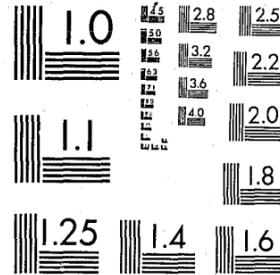


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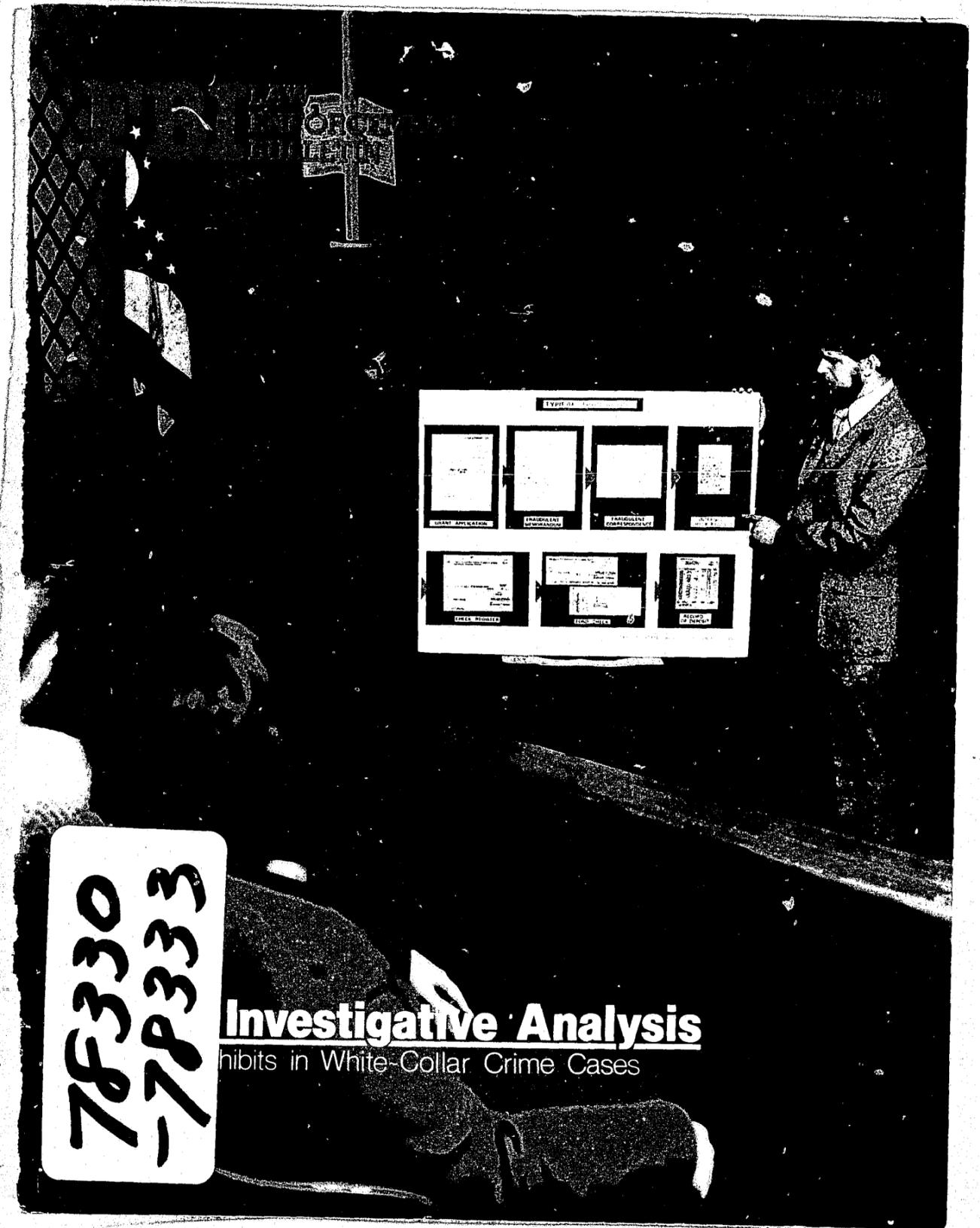
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**Investigative Analysis**

Exhibits in White-Collar Crime Cases

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William H. Webster, Director

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## Crime Problems



# A Practical Overview of Hostage Negotiations (Conclusion)

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Last month, Part I of this article discussed the Stockholm Syndrome and the various personalities of hostage takers. The conclusion deals with the process of negotiation.

