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RESPONSE TO HOSTAGE TAKING FOR MEDIUM AND SMALL SIZE LAW ENFORCEMENT AGENCIES

A Thesis

by

Stephen William Di Rito

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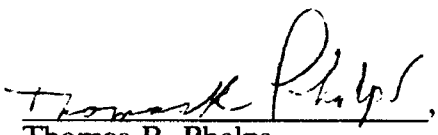 , Committee Chair
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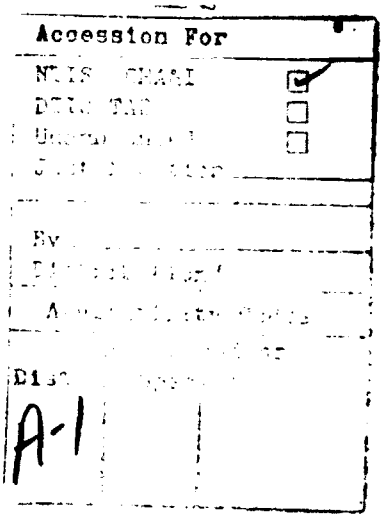

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Department of Criminal Justice

Abstract

of

RESPONSE TO HOSTAGE TAKING FOR MEDIUM AND SMALL SIZE LAW ENFORCEMENT AGENCIES

by

Stephen W. Di Rito

Statement of the Problem

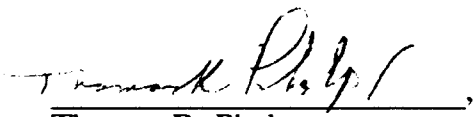
The degree of preparation a department can achieve for countering a potential hostage incident is varied. Whether to maintain no capability, a SWAT team, a negotiator team, or both types of teams literally becomes a judgement call for the police chief as little empirical research is available to help in the decision-making process. More important, once the decision is made to activate a team, determining the selection criteria, training, equipment, and when to utilize the members will distinguish a real-world capability vs. one which exists only on paper.

Sources of Data

The data used in this study were obtained primarily from an in depth literature review of the existing body of knowledge on how police agencies currently handle hostage incidents. In addition, a review of ideas from other disciplines with potential application to negotiation are explored. Interviews with leaders of both SWAT and negotiator teams (in large and small departments) along with the author's own experiences as a U. S. Air Force security police officer are also utilized to ensure a blend between academics and real world practices are maintained.

Conclusions Reached

Far too often departments still concentrate almost exclusively on what SWAT teams can do. It's difficult, but imperative for the focus to shift toward providing a unified response where every single advantage the police possess can be concentrated on the situation at hand. By applying the strategic management model, not only can smaller departments evaluate the risk of hostage taking in their jurisdiction, but they also develop limited steps to resolve such incidents.

 , Committee Chair

Thomas R. Phelps

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RESPONSE TO HOSTAGE TAKING FOR MEDIUM AND SMALL SIZE LAW ENFORCEMENT AGENCIES

Stephen William Di Rito
B.A., University of Maryland, College Park, 1984

THESIS

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the requirements for the degree of

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in

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CHAPTER 1

INTRODUCTION

Imagine for a moment that today is Saturday and you're spending some time at the local shopping mall. Since school just ended for summer break, the stores seem especially crowded today, but you make your way through the throng of people toward a bookstore to look for a good spy novel. As you enter the shop, you see a rack full of Tom Clancy's latest novel, Clear and Present Danger, and decide to take a look. Suddenly your senses alert to an unusual circumstance as a little old lady with a wild look in her eye shoves a .45 automatic up your nose. For a second you contemplate grabbing the gun and wrestling granny to the ground - but she looks pretty fit so you decide to cooperate.

The old lady is yelling at the cashier now, demanding equal rights for the elderly and a plane to Fort Lauderdale. She says the kid with the .45 up the nose is going to "get it" unless her demands are met and you realize this could be the end.

Although this scenario seems a little far-fetched, the intent is to illustrate that anyone can be in the wrong place at the wrong time. It happened graphically in Sacramento during the April 4, 1991 Good Guys electronics store incident where three hostages and three gunmen died. Another local incident on May 1, 1992 just north of Sacramento at Lindhurst high school claimed the lives of four hostages. These are just two of several recent hostage situations in northern California, but many other cities in the United States and throughout the world are experiencing similar problems. In addition, a situation need not directly involve hostages to

concern law enforcement agencies. Two examples include incidents of potential suicide or the mentally deranged person who fires a weapon indiscriminately at those nearby.

Although hostage taking has been around for a long time, it was a tactic used primarily during time of war.[1] However, in the mid 1960's there was a significant rise in the number of incidents and the idea of using specially trained individuals to counter this threat became popular. There were many events which triggered this need, but one in particular occurred on August 1, 1966 when former U.S. Marine Corps marksman Charles Whitman fired several weapons from the Administration Building tower at the University of Texas in Austin. In a ninety-six minute reign of terror he killed fifteen people and wounded another thirty-one.[2] This incident combined with the civil disorder of the early 1960's helped justify the formation of numerous SWAT teams in major cities across the United States.

For the most part early SWAT teams enjoyed a fair amount of success compared to the past, but sometimes their approach "ended in death or injury to police officers, hostages, innocent bystanders, and hostage-takers alike."[3] A former assistant director of the International Association of Chiefs of Police, Dr. Richard Kobetz, concedes "For the most part the early responses were spontaneous and

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[1] Richard W. Kobetz, foreword to The Hostage-Takers, by H.H.A. Cooper (Boulder: Paladin Press, 1981), n. pag.

[2] John A. Kolman, A Guide to the Development of Special Weapons and Tactics Teams, (Springfield: Charles C. Thomas, 1982), 7.

[3] Kobetz, n. pag.

unplanned with heavy reliability on direct confrontation and a great deal of pure luck."[4] Obviously some improvements were needed.

In his book Hostage: A Police Approach to a Contemporary Crisis,[5] George F. Maher states the New York City Police Department pioneered the concept of a "negotiator-team" in the mid 1970's. For the first time the law enforcement community was using professionals such as psychologists to help neutralize these violent crimes. Other specialists such as communications experts from the telephone company were consulted to help set up hotlines if needed. This was a turning point in the law enforcement community's response to such incidents. "Not surprisingly, many high-anxiety situations were diffused, lives were saved, and the accepted policy of talking people out of their dramatic intentions rather than a reliance on firepower became part of the police methodology."[6] This is not to say that SWAT teams are considered any less important, as between 1975 and 1991, a good deal of training, time and money has been expended to improve the professionalism of these units. However, many police administrators have recognized the value of negotiation as a tool to resolve hostage crises.

Maher declared "Police administrators nationwide began to realize that there was really no mystique in dealing with hostage, barricade, or suicide-attempt situations - all that was really needed was some in-depth training of qualified officers,

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[4] Ibid., n. pag.

[5] George F. Maher, The Encyclopedia of Police Science, ed. William G. Bailey (New York: Garland Ref, 1989), 274.

[6] Ibid., 275.

an overall department policy, and a list of guidelines that would fit various types of incidents."[7] While this declaration of simplicity sounds great in theory, putting the wheels of justice in motion toward that goal often proves much more difficult.

How does the law enforcement community deal with these incidents? Although the basic approach to countering hostage situations is similar among agencies, each department differs in how they specifically attack the problem. In general, responses can be categorized into two groups based on department size.

Large police agencies (over 200 sworn officers) in metropolitan settings generally have the funds and resources to staff a full time Special Weapons and Tactics (SWAT) team along with a group of formally trained officers who serve as negotiators when needed. The citizens in these communities, enjoy a greater probability of surviving such incidents solely because the law enforcement agency in their area has specially trained individuals to help resolve the situation.

In contrast, smaller sized departments (less than 200 sworn officers) cannot afford the luxury of full-time tactical units, but do have a need to train some officers in SWAT and negotiator tactics. These departments will utilize some, but not all of the many capabilities found in larger agencies. For example, a department with no SWAT team can teach advanced officer survival skills such as individual movement techniques for deploying at the scene, use of cover and concealment, shoot/don't shoot training at a firing range, and how to talk with a suspect who has taken hostages. Often these departments must rely on outside assistance to neutralize the

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[7] Ibid., 278.

situation.

THE PROBLEM

Obviously the degree of preparation a department can achieve for countering a potential hostage incident is varied. Whether to maintain no capability, a SWAT team, a negotiator team, or both types of teams literally becomes a judgement call for the police chief as little empirical research is available to help in the decision-making process. More important, once the decision is made to activate a team, determining the selection criteria, training, equipment, and when to utilize the members will distinguish a real-world capability vs. one which exists only on paper.

For several years the news media has cited the Federal Bureau of Investigation (FBI) as a source for the claim that negotiation is effective in 85 percent of all hostage incidents. However, at the 1992 training conference for the California Association of Hostage Negotiators, Special Agent Clint Van Zandt of the Behavioral and Social Science unit at Quantico, Virginia says he made that number up when asked by a reporter about the effectiveness of negotiation.[8]

This is just one example which highlights the need for more research on hostage taking. Both SWAT teams and negotiators have met with success and failure in different instances, but according to William M. Butler, the handful of studies conducted to date either describe the frequency of hostage incidents (Gettys, 1983), the qualifications of negotiators (Gettys, 1983), or whether mental health

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[8] Cliff Van Zandt, "FBI Hostage Negotiation Questionnaire," paper delivered at the California Association of Hostage Negotiators, Sacramento, 19 May 1992.

professionals are used in the negotiation process (Fuselier, 1989).[9] No comprehensive research has focused on how the incident was resolved (surrender or assault), whether anyone was injured/killed, or if certain techniques work better than others.

The relative success of SWAT and negotiation teams has limited the perceived need for further study. Although many incidents have been successfully resolved without injury to hostages, the suspect, responding officials, or innocent bystanders, injuries and deaths do occur each year. Butler surveyed 684 law enforcement agencies and found 4 percent of incidents resulted in the death of a hostage, with one percent of these hostages being killed by the police. However, "All of the incidents in which a hostage was injured or killed by the police involved small municipal agencies."[10] The problem doesn't lie in large departments which utilize full-time SWAT teams and have well-trained negotiators, it's in developing a strategy which smaller departments can adapt to their particular jurisdiction.

PURPOSE OF THE STUDY

Far too often smaller agencies try to emulate the capabilities of a large department without the necessary commitment of resources and funds. This study will use a strategic management model to outline an approach which smaller police departments can use in developing their ability to counter hostage taking incidents.

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[9] William M. Butler, "Hostage Taking and Barricade Incidents in the United States: A Nationwide Survey and Analysis" (Ph.D. diss., University of Vermont, 1991), 12.

[10] Ibid., 47.

The plan stresses implementing this capability over a ten year time period so as to spread out the costs and insure the department is ready to progress from simple to more complex incidents.

NEED FOR THE STUDY

This study is needed because the law enforcement community continues to pour money and resources into first developing a SWAT team capability despite the growing evidence that negotiation is much more effective and less expensive to implement. A show of force is considered the only proper response by many older police officers (who make up the senior ranks of the department) while negotiation is a sign of weakness. Finding the correct balance between a full-time team and doing nothing to prepare for such cases can be a delicate tightrope to walk.

SCOPE AND LIMITATIONS OF THE STUDY

The study will examine what law enforcement agencies in cities across the United States are doing to counter hostage taking incidents. Barricaded incidents in which the perpetrator has no hostages (other than himself) and refuses to surrender to the police are for purposes of this study treated as hostage incidents. Differences beyond this definition are not made as the response of law enforcement agencies is nearly identical in both situations.

Both international and domestic terrorist situations are considered outside the scope of this thesis as the focus is on the state and local level. William Butler's survey found terrorist incidents accounted for less than one percent of all hostage incidents and normally the federal government would get involved in resolving these

cases. Even large departments don't have the resources to maintain the international liaisons necessary to resolve such events.

