Structured groups* such as terrorists maximize the propaganda effect (of individual or multiple events of violence) for political or social change through media exposure. Terrorist victim hostage(s) may be carefully selected, the operation well thought out, even rehearsed. Terrorists may penetrate facilities for media coverage or as retaliation for real or imagined acts carried out by a government. The participant may be between 29 and 35 years of age, well educated, dedicated and willing to die for their cause, well trained and armed and experienced with explosives and automatic weapons.

There are three choices for the hostage taker. The first is to choose martyrdom, kill the hostages and commit suicide. The second is to lessen the demands to a more achievable proportion and continue negotiations. The third is to surrender to police.

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There are generally four choices for police commanders at a hostage situation. The first traditional confrontational response is to amass officers and massive firepower and assault. The second is to use selective sniper fire. The third is to use chemical agents. The fourth is to contain the area and negotiate with a specially trained negotiator. The first three will almost always result in injury. The Israeli government investigates the martyr site for intelligence information, very quickly cleans it up, repairs and normalizes the trade traffic to minimize the (media publicized) effectiveness of the “terror” of suicide bombers on the “target” general public.

The average domestic crisis negotiation team response is about 45 minutes to one hour (Spaulding, 1987). Therefore, the most crucial moments of the situation will be with the talents of the first responding officer(s). Overseas travel may be entirely different. Contemporary law enforcement officers responding to, arriving, during and leaving all hostage/barricade calls must be aware of their own safety to ensure the safety of others. Identifying and properly utilizing effective cover and/or concealment will aid personal safety. Additional tactics such as contact and cover officer roles and responsibilities increase safety for both officers.

Upon arrival, the investigating patrol officer(s) employs the ICER concept to the call. *Isolate* physical and psychological activities on the scene and keep onlookers beyond the police safety line. *Contain* the hostage taker mobility to the smallest location in the building or exterior area and deny the opportunity to observe the police presence activities. This begins the confines of the inner perimeter and also allows time for crisis stabilization. *Evaluate* because the original report may or may not be what the situation actually is. Gather as much cursory information as possible. Assess the threat(s) and estimate the location(s) of the command post(s), and the number and proposed positions of backup officers needed to establish a temporary inner perimeter. *Report* the number and identities of hostage takers and hostages and their clothing descriptions, precipitating events, size and locations of the dangerous zones, inform responding officers of recommended entry routes, types of weapons involved and directions or line of fire.

Patrol officers recognize that hostage situations require additional backup personnel, and equipment and expertise beyond what is required for standard patrol responsibilities. They will often request tactical specialists for this type of call. Tactical teams may be known by many terms: Special Weapons and Tactics (SWAT), Special Operation Response Team (SORT), Special Operations Group (SOG), Emergency Response Team (ERT) or Hostage Rescue Team (HRT) and many other acronyms. Tactical officers arriving will replace the backup officers on the inner perimeter, allowing the uniformed officers to report to the command post for operational debriefing and then be reassigned to reinforce the outer perimeter.

Tactical teams will immediately establish physical and organizational boundaries for their operations. Establishing inner and outer perimeters and cordons allow containing the crisis objective into sterile zones. All personnel assigned should be made aware of the included and excluded description of areas and reference points, police positions, command post locations, and law enforcement support services staging areas with VIP and media briefing positions. Access into and out of the objective, through cordons, are required for evacuating persuaded people (often not wanting to leave homes or offices without their valuables) to predetermined

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debriefing locations. Cordons also limit unauthorized personal and media communications, food, water, drink, and utilities such as water, heat, air conditioning, cable, natural gas or oil heating and cooking fuel. These then become negotiable utilities.

The responsible decision makers Commander, Strategic Operations Command (SOC), Commander, Tactical Operations Command (TOC), and Supervisor, Crisis Negotiations Team (CNT), utilize the Incident Command System (ICS) management procedures by delegating authority to empower and supervise leaders and specialists, track situations, events, and any decisions made, and produce outcome reviews including the use of force Rules Of Engagement (ROE).

Strategic Operations Command (SOC) command post (CP) sites are generally located at the outer perimeter. They contain and disseminate the command and control (logistics, liaison and coordination), communications and intelligence (CCCI) requirements to support the severity and complexity of the operation. Some examples would be site security; access control; operational, administrative, communications, financial, supply, liaison and intelligence personnel check in; helicopter landing sites with ground and air vehicles parking control; VIP and media briefing areas; staff arrival and scheduling, assembly, staging and departure areas; electrical and telephone control; toilet, medical, mental health, legal advisory, feeding and sleeping areas. Communications equipment often includes multiple frequency and interagency radios; landline, cellular and satellite telephones; broadband cable, internet and standard broadcast television; teletype and NLETS/NCIC/TECS/EPIC/DOD with state criminal history and personal credit history computer access. Recorders maintain historical events/decisions/actions chronology with site blueprints, topographical maps and situation maps. The SOC controls all personnel on scene and authorizes execution of tactical plan except emergency situational operations.