### The Process of Negotiation

Priorities in a hostage incident include preservation of life, apprehension of the HT, and recovering or protecting property.

### What Is Negotiable?

Food is negotiable. Don't give more than what was requested. If sandwiches were asked for, send in only sandwiches. Don't automatically include soft drinks, condiments, etc. These can be used as bargaining points later on.

Soft drinks are also negotiable. In general, alcoholic beverages are not. However, if you have good intelligence that when this person imbibes, he becomes very mellow and happy-go-lucky, giving him alcohol may be a risk worth taking. If you have good informa-



Dr. Fuselier

tion that he becomes belligerent and agitated when drinking alcohol, under no circumstances should alcohol be permitted.

Transportation (going mobile) presents numerous problems in command, communication, and control. Although there may be circumstances when allowing the HT to go mobile would be the best decision, it usually causes more problems than it solves.

Freedom for hostages is always a bargaining point, but freedom for the HT is controversial. A department should have a clear policy on whether to promise or give freedom to an HT if he releases the hostages.

Money is one of the items most often requested. This seems to be a fairly common exchange, particularly if the money is delivered while the HT is still contained.

#### Exchange of Hostages

The exchange of hostages is a poor tactic for a number of reasons. You may be trading a friend for a citizen/stranger, making you much more emotionally involved in the situation.

The level of tension goes up if a policeman is exchanged for a hostage, because the policeman is a greater threat to the HT. There is also more prestige in killing a policeman than a civilian. You may be dealing with an antisocial personality who hates authority figures, and you will be providing him with a symbol of the authority he hates.

Relatives should not be exchanged. Often the lack of support or continual criticism from relatives was one of the factors that drove the HT to take hostages in the first place. Also, he may want relatives or friends to be brought in to set up a "suicide audience."

Since logistics are very difficult, you may simply give the HT another hostage and get nothing in return. Additionally, if you exchange hostages, you will have lost the benefits of the Stockholm Syndrome with that particular hostage.

#### Media Coverage

A good working relationship with the local media should be established. Often, granting the HT appropriate air time with radio or TV can diffuse the situation, resulting in a release of hostages.

#### Guidelines for Negotiation

Take your time when negotiating. The passage of time increases the likelihood hostages will be released unharmed for the following reasons:

- 1) Basic human needs for food, water, sleep, and elimination increase;
  - 2) Anxiety tends to be reduced;
  - 3) Most persons begin to think more rationally and less emotionally;
  - 4) The Stockholm Syndrome begins to form;
  - 5) Hostages have increased opportunity for escape;
  - 6) Intelligence gathered will permit better decisionmaking;
  - 7) Increased rapport and trust can develop between the negotiator and HT;
  - 8) The HT's expectations and demands may be reduced; and
  - 9) The incident may simply fade.
- Some HT's have simply allowed hostages to walk out with no expectation of something in return.

Although there is no question that the passage of time can enhance the negotiation process, there are also some negative effects.

Negotiators, SWAT team members, and command post personnel may get tired and bored, making mistakes possible. There may also be a loss of objectivity. Law enforcement personnel, in an effort to end the incident, may be more willing to take a precipitous action that may be unnecessary, e.g., inadvertently creeping

toward the subject or lessening caution in maintaining cover in perimeter control.

Pick the right time to establish contact. Give the HT time to calm down. Premature contact may result in him feeling extreme stress, causing him to make unreasonable and threatening demands. If he is given time to calm down and realistically assess the situation, the demands he makes may be more reasonable.