METHODOLOGY

The research is primarily an in depth literature review of the existing body of knowledge on how police agencies currently handle hostage incidents. In addition, a review of ideas from other disciplines with potential application to negotiation are explored. Interviews with leaders of both SWAT and negotiator teams (in large and small departments) along with the author's own experiences as a U. S. Air Force security police officer are also utilized to ensure a blend between academics and real world practices are maintained.

LIST OF TERMS

Barricaded Incident: An incident without hostages in which a perpetrator is barricaded in a location known to the police and refuses to come out voluntarily.

Classical Conditioning: The process whereby a new learned connection between stimulus and response can be created through the repeated pairing of a neutral stimulus (for example, a bell) with an unconditioned stimulus (for example, food).

Galvanic Skin Response: A measure of small changes in the electrical conductivity of the skin usually associated with stress.

Generation Effect: Principle which states information generated by an individual is remembered better than presented information.

Hawthorne Effect: Phenomenon reported in a General Electric study in which people's knowledge that they were part of an experiment altered their behavior

rather than as a result of the experiment itself.

Hostage Incident: An incident in which a perpetrator holds one or more persons against their will in a location known to the police.

Hostage Negotiator: Police officer specially trained in persuading a suspect to surrender to police and release hostages unharmed.

Hypnosis: An altered state of consciousness characterized by focused attention, relaxation, heightened awareness, and concentration.

Negative Reinforcement: Any event that results in a decrease in the future probability of the particular behavior that it follows. Negative reinforcers include the use of punishment and the withholding of rewards.

Operant Conditioning: A form of learning in which behavior changes as a function of its consequences, or of reinforcement.

Persuasion: Influencing another by reasons and arguments.

Positive Reinforcement: Any event that results in an increase in the future probability of the particular behavior that it follows. Positive reinforcers include the use of rewards and the removal of unpleasant stimuli.

Special Weapons And Tactics (SWAT) Team: Group of police officers specially trained to forcibly apprehend a hostage taker and rescue hostages without injury.

Stockholm Syndrome: Relationships which develop over time during a hostage incident between hostages and their captor. Also known as transferrence in the field of psychology.

Strategic Management Model: A plan which helps leaders in a corporation make decisions about their organization's future direction as well as implement those decisions.

Subliminal: Existing or operating below the threshold of consciousness.

Suggestability: The ability to be unconsciously influenced by suggestion.

Suggestion: Conveys ideas or thoughts by means of implication, hinting, intimidation, or insinuation.

Unconscious: Not perceived at the level of awareness; occuring below the level of conscious thought. Often used interchangeably with "subconscious."

ORGANIZATION OF THE STUDY

The remainder of the study is divided into three parts. Chapter Two will review the current body of literature on hostage taking and details many of the strategies in use today by U.S. Law Enforcement agencies. Several ideas from other disciplines which have application to negotiation are also explored. The third chapter outlines a strategy which smaller departments can use to develop the capability for countering hostage incidents. Recommendations for further research and conclusions are presented in the final chapter.

CHAPTER 2

LITERATURE REVIEW

HOSTAGE TAKER TYPOLOGIES

One of the basic principles of war taught to our country's military officers is to "know the enemy." Those who study hostage taking are also concerned with knowing about the type of person who would commit such an act. Dr. H.H.A. Cooper, a well-published author in the field of hostage taking says "there are no natural categories of hostage takers ... they tend to reflect the discipline and training of those who construct them."[1] He describes seven categories of hostage takers based on the motive for committing the crime, including the political extremist, fleeing criminal, institutionalized persons, estranged persons, wronged persons, religious fanatics, and mentally disturbed persons.[2]

Nudell and Antokol describe four types of individuals in terms of their psychological profile. First is the paranoid schizophrenic characterized by false mental perceptions or delusions of persecution. Second is the psychotic depressive who usually displays feelings of extreme sadness, hopelessness, inadequacy, or worthlessness. Next is the antisocial personality who is often characterized by selfish, callous, and irresponsible behavior, and finally the inadequate personality who is unable to respond effectively to emotional, social, intellectual, and physical

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[1] H.H.A. Cooper, The Hostage-Takers, (Boulder: Paladin Press, 1981), 3.

[2] Ibid.

demands.[3] Although probably correct labels in the field of psychology, these definitions are of little use to most law enforcement professionals.

The majority of categories used to describe hostage takers tend to focus on the motive for committing the act. Maher uses four categories labeled "criminal, mentally disturbed, unorganized group (such as a spontaneous jail riot), and terrorist group."[4] However, the majority of strategies devised to name motive categories center on three broad areas adeptly labeled by Frederick J. Hacker as "crusaders, criminals, and crazies."[5] These broad categories are then further divided into more descriptive subgroups.

Although the words used by different authors to label the three categories may vary slightly, their meaning is congruent. Political scientist Abraham H. Miller uses "political terrorist, felon, and psychopathic individual" to label the groupings.[6] Professor James M. Poland describes similar categories as "political terrorist, criminal, and psychotic."[7] Perhaps the most useful typology of hostage takers was developed by Irving Goldaber who subdivided three broad categories of

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[3] Mayer Nundell and Norman Antokol, "Negotiating for Life," Security Management 34 (Jul. 1990): 58.

[4] George F. Maher, The Encyclopedia of Police Science, ed. William G. Bailey (New York: Garland Ref, 1989), 275.

[5] Frederick J. Hacker, M.D., Crusaders, Criminals, Crazies (New York: W. W. Norton and Co., 1976), 8.

[6] Abraham H. Miller, Terrorism and Hostage Negotiations (Boulder: Westview Press, 1980), 47-48.

[7] James M. Poland, Understanding Terrorism (Englewood Cliffs: Prentice Hall, 1988), 129.

"psychological, criminal, and political" into nine more descriptive subgroups.[8] The subgroups Goldaber uses are described as suicidal personality, vengeance seeker, and disturbed individual (psychological); cornered perpetrator, aggrieved inmate, and felonious extortionist (criminal); social protester, ideological zealot, and terrorist extremist (political). He produced a chart (Table 1) which is particularly useful to law enforcement officers because in simple and brief language he tells specific information about the nine subgroups such as who, what, when, where, why, and how. At the bottom of the chart is a grid which in general terms tells what the police response should be.

THE STOCKHOLM SYNDROME

It's important for the police to know what type of individual is committing the act, but equally significant is knowledge about the psychological effects on the hostages. The trauma and stress associated with hostage taking causes a phenomenon called transference or better known as the Stockholm Syndrome. On August 23, 1973, 32 year old Jan-Erik Olsson entered the Sveriges Kreditbank in Stockholm, Sweden, and began a 131 hour reign of terror over four bank employees. He held them in the bank's vault and was later joined by former cell-mate Clark Olofsson, whom Olsson had demanded be released from prison.[9]

What was significant about this case was the media's exploitation of the

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[8] Irving Goldaber, "A Typology of Hostage-Takers," The Police Chief 46 (June 1979): 23.

[9] Thomas Strentz, "Law Enforcement Policy and Ego Defenses of the Hostage," FBI Law Enforcement Bulletin 48 (Apr. 1979): 2-3.

Table 1
Irving Goldaber's Hostage Taker Typology

	Suicidal Personality	Vengeance Seeker	Disturbed Individual	Cornered Perpetrator	Aggrieved Inmate	Felonious Extortionist	Social Protestor	Ideological Zealot	Terrorist Extremist
	PSYCHOLOGICAL			CRIMINAL			POLITICAL		
Who is the Hostage-Taker?	An unstable, hopeless, depressed individual	A disaffected former associate	An acutely or chronically unbalanced individual	Potentially any criminal	A frustrated leader who can organize inmates	Unemotional, cunning professional	An idealistic educated young person	A fanatic programmed cultist	Person willing to sacrifice self for political philosophy
What is his distinguishing characteristic?	Doesn't care if he is killed	Driven by an irrational single purpose	Unsound assessment of reality	Is caught unaware with no prior plan	Familiar with prison authorities and victims	Knowledgeable & respectful of police power	A celebrant in uplifting group experience	Willing to sacrifice himself for beliefs	Has realistic assessment of impact of act
When does he take the hostage?	In a severe emotional decompensating state	After meticulous planning	When aberrant mind finds solution to problem	In desperation when victims are available	After planning, or spontaneously when pushed	While executing a carefully prepared plot	When identifies need to eliminate social injustice	After he has sustained a wrong	When publicity potential is greatest
Where does he commit the act?	In any place, when his defenses fail	In spot which brings him maximum satisfaction	In any setting	In the area in which he is trapped	In his own environment	In location of his selection	At site of unwanted entity where most visible	Anywhere	Where victim is off-guard
Why does he do it?	To cause someone else to fulfill his death wish	To gain revenge	To achieve mastery & solve his problem	To effectuate escape	To gain change or obtain freedom	To obtain money	To create social change or social justice	To redress a grievance	To attain political change
How does he take the hostage?	With irrational taunts	Through overt action or furtive behavior	In an improvised, illogical manner	With weapon as a reflexive response	With planned, overpowering force	With a weapon in a calculated manner	In group by massing human blockade	With robot-like violent or non-violent conduct	With emotional & violent execution of a crafty plot
POLICE RESPONSE									
	Calm him until he can be siezed	Sieze him	Calm him; sieze if possible; negotiate cautiously; or employ tactics	Negotiate with him; if unsuccessful, employ tactics	Negotiate with him; if unsuccessful, employ tactics	Negotiate with him; if unsuccessful, employ tactics	Negotiate with him; if unsuccessful, employ tactics	Negotiate with him; if unsuccessful, employ tactics	Negotiate with him; if unsuccessful, employ tactics

relationships which developed between hostage and captor. These bonds became known as the Stockholm Syndrome and as stated by Thomas Strentz, Ph.D, a former FBI Special Agent, it "generally consists of three phases: positive feelings of the hostages toward their captors, negative feelings of the hostages toward the police or other government authorities, and reciprocation of the positive feelings by the captors."[10] The bond between Olofsson and one of his female hostages was strong enough that they later married, but the phenomenon may not occur at all or may occur in only one direction.

This process is not new to the field of psychology and is called transference. In his book Terrorism and Hostage Negotiation, Abraham H. Miller describes four variables that "determine whether transference will take place: (1) the length of time the hostage and captors are confined (2) the quality of the interaction -- were the hostages well treated? (3) the existence of predetermined racial or ethnic hostilities between hostage and captor (4) the predisposition on the part of some hostages to seek out and relate to their captors."[11] Miller also believes transference can develop between hostage taker and negotiator. He describes one seasoned negotiator who said in one particular incident he "developed such a close emotional relationship" to the captor that he found it difficult to testify against him.[12]

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[10] Thomas Strentz, "The Stockholm Syndrome: Law Enforcement Policy and Hostage Behavior," Victims of Terrorism, eds. Frank M. Ochberg and David Soskis (Boulder: Westview Press, 1982), 150.

[11] Miller, 45.

[12] Ibid., 47.

James Turner of the University of Tennessee Center for the Health Sciences agrees with Miller but states there are seven factors affecting the bond including: face-to-face contact, timing of violence, language, sophistication, cultural value structure, stereotypes, and time.[13] No matter which factors affect the bond, law enforcement officers must be aware of these relationships as it may affect how the hostages react toward the police. The bond of the hostage taker for his hostages may also help the negotiators to end the situation without injury.

LAW ENFORCEMENT RESPONSE

Once a police department knows a little about the types of hostage takers and bonds that may develop, their concern should then turn to the question "how can we resolve these situations?" Response to hostage taking is generally organized around the two units most capable of resolving the situation - the hostage negotiation team and Special Weapons And Tactics (SWAT) team.

NEGOTIATION

Detective Frank Bolz and Dr. Harvey Schlossberg of the New York City Police Department are generally credited with developing negotiation tactics used by police around the world to resolve hostage situations. According to Detective Bolz, The political backing for their efforts came after the January 1973 hostage situation at John and Al's Sporting Goods store in the Williamsburg section of Brooklyn.[14]

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[13] James T. Turner, "Factors Influencing the Development of the Hostage Identification Syndrome," Political Psychology 6 (Dec. 1985): 709.

