

Crisis Intervention for Law Enforcement Negotiators

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On March 17, 2000, an accused murderer went to the apartment of his estranged girlfriend's mother and took her, her boyfriend, and their son hostage. His only demand was to talk to his girlfriend. The police department responded and began negotiating with him. For over 4 days, the subject repeatedly demanded, threatened, and attempted to manipulate negotiators into bringing his girlfriend to the location. He had an extensive

history of domestic violence and exhibited suicide and suicide-by-cop behavior. Negotiators elected not to bring his girlfriend to the location, fearing that he might harm the hostages to get revenge against the girlfriend and, subsequently, kill himself. The subject was extremely violent during the incident, often shooting out of the apartment windows at nearby special weapons and tactical (SWAT) officers and their armored vehicles. While

negotiators attempted to stabilize the subject's violent behavior and keep the hostages alive during the ongoing incident, one of the hostages drugged him; he fell asleep, and two of the hostages escaped. The police department's tactical team entered the apartment to rescue the remaining hostage, encountered the subject brandishing a weapon, and shot and killed him.

BACKGROUND

This actual incident demonstrates the typical behaviors associated with crisis situations in the United States. Law enforcement agencies frequently respond to incidents where emotionally violent subjects have barricaded themselves in a location with or without hostages. The FBI's Crisis Negotiation Unit (CNU) identified two distinct types of behavior that subjects typically demonstrate in hostage and barricade incidents—hostage and nonhostage. The subject's demands or lack thereof is a basic defining factor of these two types of behavior. Hostage incidents involve a subject who has taken hostages and has a substantive demand, something that the individual cannot attain without extorting authorities through the act of hostage-taking. In nonhostage incidents, on the other hand, the subject does not have any demands, or the demands are nonsubstantive. Often, the only

demand in non-hostage incidents is for police to leave them alone. Nonhostage incidents also encompass single barricade situations in which the subject has barricaded himself without any hostages being present, as well as attempted suicides or suicide-in-progress situations.¹

The overwhelming majority of hostage-barricade incidents handled by police negotiators are nonhostage. Local and state law enforcement agencies rarely respond to incidents in which a deliberate and methodical subject intentionally has taken hostages to attain a planned goal.² Law enforcement negotiators more often become involved in incidents in which an altercation, such as a domestic dispute, has escalated beyond a subject's control. The subjects in these incidents typically are

extremely emotional, and their emotions primarily dictate their behavior. They are in a crisis state, defined as a situation that exceeds their ability to cope and often is a reaction to a real or perceived loss or a threat to what people expect of their lives.³

The threat could be a loss of freedom, as in the case of a barricaded subject afraid of incarceration or the potential loss of the relationship of a loved one or child, evident in many domestic dispute-related barricade and hostage situations. In all cases, the situation has caused the subject to be highly emotional, irrational, and unreasonable. The emotional reaction of the individual makes the situation a crisis, not the facts and circumstances of the situation itself.

CRISIS INTERVENTION

Crisis intervention is a type of short-term psychological intervention used to help individuals experiencing temporary extreme emotions to recognize, correct, and cope with them.⁴ Crisis intervention theory began in the late 1940s through work with individuals who experienced a crisis reaction related to grief and depression. These individuals had no specific pathological diagnosis but simply exhibited severe emotional symptoms. Crisis intervention subsequently expanded in the 1960s to include individuals experiencing all types of traumatic life events.⁵

Members of the FBI's CNU continue to adapt and use crisis intervention concepts and techniques in hostage-barricade incidents. Negotiation courses administered by members of the unit, as well as many other police agencies and academic institutions, teach these concepts and techniques. The skills primarily are used in nonhostage situations but also apply in hostage incidents. By applying crisis intervention skills, negotiators can help subjects in crisis defuse their emotions, lowering the potential for violence in an incident and buying time for better decision making and tactical preparations. At the same time, the application of these skills moves the subject



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toward a rational problem-solving discussion to resolve the incident. The goal of crisis negotiations is not helping them work through life's difficulties. Crisis negotiation is not therapy or a method of assisting hostage-barricade subjects cope with their problems or psychosis. Naturally, assisting the subject in finding alternate coping methods, other than violently acting out, is a by-product of the short-term goal of resolving the incident. However, the primary focus of negotiators is the resolution of the situation with no loss of life, which may require them to use crisis intervention skills to facilitate a tactical resolution. This focus constitutes one of the primary reasons why crisis negotiation, while using many skills derived from crisis intervention and psychology, remains the responsibility of law enforcement, not mental health professionals. Crisis intervention in crisis negotiation comprises the concepts of empathy, active listening communication skills, a nonjudgmental attitude, boundary setting, acknowledgment of distorted thinking through reframing, and problem solving.