#### Mode of Contact

A bull horn or public address system is impersonal and may interfere with the development of trust and rapport in the negotiation process. Face-to-face contact allows the mental status of the HT to be assessed more accurately. Allowing him to see the negotiator may also help develop rapport. The primary disadvantage of face-to-face discussions is increased risk to the negotiator. Face-to-face negotiation should be undertaken only after rapport has been established through some other mode of communication and should be carried out only in a barricaded position.

In face-to-face negotiations, the following guidelines are suggested:

- 1) Get a verbal agreement from the HT not to hurt you;
- 2) Don't talk to him if he is pointing a gun at you—insist that he put the gun down;
- 3) Only go face-to-face after time has passed and rapport and trust have been established;
- 4) Never go face-to-face with more than one HT;
- 5) Always maintain direct eye contact;
- 6) Always maintain an escape route;
- 7) Never turn your back on an HT;
- 8) Before approaching the HT, be sure to exchange physical descriptions; and
- 9) Be aware of body space. Estimate what his body space is and how much pressure you'll be putting on him by getting near him.

Negotiation over the telephone allows a personal, private conversation and provides the negotiator with a maximum amount of protection and safety. This type of communication is also easy to isolate and simplifies the negotiation process.

#### Contact With the Hostage Taker

As soon as possible, determine the HT's age, sex, background, etc. Then, begin asking questions that require a narrative answer rather than a simple yes or no. Ask questions in a way that will encourage the HT to talk as much as possible.

Talk the HT's language. Attempt to match your vernacular and phraseology to his. If he's using "street" language with much profanity, it may be wise to use similar language. However, if he is quoting biblical passages, it would be better to avoid profanity.

Assess the HT's mental status. How is he thinking? Is he confused, irrational, or logical? Is he fairly calm, moderately anxious, or is he in a panic. How much stress is he feeling? Is there anything you can do to either reduce stress (which may help in the negotiation process) or perhaps increase stress (which may distract him or increase fatigue)? A clinical psychologist trained in negotiation is helpful at this stage.

Assess the HT's dedication to the cause. Does he have support from fellow members of a radical group, or does he believe that he has such support?

Strive for personal contact. Identify yourself by first name and address him in the manner he desires. Do not continue to identify yourself as "the negotiator"—that is too impersonal. Attempt to establish a relationship that is characterized by "you and I can work this out together."

Avoid giving the HT a flat, negative response. Make such statements as "I'll try to get my boss to go along with this, but I think it's going to be very difficult." Later on, say, "Jack, I'm sorry, I just wasn't able to convince my boss to go along with this."

Keep the HT making decisions. Let him make decisions about what to do, when to do it, and how to do it. If he asks for food, ask him what kind of food and soft drinks he would like and how much. Pushing him to the extreme, i.e., asking him what kind of cheese he wants on his hamburger, what kind of bun he wants, or whether he wants sesame seeds on his bun, may only serve to irritate him and interfere with the rapport previously developed.

Always bargain with the HT. No matter how small his demand, always ask for something in return. There are documented cases where a hostage was exchanged for one cigarette. However, there may be situations when you may want to make a "good faith" gesture.

Downplay past events by continuing to emphasize that whatever he has done in the preceding hours, it is not as serious as if someone were to get hurt. Do not tell him that officers have died or people injured in an exchange of fire have died. This may make him believe he is cornered, causing him to do something drastic in a last-ditch effort to escape.

Do not push him into desperate measures. As long as he believes that he has some hope of salvaging something in the negotiation process, he will be more likely to continue negotiating.

Attempt to set up win/win situations by negotiating in such a manner that both you and the HT believe that progress has been made and each of you has gained something.

The majority of negotiations have ended by honest, open agreements between the HT and the negotiator. Tricks, such as sending in drugs in coffee and food, have high risks associated with them. It is usually very easy to detect the presence of chemicals or drugs. Once he realizes that you have been dishonest, any trust or rapport that has developed is severely damaged. Remember, the purpose of negotiation is for the HT to believe you are actually trying to help him find a reasonable way out of a difficult situation—don't jeopardize his trust in you.