[14] Frank Bolz and Edward Hershey, Hostage Cop (New York: Rawson, Wade Publishers, 1979), 24.

Dr. Schlossberg tells how the New York City Crisis Force "attempted to contact psychiatrists for advice. After explaining the nature of the crisis and asking for psychological suggestions for negotiating strategies, these experts responded with the advice that the police should use tear gas. The police obviously knew how to use tear gas and knew it would be ineffective in this situation, but the psychiatrist perhaps as much as the police assumed that the other had the magical solution."[15] Since that time, G. Wardlaw states, "the psychologists most important role is to monitor the behavior of negotiators, offer ways to reduce stress, and provide treatment if required after the incident is resolved."[16] Robert J. Powitzky, the Administrator of Psychology Services for the U.S. Bureau of Prisons agrees with this approach but adds that the psychologist should also be used to provide feedback and evaluate negotiator effectiveness after the situation ends.[17]

SELECTION

How should a department select an officer to be a negotiator? The process is described by Sergeant Robert Currie, a primary negotiator on the Sacramento County Sheriff's Department Critical Incident Negotiations Team. He says the selection process for his six person team as "rigid, but impartial."[18] Any sworn

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[15] Murray S. Miron and Arnold P. Goldstein, Hostage (New York: Pergamon Press, 1979), 86-87.

[16] G. Wardlaw, "The Psychologist's Role in Hostage Negotiations," The Police Chief 51 (May 1984): 57.

[17] Robert J. Powitzky, "The Use and Misuse of Psychologists in a Hostage Situation," The Police Chief 46 (Jun. 1979): 32.

[18] Robert Currie, interview with author, 21 Sep 1991.

deputy with 3 years experience may apply by submitting a resume (patrol experience is desired but not mandatory). A three-person panel interviews each candidate who answers six questions. A typical question includes "Why should we select you over the other applicants?" The panel comes up with a numerical score from 1 to 60 which helps rank order applicants for a selection list which remains valid for two years.

TRAINING

Sergeant Currie said initial training is a 40 hour basic course taught at San Jose State University. Since negotiation is not a part of their normal duties, much more time is needed to practice techniques. However, the department only allows for one full day of training per month. During this 8 hour session, the team reviews procedures and spends the majority of their time in role playing scenarios. Every two years team members complete a 20 hour Hostage Update course and some negotiators are sent to a 30 hour Interview Interrogation course.

During their initial training, future negotiators are taught about the different steps most hostage negotiation scenarios follow. In an article reprinted from their book, Mayer Nudell and Norman Antokol describe three phases of most hostage situations. The first phase is "the opening gambit" in which the hostage taker is highly agitated and makes outrageous demands. This usually lasts less than two hours and is a dangerous period for the hostages. Nudell and Antokol say "the negotiator's task is to calm the situation down and establish rapport with the decision

maker among the hostage takers."[19] The majority of negotiation efforts occur during the second phase called "jockeying for position," in which the hostage takers demands, through time and discussion, are gradually reduced to a bottom line. The final stage, "Endgame," brings the most dangerous time for the hostages as events unfold quickly and tensions are dramatically elevated. At this point, hostages are either released or an assault becomes probable.

RESEARCH INVOLVING PRINCIPLES OF NEGOTIATION

Negotiation is a normal part of interpersonal communication which occurs nearly every day in our lives. Researcher Jeffrey Rubin believes what's most important, but most overlooked, is the relationship which develops during a negotiation.[20] For example, when buying a rug in Turkey, initial conversation about the selling price often transforms into an exchange of a more personal nature. The emerging relationship between shopkeeper and customer is far more significant and price becomes only a small part of the discussions. This same technique can be used in a hostage situation to develop rapport with the subject.

Rosenthal introduces the concept of interpersonal expectations: the idea that one person's expectations for the behavior of another can come to serve as a self-fulfilling prophecy.[21] He cites the Hawthorne Effect from the famous General

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[19] Nudell and Antokol, 60.

[20] Jeffrey Z. Rubin, "Some Wise and Mistaken Assumptions About Conflict and Negotiation," Journal of Social Issues 45 (Feb 1989): 201.

[21] Robert Rosenthal, "Interpersonal Expectancies, Nonverbal Communication, and Research on Negotiation," Negotiation Journal 4 (Jul 1988) 268.

Electric study in which people knew they were part of a research experiment which changed their behavior. Rosenthal says the methodological implications for research on negotiation have to do with threats to validity and he recommends whenever possible to conduct field experiments in natural settings (i.e., not in a laboratory). Although not always possible, this tracks in general with current trends in social science research.

The main strategy utilized by negotiators is to keep the suspect calm while stalling for more time (and eventually tire out the hostage taker). For example, if the suspect wants food, the negotiator says he'll work on it. After some time has passed, the negotiator may say he's still working on getting food. After more time, the negotiator may ask what type of food the suspect wants. If the choice happens to be a pizza, the negotiator will wait a while and then ask what the suspect wants on the pizza. More time passes and the negotiator asks how many pizzas are needed. Then, the negotiator asks for <u>detailed</u> instructions on how the suspect wants the pizzas delivered. Finally, the negotiator relays that he has done his best, but the police chief wants some hostages released in exchange for the pizzas.

This process has done two main things: first, the suspect becomes involved in the logistics of his situation and has less time to focus on harming hostages; and second, the negotiator builds rapport with the suspect by making it appear as if he and the suspect are united and the chief is against them both. A simple task such as getting food becomes a complex project which absorbs time and energy from the hostage taker.

Psychological principles are widely taught to hostage negotiators (although they may not be labeled as such). For example, early in a hostage situation the basic needs of food, water, light, temperature, etc are taken away. A. H. Maslow, a psychologist who studied motivation, says people will try to fulfill their most basic needs first.[22] He says the most basic needs are the physiological ones such as those taken away by the police. These necessities then become bargaining chips for the negotiator who originally had nothing to exchange for hostages.

Reiser and Sloane utilize this principle in developing the negotiation strategy. They say "the concept of buying time during a prolonged negotiation process implies an ongoing deprivation of basic needs and an increasing focus on their satisfaction."[23] Negotiators could use Maslow's principle by saying things like "Just let me know when you are thirsty and we will work something out," or "I'm having a sandwich and a cold drink right now, and I'm wondering if you're hungry yet?" These questions address the most basic physiological needs.

Another factor at work during a negotiation process is the psychological process of conditioning. This can be of two types: classical conditioning and operant conditioning. Classical conditioning can best be illustrated by Pavlov's experiment with dogs. Pavlov taught dogs to salivate to the sound of a bell by simply ringing the

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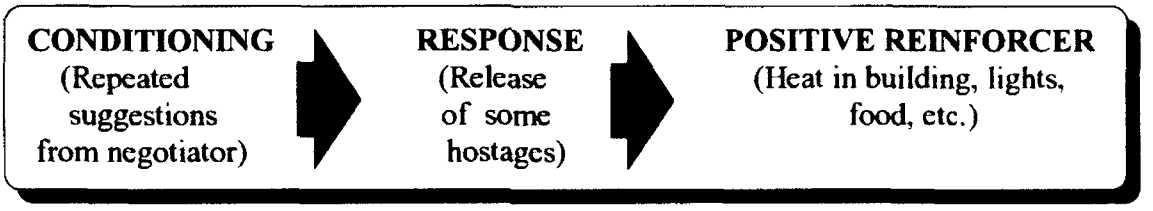
[22] Philip R. Newman and Barbara M. Newman, Living (Homewood: The Dorsey Press, 1981), 82.

[23] Martin Reiser and Martin Sloane, "The Use of Suggestibility Techniques in Hostage Negotiation," in Perspectives on Terrorism, eds. Lawrence Zelic Freedman and Yonah Alexander (Wilmington: Scholarly Resources Inc., 1983), 220.

bell repeatedly while the dogs were being fed. Initially the dogs salivated to the food, and not to the bell. With time, however, the dogs learned to salivate whenever they heard the bell, even when they received no food.[24] Classical conditioning does not produce totally new behavior; rather, it simply modifies existing behavior by associating an already present response (salivating) with a new stimulus (bell).

Operant conditioning is used to modify behavior as a result of consequences. These consequences, called reinforcers, can be either positive or negative in impact depending on whether they increase or decrease the occurrence of the behavior. Positive reinforcers cause behavior to increase, while negative reinforcers cause behavior to decrease.[25] The use of conditioning in hostage negotiation can best be illustrated by the flowchart shown in Figure 1. Repeated suggestions act to condition the hostage taker which elicits the response and hostages are released. When basic needs such as food are obtained, the response is positively reinforced. This cycle can then be repeated as many times as needed until the situation is resolved.

Figure 1
Conditioning in Hostage Negotiation



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[24] Deborah L. Holmes and Frederick J. Morrison, The Child (Monterey: Brooks/Cole Publishing, 1979), 102.

[25] Charles W. Thomas and John R. Hepburn, Crime, Criminal Law, and Criminology (Dubuque: William C. Brown Co., 1983), 216.

THE SUBCONSCIOUS MIND

Persuasion and suggestion are two commonly used methods in hostage negotiations to influence a suspect's behavior. Persuasion involves influencing by reasons and arguments, whereas suggestion conveys ideas or thoughts by means of implication, hinting, intimidation, or insinuation. "Persua-sion is directed generally at conscious mental processes requiring logic and reason, while suggestion is aimed at influencing the subconscious.[26] Examples of this method would be using statements like "When you let that hostage go, then we might ..." or " I'm wondering how you feel about the prospect of talking with a reporter when you come out." Utilizing suggestions is an important technique for negotiators as the implanted idea is subtle and with reinforcement (stating the same idea in different ways) the hostage taker begins to accept the idea as his own.

A.M. Ludwig says the conscious mind can only concentrate on approximately 10% of all stimuli that constantly bombards the brain. "By contrast, the subconscious mind accepts most of the incoming stimuli from the senses - approximately 90% - and stores the data without filters or criticism."[27] This subconscious thought can be channeled by specific techniques and may explain why people in drug, deprivation, or relaxation states (such as hypnosis and transcendental meditation) experience increased sensory perception.

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[26] James Frank, Persuasion and Healing (Baltimore: Johns Hopkins, 1961), 34.

[27] A.M. Ludwig, "Altered States of Consciousness," in Altered States, ed. C.T. Tart (New York: Wiley, 1969), 63.

Martin Reiser, the former psychologist for the Los Angeles Police Department, takes this notion of suggestibility (the ability to be unconsciously influenced by suggestions) one step further and says the behavior of a hostage taker can be altered by using primarily indirect suggestions. This technique diverts an individual's conscious awareness from the suggestion, which in turn decreases the likelihood of conscious resistance. For example, a direct suggestion would command "Stand up!" as opposed to an indirect suggestion which asks "Aren't you tired of sitting down?"[28] This is supported through research conducted by James Esser who found the softest negotiation strategy was superior to tougher strategies in bargaining.[29]

Reiser gives examples of indirect suggestions tailored to a hostage incident including the following:

- *Truisms*: "Sooner or later you may get tired."

- *Not knowing, not doing*: "You may not know when you will get hungry. You won't even need to think about it right now."

- *Open-ended suggestions*: "We all have the capacity to compromise, but sometimes we don't know when we're ready to negotiate."

- *Covering all possibilities of a class of responses*: "Sooner or later, you may or may not want to get a breath of fresh air. The really important thing is to pay attention to what you need."

- *Implied directive*: "When you're ready to talk this out, then we'll find a solution."

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[28] Reiser and Sloane, 220.

[29] James K. Esser, "Agreement Pressure and Opponent Strategies in Oligopoly Bargaining," Personality and Social Psychology Bulletin 15 (Dec. 1989): 601.

- *Imbedded statements*: "You may wish to keep this thought in the back of your mind, where we can get to it when needed."

- *Imbedded questions*: "Can you remember the last time you felt relaxed?"

- *Binds*: "How soon do you think you'll be ready to negotiate?"