CONCEPTS

Empathy

Empathy is the cornerstone of crisis intervention; it involves *demonstrating* the act of

listening to the subject and understanding the individual's situation and the emotional reaction to it with the purpose of establishing a basic trust relationship. This trust is necessary to achieve a behavioral change in the subject. No peaceful resolution can occur without some degree of trust between the individual and the negotiator.

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Emotions are the great human common denominator; people can identify with those of another person without having had the same experiences. Regardless of life events, everyone has encountered depression, anger, and frustration. One of the first principles in crisis intervention is to listen for the emotions exhibited by the subject and how they relate to the facts of the situation.⁶ Empathy is not pity; feeling

sorry for the person does not promote a trust relationship but, rather, separates a negotiator from the subject.⁷ Instead, empathy means accurately understanding the content and emotions that the individual is communicating and then reflecting it back to *demonstrate* listening and understanding. Simply stating “I understand what you're saying” is not an empathic communication approach. The *demonstration* of empathy most effectively is accomplished through the use of active listening skills.

Active Listening Skills

Active listening skills are specific communication techniques designed to *demonstrate* understanding, encourage the subject to talk and verbally vent emotions, and build rapport between the individual and the negotiator.⁸ A variety of different active listening skills exists, all of which involve reflecting back to the subject the facts or content of what the person is saying and the emotions surrounding the content. The CNU teaches eight different techniques: emotion labeling, paraphrasing, reflecting/mirroring, effective pauses, minimal encouragers, “I” messages, summarization, and open-ended questions/statements.⁹ These specific skills have proven appropriate for use in law enforcement crisis negotiation.

Nonjudgmental Attitude

Another aspect of empathy involves listening for the subject's values or what he feels is important. Negotiators then can demonstrate that they have heard and understood this critical information. These actions denote a significant step in rapport development because this often requires a negotiator to read between the lines of what the individual states. For example, if a subject becomes violently angry over his wife leaving him for another man and, subsequently, takes her hostage to prevent her from moving out of their house, a negotiator could say to the subject, "It sounds like your relationship with your wife is very important to you." Values are typically associated with another person or allegiance to a concept. Values also can be the source for potential theme development, or "hooks." For instance, a subject who identifies himself as having old-fashioned values may have a potential hook in his allegiance to his family or certain relatives.

Rapid establishment of rapport through a demonstration of empathy combined with a nonjudgmental approach indicates negotiation progress in an emotionally charged hostage-barricade situation. A nonjudgmental approach requires conveying acceptance and

neutrality. The negotiator must ensure that personal opinions and values are not apparent or stated. Negotiators do not have to agree with the subject's actions; they simply can validate his emotions as understandable and treat him with respect and dignity. A conservative approach to maintaining a nonjudgmental demeanor is focusing on the observable behavior and not the individual person—negotiators should use observations, not inferences. For example, instead of saying "When *you* do that...." say "When *that* happens...."

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Boundaries

Frequently, instances occur when individuals in crisis attempt to blame the negotiator for their situations or even use blame or guilt as a form of manipulation to establish control, get revenge, or simply test boundaries and hear the reaction of the negotiator. A subject may say something like

"If you don't do as I say, I'm going to kill her, and it'll be your fault." This type of behavior also frequently is observed with suicidal subjects, such as a person threatening to jump off a bridge for attention-seeking purposes or some motivation other than suicide. The subject has no real intention of committing suicide, but often is simply acting out or being manipulative.¹⁰ A collaborative, trust-based, mutually respectful relationship is not possible if the subject can control, manipulate, and humiliate the negotiator. Negotiators, in a nonauthoritative and nonjudgmental manner, should require subjects to treat them appropriately and communicate openly and honestly. Further, negotiators should not allow subjects to blame or threaten them. Sometimes, negotiators must confront subjects' counterproductive, self-destructive behaviors. Negotiators should use problem ownership and boundary setting as tactics to remind subjects that they have control over their own actions and are responsible for their own problems.

Reframing

Emotional responses also are associated with dysfunctional or maladaptive thinking patterns learned over the course of a person's development. People sometimes react emotionally

to a situation based upon what they think of themselves or what they perceive others think of them, particularly as it relates to interpersonal relationships, in terms of adequacy, competence, or the ability of others to relate or care for them.¹¹ Many people have learned unrealistic values, beliefs, and expectations that cause them to expect too much from themselves or others. This, combined with a “black and white” or “all or nothing” foundation, leads to irrational thinking and extreme emotional responses due to the inability to live up to a person’s own expectations or the expectations individuals believe others have for them. For example, an individual who thinks that his personal relationship is related to his job may believe that the ability of others to care for him is directly linked to the type of job he has. If he loses his job, he may go into an emotional crisis because he may think that his friends and family no longer will care for him. He might feel that he is a complete failure in all aspects of life. Such distorted thinking is based in negative themes and rigid thinking patterns. Crisis negotiators can assist an emotional subject through reframing and reformatting these negative themes into positive ones by helping change the subject’s thinking pattern. For example, in the previous

illustration, a negotiator could reframe the individual’s thinking by simply stating, “It sounds to me that maintaining a job and providing for your family is important to you; you obviously are a dedicated employee and an excellent husband and father.” In other words, the negotiator takes a liability and turns it into an asset. Although negotiators should not oversimplify the situation or appear superficial, they can assist the subject in finding a situation’s positive characteristics.