Tactical Operations Command (TOC) command posts are primarily located within the inner perimeter and within proximity of the situation. The TOC formulates the tactical plan, makes recommendations to the SOC and executes plan with SOC approval. The TOC controls the inner perimeter, probing for intelligence information, enhancing the CNT/TIE/EOD and tactical team response and counter-sniper position, and encourages continuing negotiations and shared information developed with the CNT supervisor. *Technical Investigative Equipment* teams may be attached to the TOC to provide color, monochromatic, infrared and thermal long range observation through miniature video and auditory surveillance devices mounted to stationary platforms, man carried, or vibration gimbled to Remotely Piloted (RPV) or Unmanned Aerial or Ground Vehicles (UAV/UGV), and send site and environmental sensory signal information to the SOC, TOC and CNT unit sites.

Crisis Negotiation Teams (because of their training, special skills, knowledge and police experience) are used to resolve a myriad of incidents such as barricaded subject, trapped armed robbers, hostage situations, stalking victims and perpetrators, high risk suicide, mental health warrants, high risk warrants, gang violence and applying stress reducing debriefing techniques to crisis victims, police officers and other public service employees. Equipment needed for CNT operation will usually include service weapons and issued equipment, civilian soft clothes, duty wear uniform or tactical utility clothing with weather support outerwear and footwear with body

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armor. Personal accessory equipment often includes pen, pencil, writing pad or notebook, penlight and flashlight, knife, watch, compass, whistle, pocket mirror, electrical or masking or duct tape, first aid kit, personal medicines, camping trail mix or field foods like Meals Ready to Eat (MRE's) with fruit juices, de-caffeinated coffee and water. Support equipment might include chalkboards, map overlays, throw telephones with reel extension land lines, recorders with voltage adaptors and listening headsets, and small mechanical tool kit. CNT members ask, determine and re-ask certain questions throughout operations, they may include: ***Is this a hostage or non-hostage incident?*** That answer is often determined by the situation. Is it a hijacking or terrorist situation with political statements requiring bargaining/negotiation skills (passing of time increases the safety of the hostages) or an incident more personal in nature, such as a domestic incident or a barricaded suspect that is an emotionally disturbed individual or trapped criminal (passing time increases the risk of the hostages)? Active listening/crisis intervention skills might be more applied in these types of situations. ***Is this a negotiable incident, or can it be made into it?*** This can be answered by determining if the hostage taker has the need to live, if authority has threatened force, if there are substantive instrumental or expressive demands (if not, the potential for violence increases), if the negotiator is viewed as willing to help, if there are good communications and the number of hostage takers that believe they are in charge. Non-negotiable demands would be weapons, personnel exchanged for hostages, release of prisoners and non-prescription drugs.

What kinds of strategies and tactics can/should be used, at what risks and what are the options? Negotiation strategies include: Demand Theories (Selye) that require action (stress) and a (performance expectation) perception with a time frame. Another strategy deals with personnel safety. The Cox-Mackay (1976) Transactional Model of Stress deals with environment, abilities, dealing with stress demands, and measuring effectiveness, the Yerkes-Dodson Law relates to measuring (appropriate) performance. Time effects are a tactic that increase basic human needs and produce the opportunity of the negotiator to meet these needs in exchange for something. The critically monitored Positive and Negative Transference may occur due to shared experiences, dependency, proximity and tension of the situation. This could (negotiator encouraged) develop into a classic Stockholm Syndrome (alignment of hostage taker and hostages).

Negotiator Coach Situation Board

| <i>Stage</i> | <i>Disposition</i> | <i>Methods</i> |
|---------------------|---|---|
| Crisis | Establish common ground relationship Probe cause of the problem Establish credibility Encourage safety Encourage ventilation Identify and assess problem(s) Validate feelings Alert for suicide/homicide, Prevent impulsive acting out, Probe for survivors/succubmers, defense mechanisms/coping strategies, positive/negative transference & allow Stockholm Syndrome development | Active listening Overcoming communication boundaries/reassurance I/we content information Paraphrasing Likeability/similarity influence Requests/consistent concern Maslow's Hierarchy of Needs Mirroring Using effective pauses Clarifying meanings Clarifying feelings Active listening |
| Negotiations | Facilitate prediction of outcome and consequences Facilitate planning different solution Eliminate unacceptable solutions Encourage choosing solution Plan implementation | Problem oriented questioning I/we content information Problem solving questions Advantage identification Summarizing solution Utilize command structure |
| Solution | Resolution of situation Managing protracted situations stress Post-shooting trauma | Guided viewing Hostage taker, hostages and negotiator stress management and mediation procedures Defusing and Debriefing |