- *Double Binds*: "Would you like to negotiate a settlement now, or would you prefer to wait a while?"

- *Interspersal and associative focusing*: "I'd like to tell you about another settlement I helped to negotiate..."

- *Future Projection*: "Perhaps you'd like to discuss this issue later?"

- *Induced imagery*: "Imagine how relaxed and comfortable you'll feel when we finally solve this situation."

- *Encouraging a new frame of reference*: "I could be wrong, but I'd guess that your wife (mother, etc.) is feeling pretty scared right now. If you put yourself in her place, I wonder what you might be feeling?"

Direct suggestions are also used in negotiations and are often used to evaluate a hostage taker's responsiveness to guidance from the negotiator. Examples of direct suggestions include:

- "Hang up the phone and call me right back."
- "Come out of the building."
- "Let the children leave the building."
- "Count how many hostages need to use the restroom."
- "Count how many hostages need medical attention."

Stanley Lehmann studied levels of anxiety and self esteem in relation to persuasion and suggestibility. He used threatening vs. reassuring messages to persuade women to return for a medical exam after giving birth. The results showed people with anxiety and/or high self-esteem responded to reassurance. Conversely,

those with low anxiety and/or low self-esteem responded to threats.[30] Given these results and using the Goldaber typology, one would expect hostage takers with a psychological motive to respond more to threats, while criminal and political hostage takers would respond to reassurance.

Several studies examined the ability to affect the subconscious mind without the knowledge of the individual by using visual stimuli. One such study flashed 10 nonsense syllables (such as YILIM) on a screen at speeds supposedly faster than the conscious mind could perceive. Subjects in an experimental group were classically conditioned with electric shocks whenever five of the syllables were shown. The researchers used a Galvanic Skin Response (GSR) sensor to measure small changes in electrical conductivity - usually triggered by stress. A large percentage of the experimental group subjects registered a fluctuation on the GSR whenever the conditioned syllables were shown.[31]

Charles Eriksen tried to replicate this study and couldn't get results even close to what Lazarus and McCleary found.[32] He argued faulty methodology combined with several intervening variables to give the results originally found. This sort of academic bantering is not uncommon in studies concerning the subconscious mind.

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[30] Stanley Lehmann, "Personality and Compliance: A Study of Anxiety and Self-Esteem in Opinion and Behavior Change," Journal of Personality and Social Psychology 15 (Jan 1970): 85.

[31] Richard S. Lazarus and Robert A. McCleary, "Autonomic Discrimination Without Awareness: A Study of Subception," Psychological Review 58 (1951): 118.

[32] Charles W. Eriksen, "Subsception: Fact or Artifact?," Psychological Review 63 (1956): 74.

A great deal of controversy exists over whether these theories have substance. Nearly all studies on this topic were completed in laboratory settings which puts their validity into question.

SUBLIMINAL PERCEPTION

Most studies of subliminal perception (below the threshold of consciousness) by the unconscious mind use auditory stimuli with mixed results. Philip Merikle analyzed popular commercially available subliminal tapes and found they actually contained no auditory messages at all.[33] The only sounds recorded were background noise such as rain, waves, etc. As a second test, Merikle obtained placebo tapes from the manufacturer (no subliminal encoding) and found listeners overwhelmingly couldn't distinguish between subliminal and placebo tapes.

Another study analyzed the ability of subliminal messages to produce effects on the behavior of clinically disturbed subjects.[34] The researcher found stimuli must be presented outside of awareness to produce significant effects on behavior. This finding is interesting because Goldaber's typology recommends not negotiating with disturbed individuals. Maybe subconscious suggestions could persuade this type of individual to give up without the police having to seize him (and put themselves at risk).

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[33] Philip M. Merikle, "Subliminal Auditory Messages: An Evaluation," Psychology and Marketing 5 (Winter 1988): 364.

[34] Robert F. Bornstein, "Critical Importance of Stimulus Unawareness for the Production of Subliminal Psychodynamic Activation Effects: A Meta-Analytic Review," Journal of Clinical Psychology 46 (Mar. 1990): 209.

A study conducted by Youjae Yi on the effect of direct vs. indirect claims on advertising effectiveness utilized the psychological theory called the generation effect. This principle says information generated by an individual is remembered better than presented information. Thus, the more extensive the mental processing (more cognitive effort required), the more accessible the information is in one's mind. Since indirect verbal claims attempt to persuade a subject based on self-generated inferences, Yi expected these claims would be remembered better. In fact, the researcher did find that when only auditory stimuli were used (as in a hostage negotiation), indirect stimuli produced more stable persuasion than direct stimuli.[35]

HYPNOSIS

The notion of suggestibility is often linked with the hypnotic state. Hypnosis is defined as an altered state of consciousness involving focused attention, relaxation, heightened awareness, and concentration.[36] Many studies have found hypnotic subjects are easily influenced by suggestion - which is why most courts don't allow testimonial evidence developed under hypnosis.

Psychoanalyst Milton Erickson described hypnosis in a format useful to hostage negotiators. He says it need not be associated with unconscious processes and "Doesn't require a set of repetitive commands, or fixation of the eyes on a

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[35] Youjae Yi, "Direct and Indirect Approaches to Advertising Persuasion: Which is More Effective?," Journal of Business Research 20 (1990): 289.

[36] Thomas P. Mauriello, "Investigative Hypnosis" unpublished manuscript, Univ of Maryland, College Park, 1980.

device, or any of the traditional procedures of hypnosis."[37] For example, many people have experienced this form of hypnosis while driving their automobile. They consciously remember leaving one location, but the trip in between is not remembered. Obviously the individual was fully conscious and able to control their vehicle, but their mind focused on some other problem, feeling, or future event.

Erickson says highly stressed people shift automatically into an altered state affecting both information processing and behavior. He says "The hostage taker is already in a mildly hypnotized state, and although the person may be agitated or hostile, the trance can be deepened by using other techniques."[38] The use of Ericksonian techniques by hostage negotiators seeks to keep the subjects conscious mind occupied while giving subconscious cues. His unique method for inducing a hypnotic trance involves four steps: 1) fixation of attention, 2) depotentiation of normal habits, 3) initiation of subconscious cues, and 4) reinforcement of positive responses.[39]

The negotiator can fixate the hostage takers attention by encouraging him to talk about himself and reflecting his feelings as accurately as possible. This helps build rapport and assists in developing a working relationship. The second step involves a tactical shift by the negotiator from following the subject and reflecting his feelings to leading the subject in order to alter his conscious mental set. The

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[37] Milton H. Erickson and E. L. Rossi, Hypnotherapy (New York: Irvington, 1979), 63.

[38] Ibid., 74.

[39] Ibid., 124.

purpose is to keep the subject's conscious mind occupied while giving subconscious cues.[40] This can be done by acting casual and permissive; telling boring stories that have little apparent relevance; redirecting the hostage taker's attention away from his demands; and using phrases rather than complete sentences. The third step occurs by giving subconscious cues while the dominant hemisphere processes of the subject are attempting to analyze logically the sudden shift in the negotiator's tactics. The last step is to reinforce any responses made by the subject through relabelling, rephrasing, and interpreting statements in a positive way.

The effect of direct and indirect suggestions was studied by James Fricton and Peter Roth. These researchers first used the Stanford Hypnotic Susceptibility Scale to predict the possible success or failure of hypnosis on each subject. They then developed a threshold to pain for each individual via an electrical stimulus attached to a healthy incisor tooth. Using blind methods, all 48 subjects were individually hypnotized and given either direct or indirect suggestions that they wouldn't feel any pain. The results showed indirect suggestions were significantly more effective in producing analgesia than the direct technique. Furthermore, the direct method worked only on highly susceptible subjects, while the indirect technique worked regardless of susceptibility.[41]

These are just some of the techniques a hostage negotiator could use to

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[40] Ibid., 133.

[41] James R. Fricton and Peter Roth, "The Effects of Direct and Indirect Hypnotic Suggestions for Analgesia in High and Low Susceptible Subjects," American Journal of Clinical Hypnosis 27 (Apr. 1985): 230-231.

resolve the crisis. If the negotiation process doesn't work and tensions continue to mount, a tactical rescue by the SWAT team should be considered.

SWAT TEAMS

SELECTION

Several criteria for SWAT team selection are proposed by authors such as Phillip R. Davidson,[42] Dr. Richard Kobetz,[43] and John A. Kolman.[44] The most common qualifications include: candidate should be a volunteer, emotionally mature and stable, excellent physical condition, patrol experience and tactical experience (military) preferred but not required, and marksmanship ability. In stark contrast, James W. Stevens conducted a survey in 1986 of 186 police administrators from departments in U.S. cities of 50,000 or more. Top criteria for team selection were: common sense, emotional stability, interest in the assignment, compatibility with unit personnel and self-confidence as the top criteria for selection. Only 9 percent of the respondents lacked a tactical unit of some type.[45]

Sergeant Pat Dowden of the Sacramento Police Department, is a team leader on their SWAT team which operated under the Selective Enforcement Division

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[42] Phillip L. Davidson, SWAT: Special Weapons and Tactics (Springfield: Charles C. Thomas, 1979), 5-6.

[43] Kobetz, n. pag.

[44] Kolman, 24-35.

[45] James W. Stevens and David W. MacKenna, "Police Capabilities for Responding to Violent Criminal Activity and Terrorism," Police Studies 11 (Mar. 1988): 121.

(SED).[46] He stated candidates for his team must have worked patrol for two years, pass an oral screening and background review. If a candidate makes it this far, a physical exam with the city doctor is scheduled and the individual must be able to complete an obstacle course within a set time.

TRAINING

Once a member of the team, the individual is sent to a one week, in residence, basic SWAT course taught by the FBI. When the new team member returns, he is the trained in the specifics of how the department team operates. FBI Special Agent Tom Anderson from the San Francisco office which coordinates all regional SWAT training says almost every department uses some formal course as the "baseline" for team knowledge.[47] Each team has specific tactics they use in different situations - and these tactics are taught when the member returns. Sergeant Dowden also stated his team will occasionally send one or two team members to specialized courses. When those who attend return, they teach new knowledge gained to the rest of the team.

The Sacramento Police Department's 27 person SED (shown in Table 2) is a good example of a full-time SWAT team. The City Budget says this unit "Consists of three Crime Suppression Units (CSU's), and a Truancy Enforcement Team. The CSU's are responsible for locating and arresting known criminal offenders, suppressing identified crime patterns, and backing up the patrol units on special

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[46] Pat Dowden, interview with author, 26 September 1991.

[47] Tom Anderson, telephone interview with author, 30 September 1991.

events. Two of the units, also known as Special Weapons and Tactics (SWAT) Teams, are specially trained in handling incidents involving a barricaded subject or a hostage situation."[48] The budgeted cost for operating the SED during 1991 was $1,831,000, but no dollar amount was located specifically for the SWAT team.

Table 2
Selective Enforcement Division (SED) Position Listing

POSITION	NUMBER OF POSITIONS
Police Lieutenant	1
Police Sergeant	4
Police Officer	20
Surveillance Equipment Technician	1
Police Clerk II	1
TOTAL	**27**

According to Sergeant Dowden, each CSU is composed of seven officers and new members usually come from the one CSU without a SWAT responsibility. One day per month is scheduled for team training. Sergeant Dowden said the team's primary responsibility is to respond to hostage incidents, but their primary duty is to conduct high risk raids and arrest known criminals. This dual role along with an increased probability of need is what many larger cities use to justify a full-time SWAT team. Since tactics used in both situations are very similar, Sergeant Dowden contends daily duties make the team better prepared to handle hostage incidents

[48] City of Sacramento, California, "Sacramento City Budget," (Sacramento: 1991), B-26.

when they do occur. Call-ups for his department average 1 to 3 per month.