Problem Solving

The basic focus of a crisis intervention communication approach is to demonstrate empathy to establish some type of basic trust relationship and to move the subject out of the overly emotional state to a more rational one by allowing the person to vent his emotions.

Once in a more rational state, negotiators can begin problem solving to find alternatives to cope with the subject’s current issue and resolve the incident. Collaborative problem solving can be accomplished only after working through the subject’s emotions and establishing a trust-based relationship.

Problem solving in crisis negotiation involves a collaborative analysis between the subject and negotiator to find solutions acceptable to both.¹² Rather than directing the individual or giving advice on what he should do, negotiators should share information and ideas. For example, one effective approach negotiators can use during problem solving is to ask “What do you think of...” rather than “I think you need to...” and allow the subject to voice his concerns over proposed solutions. Once the person voices his concerns, the negotiator then can begin to address them. Negotiators should explore alternatives with the subject, rather than appearing authoritative and attempting to direct him. Frequently, getting agreement from the individual helps as well (e.g., “Does that sound good to you?”) The subject may confront the negotiator with negative responses. Therefore, rather than attempting to persuade the person to see a particular point of view,

the negotiator should try to get him to identify underlying concerns that cause obstacles to agreement and form the basis for his rejection of a proposed solution. Negotiators can state, "It seems that we are working toward resolving this. There still seems to be something holding us up. What is it about the things we've been discussing that bothers you?" or "Help me understand what's holding us up from working something out to resolve this."

Once a resolution has been reached, problem solving is not complete until a discussion occurs of how to implement any agreed-upon solution. Negotiators should plan the implementation steps with the subject, including the first step of the individual's coming out of the crisis site. During problem solving, negotiators should keep the dialogue focused on resolving the incident and may need to be more subtly directive and persuasive. At this stage, after building some degree of rapport and trust with the subject and receiving clear verbal and behavioral indications that he is ready to consider alternative solutions, the negotiation team consistently, subtly, and deliberately should move him toward resolution of the situation. Negotiators must continue to assess the dynamics of the subject's behavior because he may fluctuate between rational

and emotional states. Negotiators should be prepared to move back into more of an intervention-oriented dialogue using additional active listening skills if the individual returns to a more emotional state.

CONCLUSION

The types of incidents law enforcement crisis negotiators face today require a thorough understanding of crisis intervention techniques. Such procedures have resulted in the

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successful resolution of countless hostage-barricade situations and have saved numerous lives, including those of police officers not forced to confront emotionally volatile and violent subjects with force.

When initiating crisis intervention techniques, negotiators should remember that the facts of the situation do not make it a crisis but, rather, the subject's emotional reaction to the facts. By employing the use of such

concepts as empathy, active listening skills, nonjudgmental attitude, boundary setting, and problem solving, negotiators can move toward resolving the incident. Although not complicated, these techniques require consistent reinforcement and practice to maintain the necessary level of proficiency. ♦

Endnotes

¹ For illustrative purposes and to maintain clarity, the author employs masculine pronouns for subjects.

² FBI Hostage Barricade Statistics (HOBAS).

³ Albert R. Roberts, *Crisis Intervention and Time-Limited Cognitive Treatment* (Thousand Oaks, CA: Sage Publications, 1995).

⁴ B. Gilliland and R. James, *Crisis Intervention Strategies* (Pacific Grove, CA: Brooks/Cole, 1997).

⁵ Ibid.

⁶ Leslie S. Greenburg, *Emotion Focused Therapy* (Washington, DC: American Psychological Association, 2002).

⁷ G. Noesner and M. Webster, "Using Active Listening Skills," *FBI Law Enforcement Bulletin*, August 1997, 13-19.

⁸ Albert R. Roberts, "Crisis Intervention and Trauma Treatment: The Integrative ACT Intervention Model," *Brief Treatment and Crisis Intervention* (Spring 2002), 1-21. For additional information on building rapport, see Vincent A. Sandoval and Susan H. Adams, "Subtle Skills for Building Rapport," *FBI Law Enforcement Bulletin*, August 2001, 1-5.

⁹ Supra note 7.

¹⁰ Douglas G. Jacobs, *The Harvard Medical School Guide to Suicide Assessment and Intervention* (San Francisco, CA: Jossey-Bass, 1999).

¹¹ Supra note 4.

¹² Supra note 3.