Negotiator Coach Situation Board

| <i>The HT...</i> | <i>Conversation or content has...</i> |
|---|--|
| Shows positive signs of progress | <p>Diminished references to violence; Occurred more often and longer; Slowed rate and diminished volume; Diminished threats; Moved to personal issues; Moved past deadline without incident; Resulted in released hostages; and Resulted in no one killed or injured since onset of negotiations.</p> |
| Shows negative signs of progress and could become suicidal | <p>Set a deadline for own death; Insisted or provoked face-to-face negotiations (suicide by cop ritual); Denied thoughts of suicide (by depressed personality HT); and, Moved to disposition of property (suicide ritual).</p> |
| Shows negative signs of progress and could become volatile | <p>Tied weapon to HT and/or hostage; A history of violence; Insisted or provoked a particular third person be brought to the scene; Become more angry since negotiations; Become more emotional in content since negotiations; and Has no social outlet for expressing anxiety, fear or frustration.</p> |
| Shows negative signs of progress and lack of cooperation and rapport | <p>No rapport and no clear demands or outrageous demands after significant time period with negotiator.</p> <p>Possible factors include use of alcohol or drugs by HT during negotiations; and Significant multiple stressors in HT's life</p> |

Stress Reactions of Subject

| <i>Stage</i> | <i>Anxiety</i> | <i>Behavior</i> | <i>Mind State</i> | <i>Speed of Action</i> | <i>Intervention Range</i> |
|--------------|----------------|--|--|------------------------|---------------------------|
| 1 | Mild | Reality oriented External world | Normal | Normal | None/Active |
| 2 | Moderate | Needs help from outside to focus | | | |
| 3 | Severe | Poor productiveness Can't cope alone Needs support and direction from outside | | | |
| 4 | Panic | Disorganized Non-perceiving or Mis-perceiving Severe physical reactions to stress | Feeling oriented Internal world | Fast | None/Passive |

Negotiator Supervisor Situation Board

| <i>Tasks Evaluated</i> | <i>Comments</i> |
|---|-----------------|
| Can trained members function without supervisor? | |
| Are appropriate personnel available? | |
| Is intelligence gathered in timely way? | |
| Can communications be established/maintained? | |
| Are appropriate records of the negotiations kept? | |
| Is commander kept informed? | |
| | |
| | |
| Hostage or non-hostage situation? | |
| Negotiable now? | |
| To make it negotiable? | |
| Is tactical intelligence available for planning? | |
| Has on-scene MHC completed suicide and Aggression Risk evaluation? | |
| Has a threat assessment on hostages/hostage taker been developed? | |
| Siege strategy and integrated tactics/negotiations plan developed? | |
| Are negotiation strategy and defusing tactics developed? | |
| Commander and tactical team commander briefed? | |
| Are primary and secondary negotiators briefed? | |
| Have negotiators discussed options? | |
| Are support people on the job? | |
| Is the right equipment on the job? | |
| | |
| Has introduction been developed and practiced? | |
| Is intelligence about incident being gathered and updated? | |
| Is intelligence about people being gathered and updated? | |
| Are words, tones, demands, promises, deadlines and outcomes monitored? | |
| Are content, affect and paralinguistics monitored? | |
| Are situation boards completed, updated and shared? | |
| Are primary and secondary negotiators reviewing what has been done and assessing the results? | |
| Are negotiators managing stress with breaks etc.? | |
| Has MHC monitored negotiators throughout operation for stress tactics? | |
| | |
| Are operational debriefings for team members and MHC arranged? | |
| Are CISM defusings scheduled for all CNT and MHC members? | |
| | |
| | |

Negotiator Rating Assessment

| <i>Negotiation Supervisor and MHC Rating</i> | <i>Rating</i> |
|--|---------------|
| Safety of hostages is the primary concern | |
| Negotiates basic human needs (to live, biological, safety, social ego and self actualization) transportation and money to buy time | |
| Keeps possibility of escape alive in the mind of the HT | |
| Keeps HT's mind off killing hostages. Avoids deadlines. | |
| Makes negotiations easier by reducing anxiety, avoids perception of superiority when adapts posture, language and vocabulary to HT's | |
| Defers decisions on HT demands to higher authority | |
| Maintains rapport with HT by reducing emotionality increasing rationality. Reacts to changes in HT's feelings or demands. | |
| Does not bargain for additional/replacement hostages | |
| Receives something in return for something and increases hostages chances of escaping | |
| Communicates intelligence gathered with CNT coach and MHC for better decision making | |
| | |
| | |
| <i>Given these circumstances I expect this negotiator will</i> | |
| Become fatigued, argument, angry or unsettled, thereby exacerbating the crisis situation | 5 |
| Freeze and become irrelevant in the crisis situation | 15 |
| Become judgmental, or interpretive, losing trace of the HT's motivation | 25 |
| Become too probing, causing the HT to become defensive | 35 |
| Show concern, but not sufficient empathy | 45 |
| Show concern and empathy, but not be able to offer insightful alternatives | 55 |
| Show empathy and general ability to seek alternatives | 65 |
| Show empathy and ability to guide HT to meaningful alternatives | 75 |
| <i>Comments</i> | |