Lieutenant Richard Barreto, the Miami Beach, Florida, SWAT Training Coordinator says most teams train on nearly all of the following: physical conditioning, team movement techniques, chemical agents, scouting, explosive devices, repelling, weapons, forcible entry tools, tactical electronics, room and building searches, and others.[49]

SWAT teams can be a considerable drain on department funds. Consider the cost of weapons, uniforms, specialized communications devices such as whisper microphones, a team van, repelling gear, and much more. Many small and medium-size departments can't afford these costs, but the threat of a hostage situation still exists. Lakewood, Colorado is a city of 135,000 people, and yet the police who protect them have maintained an "on call" team since 1974. Lieutenant W. Peter Palmer, the SWAT commander says his team of 22 people don't have fancy weapons or equipment, but they know the tactics needed to resolve hostage situations. He says "we keep training basic: entries, searches, arrest techniques, firearms training."[50] Lieutenant Palmer stresses there's no point having a team charged with a mission it isn't capable of handling - the trick is to train to your expected threat level.

Karl Hanson, the police chief from Racine, Wisconsin also believes part-time teams can be an effective alternative. He has separate SWAT and negotiating teams,

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[49] Richard R. Barreto, "The Making of a SWAT School," The Police Chief 55 (Feb. 1988): 38.

[50] W. Peter Palmer, "Lakewood's Part-Time STAR," The Police Chief 55 (Feb. 1988): 44.

but requires 40 hours of cross-training so all members are familiar with what others are doing.[51] Chief Hanson and Lieutenant Palmer both say the tactics and training practiced by their teams have filtered down to the cops on the street; so the whole department has benefitted.

Unfortunately, research into SWAT tactics and principles is practically nonexistent. Many of the techniques taught are borrowed from the military, especially the special forces of the United States and other countries around the world. A great deal of variety in tactics exists among different teams. However, no serious study has examined which tactics tend to work best in different situations. Perhaps this is because many who have experience in resolving these situations don't believe comparisons between situations should be drawn. The feeling is that each situation is dynamic and no two incidents will ever be the same.

ORGANIZATION OF THE POLICE RESPONSE

Once a department decides to field specialized teams to handle hostage and barricaded suspect incidents, department policy must detail how the teams will interact. There are two main ways these teams are organized to respond - the centralized or the decentralized approach.

CENTRALIZED APPROACH

A centralized approach is used by the Los Angeles Police Department in which the hostage negotiation team is part, but subordinate to the tactical team.

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[51] Karl A. Hansen, "A Successful Composition of SWAT/Hostage Teams for Medium to Small Cities," The Police Chief 55 (Feb. 1988): 33.

John A. Kolman of the Los Angeles Sheriff's Department describes this concept in his book A Guide to the Development of Special Weapons and Tactics Teams and says it is more effective because there is a "better working relationship and spirit of cooperation while providing for continuity of events should negotiation fail."[52] He says the centralized approach is also a good alternative for smaller departments as it requires less manpower and money to operate.[53]

DECENTRALIZED APPROACH

The overwhelming majority of police departments organize their teams to mirror the New York City Police Department's decentralized concept in which each team is separate, but unified by an overall field commander. The teams are selected, trained, and deployed individually to allow greater specialization of tasks - interacting only when an actual call-up occurs. Perhaps this separation of units which is common in the United States accounts for the animosity between their people. In general, SWAT members feel negotiation doesn't work and only wastes time, while negotiators convey the feeling that they aren't given enough credit for resolving incidents. Although no scientific study was conducted to gain this insight, the tension between the groups is obvious and has been reported by others (Kolman, 1982).

COMMAND POST

In both models, the teams are united by the command post which is where all

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[52] Kolman, 120.

[53] J.R. Roberts, "S.W.A.T. Special Weapons and Tactics Teams in Policing," Law and Order 36 (May 1988): 69.

decisions are blended to form a unified response. Special Agent Kenneth Walton, a senior FBI agent says a representative from both teams along with other specialists such as investigators, demolitions experts and media affairs representatives should also be with the incident commander.[54] He adds that the negotiation and SWAT teams are located close to the command post, but should be separate from it. Sergeant Michael G. Wargo of the Illinois State Police describes the Chief's role at a command post. He says if the chief is present he should be in charge as "command-level officers charged with making the on-site decisions will look to the chief for the final word."[55] If not directly involved, Wargo recommends the chief stay away from the scene until the situation is resolved.

Many departments use checklists to help make decisions. These guides give basic suggestions to help move the conflict toward resolution. These guides were summarized best by a classmate who said the objective is to "locate, isolate, evacuate, negotiate, and eliminate." Lt Harv Ferguson of the Seattle Police Department describes several types of checklists including one for the sector sergeant to initially cordon the scene, and several others for the incident commander.[56]

SIMULATION

However, checklists alone cannot insure the success of an operation as hostage

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[54] Kenneth P. Walton, "Crisis Management: A Command Post Perspective," FBI Law Enforcement Bulletin 57 (Feb. 1988): 20-24.

[55] Michael G. Wargo, "The Chief's Role in a Hostage/ Barricaded Subject Incident," The Police Chief 56 (Nov. 1989): 59.

[56] Harv Ferguson, "A Checklist Approach to Hostage and Barricaded Scene Management," Law and Order 35 (June 1987): 56-59.

situations are dynamic events. Stephen Sloan, a professor in the Department of Political Science at the University of Oklahoma believes the only way to realistically prepare for terrorist incidents is to simulate these events in advance. He believes far too many people rely on checklists and says "the user of the checklist starts to falter when he or she attempts to understand and deal with behavior under stress."[57] Dr. Sloan uses actors and others outside the law enforcement field to inject realism into the scenario and has the acting terrorists "write the scenario, from which they, the hostages, and the responding forces improvise the action."[58]

Other professionals agree with Dr. Sloan including Dr. Danto of the Wayne State University Department of Psychiatry,[59] along with authors Dr. Richard Kobetz and H.H.A. Cooper. Danto wrote an article published in The Police Chief which proposed using actors to help make police training more realistic.[60] Kobetz and Cooper believe those outside the law enforcement community could be used for some roles in the exercise, but the terrorists should be cops. They argue a valuable training lesson could be gained by having cops play the terrorist role because it provides "extraordinary, unparalleled insight into the mind of the adversary. All who have taken this difficult role have not only seen matters from the other side but have

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[57] Stephen Sloan, Simulating Terror (Norman: University of Oklahoma Press, 1981), 97.

[58] Ibid., n. pag.

[59] B. Danto, "The Use of Actors in Training Hostage Negotiators," The Police Chief 49 (Apr. 1982): 56-57.

[60] Ibid.

been rewarded with a deeper knowledge of themselves."[61]

POST INCIDENT COUNSELLING

After a hostage situation has been resolved, each team should conduct debriefings on what aspects of the operation went right and what aspects could be improved. This should be done no later than the following day. In addition, many departments staff trained psychologists and psychiatrists to help those involved vent their feelings. This is especially helpful when a death or violence is involved and may be conducted individually or in groups. Dr. Fred Van Fleet, a forensic psychologist, says "officers who experience events intense enough to lead to emotional trauma should receive immediate therapeutic attention."[62] Many departments make it mandatory for a department psychologist to meet with those involved in traumatic events. Not only does the individual get the opportunity to discuss the event, but the department can help insure their people are fit for duty.

MOST IMPORTANT AUTHORS

So far this study has identified a large number of writers on the subject of hostage taking and told what they are saying about specific issues. However, it may not be apparent who the most important authors are. Using the Social Science Citation Index to determine who the important authors are (based on one author citing another) was largely fruitless for a number of reasons. First, many of the

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[61] Richard W. Kobetz and H.H.A. Cooper, "Hostage Rescue Operations: Teaching the Unteachable," The Police Chief 46 (June 1979): 25.

[62] Fred Van Fleet, "Debriefing Staff After Disturbances Can Prevent Years of Pain," Corrections Today 54 (July 1991): 102.

authors on this topic do not cite others to support their work. Second, a large body of information on hostage taking is available under the broader definition of terrorism. Often these authors cover hostage situations in one small chapter of their book, so to check who is citing those authors may give skewed results. More subtle methods were utilized for discerning who's writings are important such as the type of publication, or the background and experience of the author. A great example of this is to compare the two primary monthly "journals" for SWAT teams titled S.W.A.T. Special Weapons and Tactics for the Prepared American, and The Tactical Edge.

The Chairman of the Board and Publisher of S.W.A.T. magazine is listed on the inside cover as Larry Flynt (also the publisher of Hustler magazine). Articles in the magazine are written by individuals with questionable expertise, and no description of the authors or their background is given. Approximately 50 percent of available space in the magazine is filled with advertising from quasi military supply companies. Even the photos they show of overweight "tactical officers" in action points out the magazine's fallacy.

The Tactical Edge, on the other hand, is a magazine published by the National Tactical Officer's Association whose editor and director is John A. Kolman. All articles are reviewed by a consulting board composed of law enforcement officers who are on tactical teams in departments around the country. Minimum space is allocated to advertising.

Although articles from neither of these publications were cited in this study,

they illustrate the wide variance in information sources. Most books written on the subject were dated by ten years or more, therefore, current articles in journals which are widely respected in the law enforcement community were utilized such as The FBI Law Enforcement Bulletin, The Police Chief, and others.

Nine authors were selected as most important to the subject of hostage taking (see bibliography for complete citation):

1. **Bolz, Frank**

- "The Hostage Situation: Law Enforcement Options" in Terrorism: Inter-disciplinary Perspectives

- Hostage Cop

REASON: Frank Bolz is a pioneer in negotiation tactics for Law Enforcement. His practical experience and research efforts have made him "the expert" on negotiations, and his techniques are in use by agencies around the world. He is often cited by other authors.

2. **Goldaber, Irving**

- A Typology of Hostage-Takers in The Police Chief

REASON: Dr. Goldaber provides the best typology of hostage takers. His chart which describes the different types and tells generally what the police response should be is particularly useful to law enforcement officials.

3. **Kobetz, Richard W. and H.H.A. Cooper**

- "Hostage Rescue Operations: Teaching the Unteachable" in The Police Chief.

REASON: This article is an excellent reference for training tactical teams (including both negotiators and SWAT). They stress realism and the importance of these two teams working together instead of against each other. There is a great deal of unwritten animosity between many teams and these authors help show how important it is to eliminate petty jealousies. These authors have also written other articles on the topic of hostage situations and are both often quoted by others.

4. **Kolman, John A.**

- A Guide to the Development of Special Weapons and Tactics Teams.

REASON: John Kolman provides a thorough book for handling hostage situations from the SWAT perspective. He covers everything from SWAT history to selection and training to ways to sell the concept within the police department. Although dated 1982, John's book is often cited as a good reference for those starting a new team. His writings for the National Tactical Officer's Association deal primarily with specific aspects of training a team and are also very good.

5. **Miller, Abraham H.**

- Terrorism and Hostage Negotiations.

REASON: Miller's book gives an excellent overview of the problem from many angles. He discusses terrorism, policy, negotiating, transference (Stockholm syndrome), SWAT employment, media, and government policy. He is widely cited by other authors.

6. **Poland, James M.**

- Understanding Terrorism.

REASON: Dr. Poland's book is also an excellent source on hostage taking. The majority of his material deals with the broader subject of terrorism, but he includes a full chapter on hostage taking which is very thorough. He covers the history of hostage taking, typologies of hostage takers, and the Stockholm syndrome, as well as guidelines for resolving and surviving a hostage siege.

7. **Reiser, Martin and Martin Sloane**

- "The Use of Suggestibility Techniques in Hostage Negotiation" in Perspectives on Terrorism.

REASON: These authors provided the best accounting of psychological principles involved with hostage negotiations. Their work is written for the law enforcement officer and gives specific examples of ways to persuade a hostage taker into giving up without causing injury to himself or the hostages.

8. **Strentz, Thomas**

- "Law Enforcement Policy and Ego Defenses of the Hostage" in The FBI Law Enforcement Bulletin.

- "The Stockholm Syndrome: Law Enforcement Policy and Hostage Behavior" in Victims of Terrorism.