Do not ask the HT what his demands are. Instead, tell him you are there to help in any way you can. If he does make demands, reduce their impact by repeating the demands back to him, but softening them in some way. For example, if he says, "I want \$500,000 and a car in 30 minutes," you can repeat to him, "Okay, I understand you want some money and transportation here as soon as possible."

Avoid deadlines. Do not ask, "How long do we have to get this done?" Tell him you will start "working on it" immediately. You can mention prior demands to distract him. If he has demanded a car by 2:00 p.m., at 1:56, mention his prior demand for food, saying that you now have it and would like to know how he wants it delivered.

Be honest with the HT. Success is more easily attainable when agreements between the two parties have been honored.

Do not offer suggestions. If your superiors tell you they cannot provide \$500,000 in 30 minutes, do not offer an alternative to him. Tell him that you were unable to convince your superiors to provide the money even though *you did everything you could*. This keeps him in a decisionmaking status—he now has to decide on an alternative.

Do not use flag words. Using the words "surrender" or "hostages" increases anxiety and tension. Also, don't use the phrase "give up," which implies failure.

Give the hostages minimal attention. An initial appraisal of the situation can be obtained by asking the HT if everyone is OK? The "everyone" should specifically include the HT. Rather than speaking to the hostages themselves to check on their physical or mental status, attempt to have the HT obtain the information from them, thus helping the formation of the Stockholm Syndrome. Once you have established that everyone is both physically and mentally well, spend time developing a relationship with the HT. Continuing to focus attention on the hostages will only serve to increase his estimation of their importance.

Be cautious about letting friends or family talk to the HT. Often a husband, wife, relatives, or friends will appear saying, "If only you'll let me talk to Joe, I'm sure I can talk him out of this." Under these circumstances, *do not* let them talk to him. If the HT requests to talk to a particular person, ask why. He may be bringing someone to the scene to show that he can do something important because he wants them to see what they have caused him to do. He may also want to commit suicide or homicide in front of an estranged spouse or lover.

Bargain early for sick hostages. People who are ill or who have physical disabilities can often be bargained for early in the negotiation process. This allows you to get information on what's going on inside the building and also sets a precedent for future negotiations.

HT's tend to reduce their guard if they believe they have succeeded in arranging their escape. When planning an assault, continue negotiations and begin to concede on his major demands. For example, tell him that the car is on the way and that the airplane is waiting for him at the airport. Then, carry out the assault while he is celebrating his victory but before he begins to get anxious about the delivery of the car.

Never negotiate alone. Always have at least a secondary negotiator in the room with you and preferably a psychological consultant and a negotiation team leader. The advice and feedback of others is needed to get an unbiased and realistic estimate of how things are going.

Early in the negotiations, try saying, "Jack, all you tried to do was take some money. Now nobody has been hurt, so why don't you just come out and let those people go?"

Negotiations are going well if:

- 1) No one has been killed since the negotiations started;
- 2) The number of emotional incidents, e.g., verbal threats against hostages is decreasing; and
- 3) The length of each conversation with the HT increases, there is less talk of violence, and his rate of speech and pitch are lower.

If the HT injures or kills hostages during negotiations, there is every reason to believe he will do so again. At this point, assault should be considered.

#### Selecting a Negotiator

The negotiator should be a volunteer, experienced law enforcement person in excellent mental and physical health. He must be able to think clearly under stress.

Desirable personality traits for a negotiator include:

- 1) He must possess emotional maturity. He should accept abuse, ridicule, and insulting statements without responding emotionally. When those around him are anxious, frightened, or confused, he should be able to maintain a clear head.

