



Negotiation Position Papers ***A Tool for Crisis Negotiators***

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Crisis negotiators take great pride in their communication skills. Their specialty is to influence and persuade, primarily through the use of active listening skills¹ and other communication techniques and strategies. Ironically, however, it is not unusual for even the most well-trained crisis negotiators to have difficulty effectively communicating the rationale for their assessments and strategy recommendations to the on-scene commander. To this end, negotiation position papers

(NPPs) help negotiators express their positions clearly and concisely during an incident.

The FBI's Crisis Negotiation Unit routinely uses NPPs and values them as important tools, especially during hostage or barricade incidents. Similarly, the use of well-formatted NPPs can prove very beneficial to other law enforcement agencies when handling these incidents.

Why Use NPPs?

The crisis negotiation coordinator, or team leader, is one of

the on-scene commander's key advisors during hostage or barricade incidents. Specifically, throughout the course of these incidents, the on-scene commander relies on the crisis negotiation coordinator to provide periodic briefings that give the *status* (an overall description of the incident), an *assessment* (an analysis of the incident), and *recommendations* (guidance and strategy).

Overall communication can be difficult during a crisis situation. The stress levels of all

major crisis management participants are high; the on-scene commander, who is under an enormous amount of pressure, in fact, also may be in crisis. As a result, the crisis negotiation coordinator may find briefing the on-scene commander an arduous task. NPPs serve as visual aids to complement these briefings; however, crisis negotiators should not use them as substitutes for briefings.

Also, negotiation teams ideally share NPPs with the command and tactical components. In this regard, NPPs help ensure that all three components of the crisis management triad (command, negotiation, and tactical) become equally well informed during a crisis situation.

Of course, NPPs are not used to communicate time-sensitive

or life-threatening information obtained by the crisis negotiation team. Such information is relayed immediately to the command and tactical components.

What Are The Benefits?

NPPs offer many benefits. Specifically, the crisis negotiation team will find that they enhance teamwork, communication, and documentation.

First, preparing NPPs can help the various members of the crisis negotiation team work together effectively. Although NPP writing may involve only one member, all team members contribute ideas. As a result, the entire team focuses on the negotiation effort. To this end, NPP preparation helps ensure that team members become equally aware of all of the latest

developments and also keeps them thinking proactively.

NPPs also can serve as briefing documents for those negotiators who may relieve, or complement, other negotiators during an incident. Responding negotiators then not only will have situation boards, logs, and audio tapes but also NPPs to review to help them become fully informed more quickly, thus helping them have an immediate impact during an incident.

In addition to being a written reinforcement of the crisis negotiation coordinator's oral briefing to the on-scene commander, NPPs also can enable the on-scene commander to brief those higher in the chain of command. Not only is this an additional burden removed from the on-scene commander but it also becomes more likely that an accurate account of the negotiation posture is conveyed to higher authorities.

Last, NPPs clearly document the crisis negotiation team's assessments and strategy recommendations throughout entire incidents. This can prove invaluable in cases where there is a difference of opinion during the conduct of a postincident critique or in the event of subsequent litigation proceedings.

What Is The Format?

This recommended format can serve as a guideline for



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Sample NPP

This sample NPP, both easy to prepare and understand, demonstrates how crisis negotiation teams can format and use it in crisis situations.

NPP - 2
Date
Time

In this fictional hostage/barricade situation, several telephone contacts occurred between the crisis negotiation team and a male subject. These contacts occurred between 5:00 p.m. and 8:30 p.m.

Status

1. The subject remains in a private residence he entered 12 hours ago while fleeing from police. He possesses a 9-mm semiautomatic pistol.
2. The subject is keeping police at bay by holding two small children (ages 2 and 5), unrelated to him, as hostages. He has not threatened or harmed the children.
3. The subject demanded transportation only once, at the beginning of the siege, without setting any deadlines.
4. The subject's telephone line was captured.
5. The subject refuses to exit the crisis site or to surrender.

Assessment

1. This is a hostage situation.
2. The subject is a career criminal with a violent past, but is not prepared, through either planning or experience, for this situation.
3. The subject appears confused, scared, and concerned for his own safety, despite stating that he is in control of the situation and "has a plan."
4. The subject is using the children as protection from the police, not for bargaining.
5. The subject has not pressed for transportation or threatened his hostages; these both are positive signs.
6. Despite the presence of positive signs, the subject's reference to "his plan," without any reference to his future, seems to indicate the potential for suicide.
7. The crisis negotiation team assesses the threat level to the hostages as low. The team considers the subject a moderate suicide risk.

Recommendations

1. The crisis negotiation team should use active listening skills to build rapport and to explore the subject's concerns and motivations.
2. While communicating with the subject, to encourage him to surrender, the team should attempt to downplay his crimes and to offer a scenario that would minimize his embarrassment.
3. The team should consider using an appropriate family member as a third-party intermediary, especially if the subject's suicide potential increases.
4. The team should coordinate a food delivery to the subject to build trust and rapport and to allow the tactical team to gain a closer look at the crisis site.
5. Because the subject continues monitoring the news on television, incident command should send positive statements through the media regarding law enforcement's commitment to reach a peaceful resolution.
6. A low SWAT team profile should be used at this time. The subject currently enjoys a significant amount of control and leverage based upon his use of the children as hostages.



preparing NPPs. It is easy both to prepare and understand. First, the upper right-hand corner of the paper should denote the number of the NPP (e.g., NPP-1, NPP-2), along with the date and time the paper was prepared. This makes filing, retrieving, and reviewing the document easier. Second, the preamble to the body of the NPP should identify the number of contacts, and the times of those contacts, that the position paper is based upon (e.g., The following status, assessment, and recommendations are based upon two telephone contacts (6 a.m. and 8 a.m.) with the subject).

Next, the body of the NPP is divided into three sections; this is where the *status*, *assessment*, and *recommendations* are outlined. Concise, numbered bullets under each part are suggested, rather than a paragraph format.

Experience has shown that, during crisis situations, on-scene commanders are more apt to read, comprehend, and retain data in this simplified, user-friendly format.

The *status* section should provide a summary of the current situation, based upon the most recent intelligence, along with the latest contacts with the subject. The subject's identity, weaponry, demands, and deadlines, as well as the identity and welfare of the hostage or victim, are areas of interest. Brevity and accuracy are important; too much data may be counterproductive.

In the *assessment* section, the crisis negotiation team should explain whether they are dealing with a hostage, nonhostage (barricade with victims), lone barricade, or suicide situation. The team also should explain if the

subject seems capable of violent behavior (verbalized or not), apparent motivations, the perceived threat level (low, moderate, or high), demands, and subject-negotiator rapport.

Finally, in the *recommendations* section, the crisis negotiation team should outline its negotiation strategy recommendations, emphasizing what it hopes to accomplish during its next contact. This section also is used in advising the on-scene commander that a command decision may be required before pursuing a specific strategy. The on-scene commander must give clear negotiation guidelines that the crisis negotiation team must follow.

Conclusion

Using negotiation position papers represents an excellent method for communicating the crisis negotiation team's position during a hostage or barricade incident. NPPs complement verbal briefings provided to the command staff; they can provide invaluable assistance to the crisis negotiation team in effectively stating and defending its assessments and strategy recommendations to the on-scene commander. Further, NPPs can help the command, negotiation, and tactical components become equally well-informed during crisis situations.

Such critical incidents can prove highly stressful and