REASON: Thomas Strentz is a former Special Agent with the FBI who worked at the Special Operations and Research Unit at the FBI Academy in Quantico, Virginia. He has conducted extensive interviews with victims of terrorism in the U.S. and abroad. His teachings on the Stockholm syndrome are particularly useful to law enforcement personnel as it is written from a police officer's perspective.

This review of the literature has helped to minimize the familiar theory vs. practice dilemma by providing a great deal of information on the theory of hostage taking and reviewing how current authors are using this theory to develop countermeasures for resolving the situation when it happens. For example, the theory behind the Stockholm syndrome could be used as a reason for organizing or reorganizing a team into the decentralized concept discussed above. This could be done to prevent negotiators from inadvertently endangering the SWAT team because of over identification with the suspects.

How to organize the police response is clearly just one of the policy issues found in this study's review of the literature. Another large issue is whether a small police department should even try to maintain a SWAT team. For example, David Iushewitz[63] proposes small police departments should form multi-agency SWAT teams in which several departments share personnel, training ideas, and expenses to form a single team. However, jurisdictional problems need to be resolved before implementing this sort of cooperative arrangement.

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[63] David Iushewitz, "Multi-Agency SWAT Teams: An Answer for Small Departments," Law and Order 37 (July 1989): 67-71.

CHAPTER 3

CRITICAL ANALYSIS

INTRODUCTION

As stated in Chapter 1, the ability of a department to deal with hostage incidents can be categorized based on size. Small departments of less than 200 sworn officers generally do not have the funds or manpower to organize a full-time SWAT or negotiator team. Nevertheless, more are beginning to recognize the need to prepare for hostage incidents and are taking limited steps to resolve such situations. The basic approach for small departments should be to train to their expected threat level. For example, a politically based hostage taking incident is less likely in small towns than a psychotic person who is suffering from delusions of persecution.

Although no SWAT team is trained, officers can learn advanced officer survival skills which will help them in the field. Examples of this mentioned in Chapter 2 include individual movement techniques for deploying at the scene, use of cover and concealment, shoot/don't shoot training at a firing range, and how to talk with a suspect who has taken hostages. In addition, police dispatchers with the right qualifications are sometimes sent to negotiator school as they are logically the first person to talk with a suspect. A one week course taught by the FBI at San Jose City College only costs $250 to attend, so the expense is somewhat minimal.

Small departments can also easily simulate a hostage incident and practice how they would form a unified response. By combining formal training with an

officer's experience, different approaches to these incidents can be tried in advance. The point of such an exercise is to get officers thinking about how they would handle hostage situations before they occur.

The difference between small departments with no capability and large departments with full capability show the extremes of what can be done to counter a hostage situation. The vast majority of agencies lie somewhere in between but still have not fully embraced the idea that successful resolution of these problems takes prior planning and training, along with a commitment to fund the solution. In an era of budgetary cuts and tight control of costs, how can the police chief justify the additional expense of a SWAT and negotiator team?

VICARIOUS LIABILITY TORTS

Vicarious liability lawsuits give the police chief the firepower needed to justify the costs of a SWAT and negotiator team. Assume for example, that a department has a SWAT team which a lawyer could show is inadequately trained and lacks vital equipment. This team is used in a hostage incident which results in the death of two hostages. Since most police officers lack the personal assets to satisfy a large judgement, the families of these victims will probably seek alternative ways into the "deep pockets" of the city.

Black's law dictionary defines vicarious liability as "Indirect legal responsibility; for example, the liability of an employer for the acts of an employee."[1] Put simply, if a death or injury occurs because the SWAT team or negotiators act improperly,

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[1] "Vicarious liability," Black's Law Dictionary, 5th ed.

then the city could be held liable. What lawyers will look for is improper training or equipment for resolving the situation in accordance with recognized standards.

There are five elements for proving a negligence case.[2] First is that the police department must have a legal duty to protect citizens who are held hostage. Next the department must breach this duty or fail to act reasonably. Third, the failure to act reasonably must be the cause in fact of the injury (or death in this case). Fourth, the duty to protect must have been a foreseeable cause which means the department must have been "on notice" that there was a reasonable chance this incident would occur. For example, if other hostage incidents have also resulted in injury to the hostages, then

lawyers will ask what measures the department took to prevent this situation from happening again. The last element of negligence is that an injury must have actually occurred. The cost of losing one lawsuit could pay for several fully capable SWAT/negotiator teams.

How can these departments better prepare for such situations? This is not an easy question to answer because each department is unique and there is such a wide range of options available. Using a strategic management model, the remainder of this chapter focuses on how smaller-sized agencies can maximize their ability to counter hostage incidents. The analysis assumes the target department has an underdeveloped or no capability and wants to make improve-ments.

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[2] Norman MacArthur Spain, J.D., "Security Law: An Introduction," paper delivered at the Assets Protection Course I, Philadelphia, 10 Mar. 1992.

THE STRATEGIC MANAGEMENT MODEL

Strategic Management is a concept used widely in the private sector to help plan for the future direction a corporation should take in the coming years (see Figure 2). The process "Is concerned with making decisions about an organization's future direction and implementing those decisions."[3] It is broken down into two phases called strategic planning and strategic implementation. Strategic planning is concerned with defining the organization's mission, analyzing the internal and external environment, establishing both short and long-range objectives, and selecting the proper strategy for achieving this goal. The second phase, strategic implementation, is concerned with developing the organizational structure to achieve the strategy, assuring the activities necessary to achieve the goal are effectively performed, and then monitoring the effectiveness of the strategy.[4]

Although the model is used primarily in private companies, it can be used in public and nonprofit organizations also. In a study of organizations which use this model, researcher David Herold classified organizations as utilizing a formal strategic management system if they determined objectives for at least three years ahead and if they established specific action programs, projects, and procedures for achieving the objectives.[5] Although most often used to determine overall objectives for a

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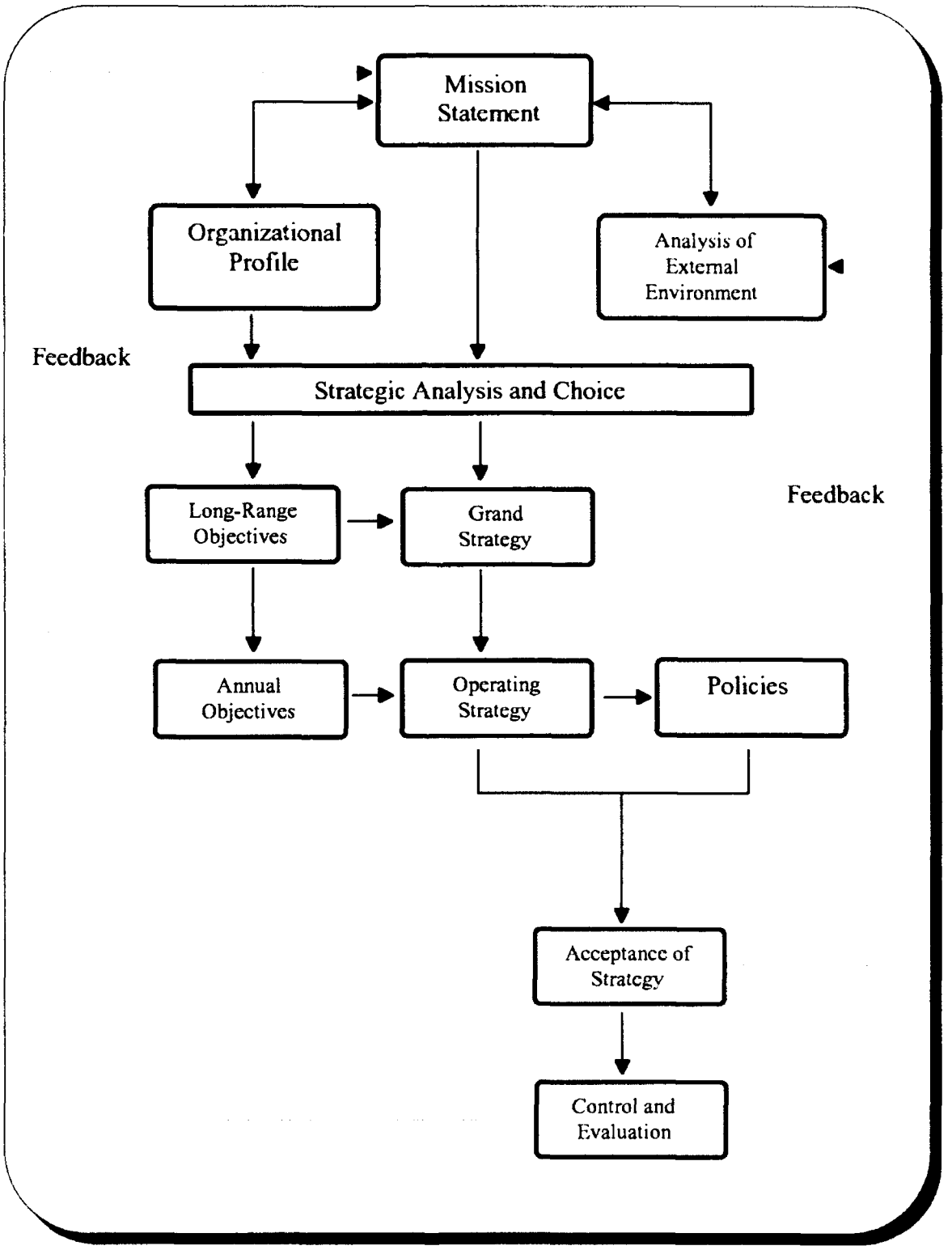
[3] Lloyd L. Byars, Strategic Management 2nd. ed. (New York: Harper & Row, 1987), 6.

[4] Ibid., 8-9.

[5] David Herold. "Long Range Planning and Organizational Performance: A Cross Validation Study," Academy of Management Review 45 (Mar. 1972): 91-102.

Figure 2
Strategic Management Model



corporation, strategic management can be just as effective for determining the focus for a smaller department within the company.

In order to promote professionalism and to increase the influence of security managers within corporations, the American Society for Industrial Security has been actively encouraging it's members to use strategic management principles. In addition, security managers are taught to walk and talk like other corporate executives. This is an important change for instead of listing security costs as an expense, these managers show their costs in terms of dollars saved - a real eye opener for corporate executives. Very little about how these security managers do their job has changed, but the fact that they know how to express themselves like other department heads puts the security function more on equitable terms with the engineering, production, and sales staff.

Obviously the strategic management approach is also ideally suited for determining which options a police department will adopt to combat the threat of hostage taking in their community. However, there are several more subtle reasons for using this model.

First, like security managers, police departments must operate as a smaller "department" within the city hierarchy. For years, the police were looked down upon as uneducated and not capable of understanding the city budgetary process. This has changed dramatically over the past thirty years, as more police chiefs are learning to justify their proposals in a way the mayor will understand (i.e. in terms of dollars saved over the long term).

Second, even small cities use policy analysts and city planners to help the mayor and city council make decisions about what portion of the fiscal pie is allotted to each organization. Putting a plan to upgrade the SWAT/negotiator team into the specialized language of these planners shows the department has evaluated all aspects of the proposal and makes political sense.

APPLICATION TO PREPARE SMALL DEPARTMENTS

Department leadership must consider many factors before determining what their department should do. This is where the strategic management model can be helpful as it forces decision-makers to consider all aspects of the problem before deciding what solution to implement.

MISSION STATEMENT

The philosophy of many small size departments is that the probability of a hostage incident occurring in their jurisdiction is pretty low. Politically, the chief knows he must be able to show his department is prepared to handle such incidents, but operationally, the task can be a nightmare as self-motivated officers must often form a team without much guidance or support from above. If a chief says his department has a team, the public believes Delta Force is living in their community, while in reality, eight motivated but inept officers may get together once a month to rappell and shoot guns for the fun of it.