- 2) He should be a good listener and have excellent interviewing skills.
- 3) He should be a person who can easily establish credibility with others.
- 4) He should have the ability to use logical arguments to convince others that his viewpoint is rational and reasonable.
- 5) He should be able to communicate with persons from the lowest to the highest socioeconomic class.
- 6) He should have "practical intelligence," commonsense, and be "street wise."
- 7) He should have the ability to cope with uncertainty and be willing to accept responsibility with no authority.
- 8) He should have total commitment to the negotiation approach.
- 9) He should understand that if negotiations are not progressing and lives are in imminent danger, he will have to assist in planning an assault to rescue the hostages.

team, and the SWAT team leader is crucial. During the entire negotiation process, recommended lines of communication should be followed. (See fig. 1.)

The OSC should confer with a few select advisers. He cannot personally answer every question or attend to every detail. Many responsibilities should be delegated to his second-in-command. The OSC should station himself in a quiet area, with a situation board, and no more than three advisers. The recommended advisers are:

- 1) The OSC's designated second-in-command;
- 2) The negotiation team leader; and
- 3) The SWAT team leader.

The second-in-command should be delegated responsibility for dealing with the media (which he can further delegate), consulting with legal representatives, other public officials, etc., and filtering and organizing incoming information to be presented to the OSC.

The negotiation team leader should brief the OSC on information gathered through conversation with the HT, current mental status of HT and other pertinent information obtained from the psychological consultant, and progress being made through negotiations.

The SWAT leader should brief the OSC on positioning and readiness of the SWAT team and the feasibility and likelihood of success of various types of assault.

The OSC should *always* let the negotiation team leader know what action he plans to take. The negotiator must maintain the trust of the HT. If actions are taken without the negotiator's knowledge, he may have difficulty creating a cover story to satisfy the HT.

If negotiations are unsuccessful and an assault is planned, the negotiator can help confirm the location of the HT and/or keep him on the phone or otherwise distracted at the time of the assault.

#### Negotiation Team Members

Each negotiation team should have four members: A primary negotiator, a secondary negotiator, a psychological consultant, and a negotiation team leader.

The responsibility of the primary negotiator is to conduct all verbal interactions with the HT. The secondary negotiator should:

- 1) Keep a log of all incidents, threats, or arrangements made with or by the HT;
- 2) Record all verbal interactions with the HT and any strategy discussions or decisions made by the team;
- 3) Pass on new information to the primary negotiator; and
- 4) Be ready to relieve the primary negotiator if he is fatigued.

The psychological consultant should:

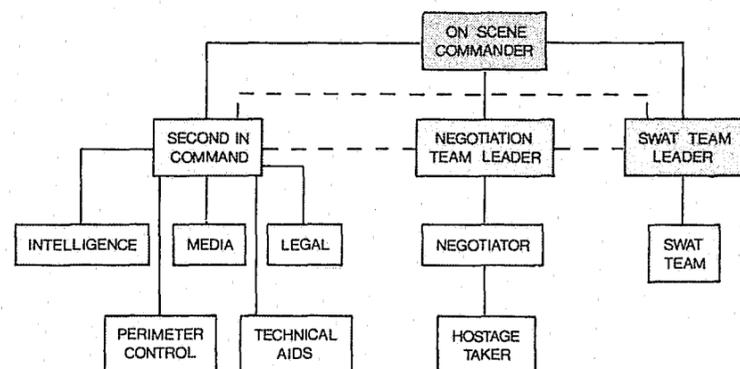
- 1) Constantly assess the mental status of the HT, as well as that of the negotiator;
- 2) Not become involved in the negotiations directly, thereby remaining as objective as possible; and
- 3) Recommend negotiation techniques or approaches that he thinks will help resolve the situation.

#### Command Post—Negotiation Team—SWAT Interface

Since so many people are involved in a hostage incident, communication between the onscene commander (OSC), the negotiations

Figure 1

RECOMMENDED LINES OF COMMUNICATION



The negotiation team leader should:

- 1) Organize the team, assign roles, and supervise the activities of the negotiating team; and
- 2) Serve as liaison between the team and the OSC. He should provide the OSC with pertinent information on the progress of negotiations and keep the negotiation team informed of significant OSC decisions.

