

NEGOTIATION KEYS FOR COMMANDERS

The Crisis Negotiation Unit (CNU) is a real-time operational resource available to all FBI Divisions. The CNU's primary mission is to provide real-time assessment and strategy advice and on-scene management of negotiation personnel if requested by the SAC. Early notification of the CNU can minimize potential liability resulting from hostage/barricade situations.

The CNU offers potential On-Scene Commanders (OSCs) the following negotiation keys for their consideration:

1. Self Control -

- * The only aspect of a crisis situation we have absolute control over is our own emotions and behavior.

- * **Restraint** does not equate to **weakness**. Avoid the **Action imperative** which creates artificial pressure for resolution.

- * Don't confuse **getting even** with getting what you want; a peaceful resolution.

- * All actions taken should work toward the de-escalation of the confrontation.

- * Listening to the subject is the cheapest yet most effective concession we can make.

2. Parallel Application -

- * Use negotiation and tactics in synchronization for maximum effect. Their efforts should complement each other and not send conflicting signals to the subject.

- * Whenever SWAT deploys negotiators should also deploy to maintain the integrity of the crisis management team.

3. Initial Actions -

- * The earliest possible contact by negotiators with the subject is advisable for A verbal containment. @

- * Attempt to isolate/capture the subject=s telephone line.

- * **Do not** rush to terminate the power to the crisis site. (This may inadvertently cut existing methods of contact)

- * Contact the Federal Aviation Administration (FAA) to request restricted air space be established over the crisis site.

4. Critical Assessment -

- * Is the person held as a hostage being used as leverage to achieve subject=s demands?

or

- * As a victim against whom the subject directs his aggression? (Typically involving family members or romantic relationships)

5. Manipulation of Anxiety -

- * Avoid using these techniques.

- * Outcome is unpredictable.

- * Difficult for negotiators to defend if subject inquires.

- * Inhibits rapport building and promotes greater resistance.

- * Can easily lead to an escalation by the subject.

- * Appears aggressive and threatening to the subject.

6. Decision Making Considerations: A The Action Criteria @

- * Is the contemplated action **necessary**?
- * Is the contemplated action **risk effective**?
- * Is the contemplated action **acceptable**?

Timing questions to consider if we have to defend our actions later:

- * Why did we take the action **now**?
- * What **conditions** have changed from **earlier**?
- * Were **less risky alternatives** tried?

7. Verbal Containment -

* Support A verbal containment@ which can delay a subject=s actions and begin the de-escalation process. Waiting for the tactical team to deploy delays our opportunity to use verbal skills to calm the subject and re-direct his attention away from the victims.

8. Unified Strategy -

* Negotiator=s words and tactical team=s actions must convey the same message.

9. Subject=s Perception -

* All actions should be considered on the basis of the impact upon the subject.

- * His perceptions are what=s most important.

10. Demands -

- * Be open-minded and flexible in dealing with demands.

- * Demands should be evaluated in the context of the situation.

- * Attempt to get a concession (may not be substantive) in return for anything provided.

- * However, quid pro quo bargaining is not always appropriate; particularly in **pseudo hostage** (victims) incidents lacking substantive demands. In such cases, a demonstration of our peaceful intent may be desirable.

11. Threats -

- * Appreciate the different risk levels involved with Aoffensive@ and Adefensive@ threats.

- * Offensive threats are generally of greater concern and less under our control.

- * Offensive Threat - AIf you don=t give me a car in one hour I will cut her throat.@ (Higher Risk)

- * Defensive Threat - AIf you guys try to come in here I will cut her throat.@ (Lower Risk)

12. Critical Time Frames -

- * The initial confrontation

- * During a tactical rescue attempt

13. Face-to-Face Negotiations -

- * Before approving this communication technique consider the benefits vs the risks.

- * Generally avoid; especially early in any incident.

14. Non-Responsive Situations -

- * Exercise patience and allow the CNT to engage in a **one-way dialogue**.

- * Remember just because a subject is not responding doesn't mean he isn't listening.

15. Media -

- * The CNT should review all media releases to avoid unintentional agitation of the subject.

- * We may be able to communicate with the subject(s) indirectly through our media statements.

16. Use of Third Party Intermediaries (TPIs) -

- * Caution and control must always be exercised.

- * Not too early; subject needs time to vent; CNT needs time to develop intelligence and assess TPI suitability.

- * Most effective use of TPI is as a stimulus (reward) for exiting the crisis site, or as a guarantor of safety and/or an agreement reached.

17. Surrender -

- * Requires close coordination among Command, CNT, and SWAT.

- * Structure the plan for flexibility without compromising safety.

* Remember, the subject needs to be allowed to **save face** and maintain some level of **dignity** in order to persuade him to surrender.

18. Coordination -

* Insure frequent principal component (Intel/Invest; CNT; SWAT) briefings take place to insure total understanding of agreed upon strategy and tactics.

* Close coordination between the CNT and SWAT is especially critical during deliveries, releases and surrenders.

19. OSC - CNT Interaction -

* The Crisis Negotiation Coordinator (CNC) should be one of the OSC=s principal advisors at the scene.

* The CNC should provide periodic briefings to the OSC that include **status, assessment, and strategy recommendations.**

* The CNT looks to the OSC for negotiation parameters not specific dialogue suggestions.

* The CNT should be advised of all planned tactical movement in order to be in a position to distract / placate the subject, should he sense this activity.

* Don=t overlook the **tactical role** of the CNT. The CNT can be used to facilitate a tactical intervention.

* Negotiators work in teams. The **minimal** CNT configuration is a primary negotiator, a coach, and a CNC. Additional negotiators will be required for a protracted incident.

* The NOC should be large enough to accommodate CNT functions, yet safe, quiet and have controlled access. It

should be located **adjacent** to the CP if possible.

- * The CNT is both a producer and consumer of intelligence.

20. Debriefings -

* All debriefings of released hostages and/or surrendered subjects during an on-going siege should be conducted **jointly** by **CNT** and **SWAT** personnel.

21. Time -

- * May be our greatest asset.
- * Contributes to the de-escalation of the crisis.
- * Leads to the expansion of the intelligence base.
- * Promotes better decision making.

OSCs should strive to exercise creativity, flexibility, and patience when dealing with a hostage/barricade situation.