Officers within the department often view SWAT members as a group of prima donnas with large egos who use training time as an opportunity to goof off and avoid working. Negotiators are sometimes viewed with even more disdain as their

techniques are a sign of weakness to many police officers (especially older ones) who believe the best way to deal with hostage takers is through a show of force. A quote from a southern prosecutor in Joel Powell's doctoral research best illustrates this view

> "I do have an understanding with the Department of Corrections that they can in no way bind my office ... in any bargain, hostage negotiation, or other understanding with the inmates. They usually contact me immediately when such situations arise. Laser red dot rifles, 22WG, tear gas, and dogs are among the best hostage negotiations."[6]

The basic service of teams designed to counter hostage taking is described in the policy statement of the City of Sacramento Hostage Manual. Chief John P. Kearns says "Our goal is to save the lives of officers, citizens, and suspects involved in these incidents. Additionally, our goal is to minimize the impact these incidents have on the community (Sacramento Police Department, 1991)." This statement implies the department has a social responsibility to both the officers and community, but the chief qualifies his words later by saying there are no guarantees of success with this type of incident - even if the police do everything correctly.

The strategy for smaller departments should focus on the decentralized approach used by the New York City Police Department. Since the FBI reports negotiation is effective in 85% of all cases where used, and researcher William Butler

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[6] Joel Powell, "Negotiation Process in Hostage and Barricaded Incidents" (Ph.D. diss., The University of Iowa, 1989), 9.

found 92 percent of all hostage situations are resolved by negotiated surrender,[7] small size departments should concentrate a large portion of their resources on this technique before developing a SWAT team. This is cost effective and breaks the problem into manageable chunks. Thus, the department not only will develop a better capability to counter the threat, but also will protect themselves from litigation for maintaining an improperly trained SWAT team. The purpose of using the strategic management model is to develop a balanced approach for medium size police departments which is cost effective, and yet provides the public with a certain degree of protection against hostage taking incidents. The approach takes into account the probability that certain types of hostage taking scenarios will occur in their city. A small town in Montana would not need to have a capability for neutralizing international terrorists.

ORGANIZATIONAL PROFILE

The most critical factor for developing the proper response to hostage incidents is to locate someone high enough in the department's chain of command who believes in the need for specialized training. This person must be familiar with the intricacies of the department and able to express the need for such teams in terms of lives saved and tragedies avoided. Once this person is identified, personnel within the department who can qualify for the teams are located. Many authors and departments have established standards for selecting team personnel. The most

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[7] William Butler, "Hostage Taking and Barricade Incidents in the United States: A Nationwide Survey and Analysis" (Ph. D. diss., The University of Vermont, 1991), 48.

common qualifications for SWAT teams include: should be a volunteer, emotionally mature and stable, excellent physical condition, patrol experience and tactical experience (military) preferred but not required, and marksmanship ability (Davidson, 1979; Kobetz, 1981; Kolman, 1982). Individual characteristics of hostage negotiators include: good physical condition; mature; a strong, calm and even speaking voice; and common sense (Culley, 1974; Goldstein, 1978; Tatar, 1978).

Far too often, these standards (especially for SWAT teams) are lowered in small size departments because not enough volunteers can meet the standards. James W. Stevens conducted a survey in 1986 of 186 police administrators from departments in U.S. cities of 50,000 or more. Their top criteria for SWAT team selection were: common sense, emotional stability, interest in the assignment, compatibility with unit personnel and self confidence. The differences between what SWAT experts and police administrators believe are important criteria for team selection highlights the problem. Most commonly the physical and marksmanship requirements are waived or lowered. This is dangerous as when real situations arise the individual may not have the physical ability to climb a rope up the side of a 12 foot building so entry from the roof can be accomplished. In like fashion, a poor marksman on the shooting range will translate into an even poorer marksman when under the stress of a hostage incident.

Resources needed to start and maintain a negotiation team are considerably less than a SWAT team. Specialized equipment is not necessary for individual negotiators, and the team equipment needed is minimal. Table 3 shows a partial

equipment list for the Sacramento Sheriff's Department Critical Incident Negotiation Team.

Table 3
Sacramento Sheriff's Department Negotiator Team Equipment List

ITEM	QUANTITY	COST
Converted old ambulance into team command post	1	donated
AT&T series 5 hostage phone	1	$3500
Portable generator	1	$350
"Throw phone" with 1200 feet of wire	1	$75
Portable radios	4	$6000
Miscellaneous administrative supplies		$50
TEAM TOTAL		**$9975**

An equipment list for SWAT teams is much more lengthy and costly. Table 4 shows a listing of minimum equipment for individual members in warm weather climates. The effects of weather must also be considered, and will add extra costs in most jurisdictions.

Team equipment brings the cost up dramatically, and includes items such as suppressed assault rifles, sniper rifles, low velocity ammunition, rappelling ropes, non-burning tear gas, night vision goggles, tactical vehicle, and specialized electronics such as listening devices.

Compared to the past, smaller departments who methodically analyze the threat in their area and resources available to counter this threat will certainly improve the ability of their department to handle hostage incidents. However, the department which allows a few motivated individuals to guide the shaping of a response team - whether SWAT or negotiator - could find themselves in a much

Table 4
Generic SWAT Member Equipment List

ITEM	QUANTITY	COST
Initial training		$500
Semi automatic pistol	1	$500
Low ride holster system	1	$40
Webb belt	1	$10
Ammunition magazine pouch	1	$10
Bullet resistant vest - level 3A	1	$450
Tactical uniform	2	$100
Hat	1	$5
Lightweight assault boots	1	$75
Assault gloves	1	$25
"Leatherman" tool	1	$40
Rappelling harness	1	$30
Rappelling "D" link	1	$10
Compact portable radio	1	$3500
Whisper microphone	1	$300
Gear bag	1	$40
INDIVIDUAL TOTAL		**$5635**

worse position. The concept must be developed and senior department leadership must commit to the plan by backing the strategy with manpower and funding. Finding officers within the department who want to participate in either a SWAT or negotiator team is rarely a problem. This being the case, the concern should then focus on selecting only the most qualified individuals and determining their motivation. Hotheads, and non-team players need not apply.

EXTERNAL ENVIRONMENT

Economic considerations are often the most crucial in determining what combination of capabilities to utilize. Using a budgeting scheme which distributes

costs over a number of years will undoubtedly stand the biggest chance for approval. For example, training and communication requirements are most vital and should be considered first, while specialized listening devices and night vision goggles could be funded several years down the road. A plan which proposes formal training for negotiators would also be cost effective as for $750, the city can have three formally trained negotiators who (according to the FBI) have a potential success rate of 85 percent. SWAT team training and capabilities should be basic: entries, searches, arrest techniques, and firearms training.

Once the plan has been approved at the department level, it still will have to withstand scrutiny from politicians who manage the department budget and citizens who will pay for the service. As stated earlier, a realistic evaluation of the expected threat level and type of activity anticipated should help sell the idea to concerned community members. The funding scheme should show a concern for limiting costs while providing a realistic plan for safeguarding both officers and citizens.

LONG RANGE OBJECTIVES & GRAND STRATEGY

The long range objective is to establish a coordinated and viable response to expected hostage incidents over a ten year time period. The capability to neutralize a hostage incident is established in the first five years, with more advanced and technical capabilities added between years five and ten.

For smaller departments to have an effective team, the negotiators and SWAT team must train together on a regular basis. Their actions should be coordinated so, for example, when the command post says the SWAT team is entering the building,

the negotiators automatically know to keep talking and occupy the hostage takers. Other units outside the crisis team such as ambulances, the department public affairs officer, the fire department, and utility companies, all must know how they can help in a hostage incident.

OPERATIONALIZING OBJECTIVES, STRATEGIES & POLICIES

Annual objectives for the plan along with measurable outcomes are listed in Table 5. In meeting these objectives, the supervisor must keep the teams highlighted by providing regular progress reports (possibly on a quarterly basis) and inviting the chief and political leaders to witness training whenever feasible. This person must insure either the teams meet proscribed milestones or the plan is adjusted to accommodate needed changes.

STRATEGIC ANALYSIS & CHOICE

There are many variations of the approach large departments use which medium size departments can utilize. More than any other factor, cost seems to be the overriding consideration in determining which options to use. Some of the techniques used by small departments (mentioned earlier) such as multi-agency SWAT teams, and mutual aid agreements are two such possibilities. In addition, corporate security managers are often tasked with developing a plan to help their company survive a disaster such as fire, flood, earthquake, hostage taking, or kidnapping. Many of these security executives are responsible for maintaining a liaison not only with other corporate security managers, but with local police and fire departments. Inviting the local SWAT team to utilize and survey their facility for

Table 5
Ten Year Hostage Rescue Plan

YEAR	OBJECTIVES	OUTCOMES
1 and 2	-Formal training at FBI school for both SWAT and negotiators	-Capability for limited negotiation and able to conduct high-risk raids/arrest known criminals
	-Purchase individual SWAT gear (4 members /year)	-Begin equipping team incrementally
	-Establish 5-year mutual agreement with department which has SWAT/Negot. team	-Provide protection for citizens until local team is established and prepared to carry out mission
3	-Add sniper to SWAT team	-Ability to contain incident
	-Purchase AT&T series 5 hostage phone, portable generator, & other equipment	-Capability to negotiate is firmly established
4	-Purchase CS gas delivery system, shotguns, and rappelling gear	-Capability for limited building entry established
5	-Purchase suppressed assault sub-machine guns such as Heckler & Koch MP-5's	-Ability to enter building and systematically search for suspect/ hostages
6 to 10	-Purchase SWAT vehicle, electronic surveillance equipment and other	-Continue to develop capabilities of the department to neutralize hostage taking incidents

training is good pre-planning for the company. The company may also have assets they are willing to share should the SWAT team have a need in the future. In Frank Bolz and Kenneth Dudonis' book The Counter Terrorism Handbook, the authors describe a hostage incident in which the local press was monitoring the tactical

team's radio frequency and broadcasting their actions. Because a relationship was already established, the department was able to borrow 25 extra portable radios from a local manufacturing firm while that company's security force switched to their alternate frequency.

Another option is to establish an asset forfeiture program in the department. With foresight and prior planning, this alternative provides a no-cost way to equip the team with high quality items. Forfeiture is a "Legal mechanism whereby the government may take, without compensation, property that is used or acquired illegally,"[8] and may be of two types. Criminal forfeiture is against the person and can be utilized only after the property owner has been convicted of certain types of crimes. Civil forfeiture, on the other hand, is based on the "guilt" of an item and is independent of any criminal proceeding against the property owner. The property can be forfeited if it was used directly in a crime or in some way facilitated the commission of a crime.

Asset forfeiture is based on the federal racketeering (RICO) statute of 1970 and varies from state to state. The Bureau of Justice Assistance cites the Florida Contraband and Forfeiture Act as an excellent example of a state forfeiture statute.[9] The Act is very broad and allows forfeiture of personal property, currency, real property, and items purchased with proceeds of criminal activity. It requires only

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[8] U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Asset Forfeiture 14th in a series (Washington: GPO, 1992), 7.

[9] Ibid., 8.

probable cause that the property was used in illegal activity which is a much easier standard to prove than that required in RICO cases. Some of the violations which permit forfeiture of assets include: narcotics violations, money laundering, gambling and racketeering, child pornography, auto and electronic communication theft, smuggling of aliens, and copyright violations.

The U.S. Department of Justice's Bureau of Justice Assistance offers a free 14 volume pamphlet series which details some of the requirements and investigative methods necessary for implementing a forfeiture program. These pamphlets stress that real estate property requires a complicated sale and closing process. However, once forfeiture is granted, cash can be used immediately, and most personal property can be sold readily and the proceeds made available quickly.

Because not all states have enacted forfeiture laws, the Federal government allows local law enforcement agencies to share in the proceeds of Federal forfeitures. "The basis of the sharing can be a cooperative effort in which a local agency contributed to a Federal investigation."[10] Another method is for the Federal government to "adopt" a local seizure, with the property being forfeited through the Federal system.

Occasionally departments can convince individuals or corporations to donate such equipment. For example, the Sacramento Sheriff's Department convinced AT&T to donate a series 5 hostage phone. Their vehicle is a converted ambulance,

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[10] U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Asset Forfeiture 1st in a series (Washington: GPO, 1992) 1.

and although used, was also donated.