#### Using a Clinical Psychologist as a Consultant

Use of a trained clinical psychologist as a consultant in hostage negotiation is encouraged. A typical, well-trained clinical psychologist with no specific training in hostage negotiation will only be of slight assistance. However, if he is exposed to the information available about hostages, hostage-taking, and negotiation procedures, he may be a very valuable addition to the hostage negotiation team.

#### Choosing a Clinical Psychologist

Knowing the past training and abilities of a psychologist will be important in determining whether he can help you. Only a doctorate-level clinical psychologist will be of benefit as a consultant in hostage negotiation.

There are two major ways a psychologist can help deal with an HT. First, he can determine whether the HT is mentally disturbed and whether the disorder is a psychosis, paranoid schizophrenia, or manic depressive psychosis or a personality disorder—antisocial personality or inadequate personality. Second, he can help you decide on an approach to negotiation with a particular HT and offer recommendations during the negotiation process. His value will be greater if he expands upon his previous training and experience by seeking additional training in hostage negotiation concepts.

Choose a clinical psychologist with whom you feel comfortable. A behaviorally oriented clinical psychologist will describe behavior in terms that are

more useful in making the immediate and crucial decisions involved in hostage negotiations. If the psychologist describes himself as a "behavioral" psychologist or a "cognitive/behavioral" psychologist, expect him to describe a person's behavior more in terms of antecedents (stimuli) or consequences (responses), rather than referring to unconscious motives and conflicts.

Establish a relationship with the psychologist and clarify his position as a consultant. It should be clearly established that he is a consultant to law enforcement personnel, and as such, his opinions will be asked, but he will not have the power or authority to enforce any decisions. He should be willing to accept the idea that after hours of attempted negotiation, it may be necessary to attempt to capture or even kill the HT. Both the agency head and negotiator should believe that the psychologist accepts that possibility and would be willing to assist in whatever response is necessary to end the hostage incident. For example, once an assault has been decided upon, it is best to continue negotiating with the HT to make it appear that his demands have been met, and he has won. It may be necessary to keep him on the phone so that SWAT team members will know where he is, or get him to come to a front door or window, where a sharpshooter can neutralize him. The psychologist should be willing to accept that his role as consultant may involve taking part in these types of responses.

#### Training the Psychologist

The first step in training the psychologist is to acquaint him with information now available on hostage negotiation and negotiation principles and concepts, such as the Stockholm

Syndrome. He should also be briefed on local headquarter policies for assault, going mobile, etc. Once a clinical psychologist has been chosen, both he and the hostage negotiator should attend a hostage negotiations seminar. This always allows them to learn to function more effectively as a team.

Once the clinical psychologist has been indoctrinated and trained in the concept of hostage negotiations, the entire team should begin routine exercises. These exercises should be as realistic as possible, including the use of roleplaying. Law enforcement personnel should be identified as the HT's and should take mock hostages. There should be a realistic interchange between the negotiators and HT, the command post, and the SWAT team, for at least a 2-3 hour period. Although roleplaying is sometimes anxiety producing or awkward, law enforcement personnel being trained at the FBI Academy's hostage negotiation seminar indicated that the roleplaying experience was one of the most valuable parts of the training. It enabled law enforcement personnel to feel the anxiety and pressure that can be involved in a hostage situation. Hostage scenarios with realistic roleplaying should be a part of ongoing hostage negotiation training programs.

Ensure that the psychologist is used as a consultant, not a negotiator. Negotiators should be carefully selected law enforcement personnel. It is important for the psychologist to remain as emotionally uninvolved as possible. He must be able to assess the current status of the HT, and in fact, the current mental status of the negotiator. Often, the emotionally involved negotiator will not notice his voice beginning to get tense, his volume beginning to increase, his speech beginning to get more rapid, or his comments beginning to get more tense and curt. The astute clinical psychologist will notice this and help the negotiator remain calm and relaxed.

The process of hostage negotiation is involved; however, with properly trained personnel, the outcome of most incidents can be positive. **FBI**