The main strength of the outlined program is that nearly every department could formulate some response capability to hostage taking incidents. The department will have a well-defined approach developed before any incident occurs, and although possibly limited by funds, the prior planning alone may help resolve the situation faster.

The weakness of the plan is that the smaller size departments won't have as great a capability as larger departments. If injuries or deaths occur during an incident, the department becomes vulnerable to lawsuits. However, if all members are trained formally and the department can show the team techniques are practiced regularly, the problem is less severe.

The opportunity for success is great as now there is a formal policy for dealing with hostage taking incidents. As the plan is practiced, all department members know what to do. Better yet, the tactics and knowledge team members learn tend to filter down to other officers - so the entire department benefits.

Threats to the plan come mainly in the form of refusal from politicians to fund the cost of starting a team. Some people believe hostage taking won't happen in their city, and that the FBI should be called if an incident ever does occur. These people believe specialized teams are too expensive and the probability of an event occurring doesn't justify the cost. Other people believe SWAT units alone should be used and they adopt the U.S. policy of no negotiation with terrorists. This policy is unwise in domestic hostage incidents.

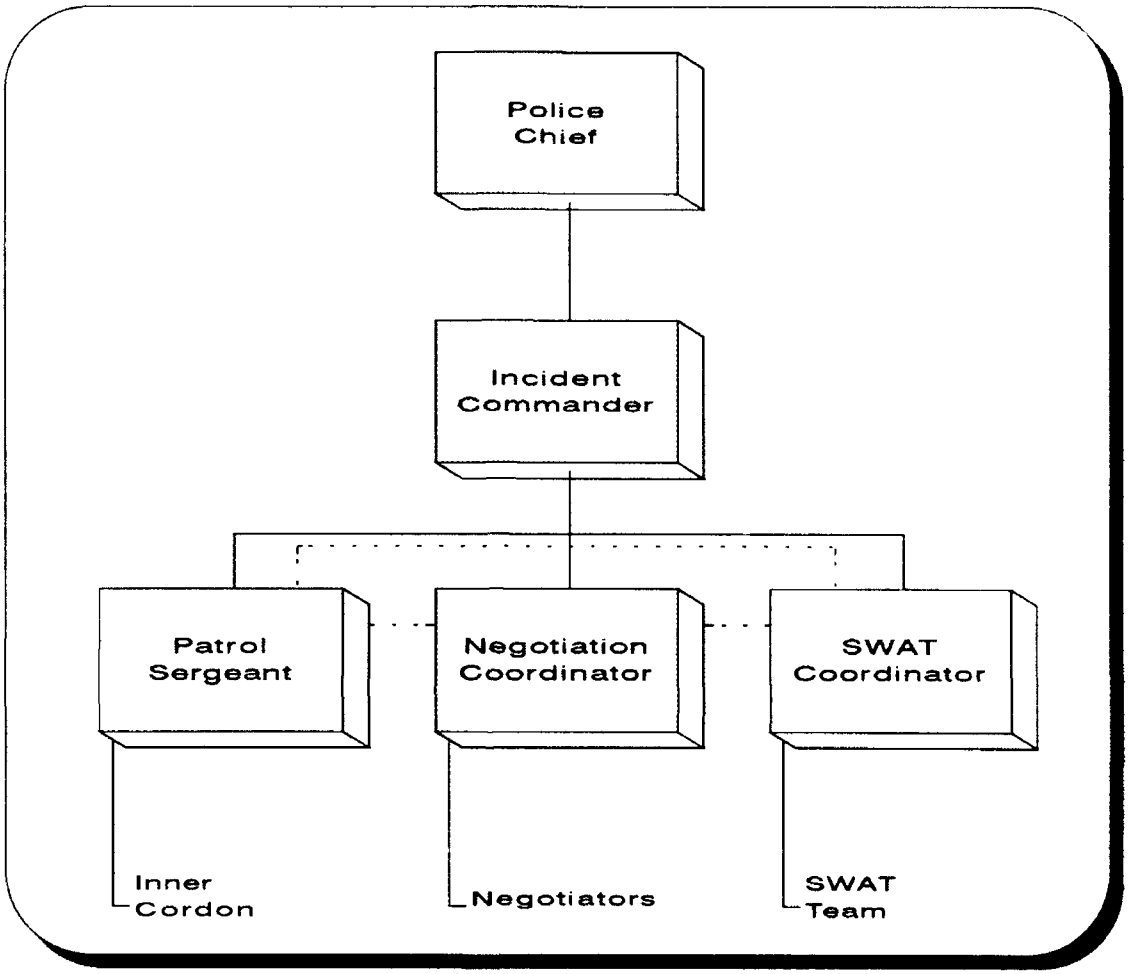
The primary risk of developing SWAT and hostage teams in smaller departments is that lives could be lost when the concept isn't fully backed or implemented. Cutting costs may also risk lives which could open the door for lawsuits. The loss of one life could cost a great deal more than the expense of several well-equipped and trained teams.

ACCEPTANCE OF STRATEGY AND EVALUATION OF GOALS

For training and administrative purposes, the teams normally report to either an operations commander who can raise issues with the chief or other administrators. This person should be a strong leader who firmly believes in the concept of negotiation first and tactical assault only as a last resort. During situations, the SWAT and negotiation team should functionally fall under an incident commander who reports directly to the chief as shown in Figure 3.

Gaining support for the teams can be a problem among other officers in the department. As mentioned earlier, older officers sometimes don't believe in the concept and team members (especially SWAT) can gain reputations for having large egos and small brains. Collective exercises which integrate the entire department help foster understanding between officers and are just one way to gain support for the teams. These simulations are also the best way to monitor progress and evaluate whether the teams are capable of completing their mission. This testing should occur preferably quarterly, but at least twice per year, with individual team training completed not less than once per month (8 to 10 hours minimum).

Figure 3
Hostage Incident Chain of Command



CHAPTER 4

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

SUMMARY

A formal police response to hostage taking incidents has evolved over the past 30 years from initially giving the suspect a deadline - then shooting it out - to a more sophisticated approach which is still evolving. The Los Angeles Police Department first tackled the problem in the mid 1960's by developing specialized tactical teams which could neutralize the suspect through the use of force. This concept, although still employed by some departments, has largely been replaced by first using trained police negotiators which was developed by Frank Bolz and Harvey Schlossberg of the New York City Police Department.

Both SWAT and negotiation teams must have stringent screening requirements. It's interesting to note how similar the requirements are even though the actual duties performed are quite different. Similar qualifications among both teams include: candidate should be a volunteer, excellent physical condition, emotionally mature, and have several years of patrol experience. SWAT teams, however, also look for prior military experience and expert marksmanship ability.

The teams are united by the command post which is directed by the incident commander (not the police chief). It is located close to the scene and combines functions such as SWAT, negotiation, intelligence, explosives experts, and media affairs along with representatives from other agencies outside the department. Some of these agencies include: the fire department, ambulance, telephone company, and

utility company.

Once the situation has been resolved, psychological counselling should be offered to all officers who request it. In addition, some agencies require an appointment with the department psychologist for those who experience a traumatic event such as when an assault by the SWAT team results in injury or death. This is done not only to help the individual come to terms with what has happened, but also to protect the department from liability torts in case the officer should become involved in another incident.

Smaller departments can utilize many variations of the full-out capability found in large departments. The proactive approach to resolving hostage situations is both comprehensive and cost effective. By applying the strategic management model, not only does the department evaluate the risk of hostage taking in their jurisdiction, but they also develop limited steps to resolve such incidents. More important, the department can now recognize when certain situations are beyond the capability of their teams and can ask for assistance when needed. The results of this planning may save the lives of citizens, responding officials, and hostage takers.

CONCLUSIONS

The literature on resolving hostage incidents is clear. There is no doubt that negotiation by a well-trained officer has the potential to resolve the vast majority of hostage situations. Furthermore, the experience and advice of these experts may also be the best resource a chief can summon when deciding whether an assault is necessary.

Far too often departments still concentrate almost exclusively on what SWAT teams can do. It's difficult, but imperative for the focus to shift toward providing a unified response where every single advantage the police possess can be concentrated on the situation at hand. The incident commander can conduct a psychological war with the perpetrator through many non-intrusive methods which can help the police maintain an upper hand. For example, the New York City Police Department sometimes uses a portable gas stove and one pound of bacon to help influence the actions of the hostage taker. At least for a while, the suspect may focus his attention on something other than the hostages. Other actions include using trucks or powerful portable lights (at night) to cut off the hostage taker's field of view and make him feel more isolated. These seemingly insignificant details can actually raise the tensions in a controlled way and help wear away at the suspect a little at a time. While care should be used not to choose options which will incite violence within the suspect, the range of options is limited only by one's imagination.

Regardless of how widely accepted the concept of negotiation is, little research has been done to examine all the factors at work in such dynamic events. Police know negotiation works, but why are there instances where it doesn't work? Although some incidents would result in injuries and/or death no matter what the police do, are there other things which the police should have or maybe should not have done? Several academic disciplines outside of criminal justice have theories and principles which have potential application to hostage negotiations.

RECOMMENDATIONS

Most important is the need for further research on negotiation as little is known about the complex interpersonal dynamics present in hostage situations. A good starting point is with the Goldaber typology chart (Table 1, page 16) which many departments use as a building block for teaching dispatchers and negotiators about who they are dealing with. While interviewing Sgt Bob Currie, he mentioned how the Suicidal Personality category doesn't correlate with his experience in negotiating with such individuals. He says a truly suicidal person never barricades himself or takes hostage, but rather commits his actions alone and out of public view. The person who takes hostages while threatening to commit suicide really does want to live and takes drastic steps to "cry out" for help. No information could be found on how the chart was developed, but since many departments rely on it, a more thorough understanding of whether the information contained is factual needs to be accomplished.

Many other facets of the negotiation process also must be examined. We know negotiation works most of the time, but if some currently unknown or under-utilized technique results in the saving of one life, then the researchers time has been well spent. Many negotiators will tell you there is no formula for what they do, however, the same used to be true for police investigators who skillfully gained confessions and got information through techniques they could not explain. Although there is no quick road to becoming a negotiator, until more is known about the process, police departments will have to learn primarily through trial and error.

Second, the past belief that specialized teams to counter hostage incidents are a waste of the department's time and money can no longer be adhered to. With increased stresses present in our society and a mental health system unable to handle the workload, it's not a question of will a hostage situation occur - but when? As described in this research, even a rural department of five officers with no money to spend can do something to prepare for when the bank decides to foreclose on farmer Bob's home and he just can't take it anymore. At minimum, a department policy and realistic simulation of such cases will help all officers know what to do when the time comes.

The criminal justice researcher should more fully utilize data from experiments in other academic disciplines. A great body of related research already exists which to this point has not been extorted by those studying hostage incidents. Compounding the problem is the reluctance of police agencies to release transcripts, or better yet, actual tapes of negotiations. This is changing slowly as researchers from the FBI's Behavioral and Social Science unit at Quantico are planting the seeds for more openness. New advances in medicine and science often are based on knowing what others found did or did not work.

A third recommendation is for more departments to utilize the resources available nationally in our country. The FBI is at the cutting edge for both SWAT and negotiation training and regularly conducts training seminars in many regions of the country. They also know where some of the best courses are offered on the subject.

The U.S. Department of Justice Office of Justice Programs also operates several good information sources with specific information on hostage situations such as the National Criminal Justice Reference Service and the Bureau of Justice Assistance.

These are just a few of the issues which need further examination. SWAT teams and negotiators have both advanced a long way in less than 3 decades, and a department is no longer constrained by the militaristic, assault only mentality which once guided the chief's actions. This allows police departments the flexibility to formulate their response to such incidents well in advance - and with associated costs which are both realistic and acceptable to the taxpayers. There's only so many ways to break down a door; but the techniques a persuasive person can use to bring a suspect out of a barricade, without the use of force, seem the most promising.

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