



*A publication of the Association for Conflict Resolution,  
a professional organization dedicated to enhancing  
the practice and public understanding  
of conflict resolution*

# CRISIS INTERVENTION SECTION

## NEWS

THE NEWSLETTER OF THE CRISIS INTERVENTION SECTION

**JANUARY 2008**

### **CRISIS INTERVENTION CO-CHAIRS**

**Lynne Kinnucan:**  
kinnucan@patriot.net

**Dr. Tina Jaeckle:**  
tjaeckle@bellsouth.net

*Dear Readers,*

This issue of the Crisis Intervention News looks again at the unexpected: this time opinions and research that challenge some of our accepted ways of thinking about crisis intervention and negotiation.

One of the interesting aspects of our field is that, because of its critical nature, we would welcome clear rules and answers; at the same time, because of its fluid character and complicated mix of intuition, art and science, there are very few.

In place of this, however, a number of texts offer us increasingly subtle layers of understanding. One such book is Dr. Jayne Seminare Docherty's Learning Lessons from Waco: When Parties Bring Their Gods to the Negotiation Table, published in 2001 by the Syracuse University Press. Through a detailed examination of transcripts from Waco, she provides an absorbing study of how the standoff disintegrated, and proposes the need for the new concepts of "worldview/worldmaking" and "adaptive crisis management" in crisis intervention philosophy and practice.

The other text is Dr. Mitch Hammer's Saving Lives: The S.A.F.E. Model for Resolving Hostage and Crisis Incidents, published in 2007 by the Greenwood Publishing Group. Also based on – and using examples from – research of hundreds of transcripts, it has taken this information and developed a model for intense crisis negotiations that translates the subject's talk into conflict tools for the practitioner.

We hope that their observations, and those found in this issue, will further stimulate your thinking about the intersection of research, conventional wisdom, intuition, and your own experience.

All the best,

Lynne Kinnucan  
Editor  
Crisis Intervention News

*In response to numerous requests for information about advanced negotiation techniques, we contacted Stephen J. Romano, former Chief of the FBI's Crisis Negotiation Unit at Quantico, Virginia. Currently President of Stephen J. Romano & Associates LLC, he provided this perspective for us in a telephone interview.*



*Stephen J. Romano*

found that the most proven techniques, the ones that consistently yield the results, are the basics: skills such as active listening, assessment, and formulation of your theme. I would urge negotiators to not abandon these. They're there because they work, and they will see you through if you plant the seeds and let them germinate.

When you're using these skills, the ability to be creative and flexible is imperative. You have to continually explore how creative you can be in discerning and addressing that person's unsatisfied needs. You're on a search for potential hooks, the things that the person values, the things that really matter to him: these are that things that you will use to negotiate with him. And for obtaining this information, there is no substitute for the basic active listening skills.

As important as obtaining information is your ongoing assessment of what you're hearing. These two pieces are what will enable you to formulate a theme that you can use throughout the negotiation. I can't overestimate the importance of this. My experience is that negotiators have solid individual skills: they know how to negotiate. Where they come up short is that they don't use the power of the theme enough, and they don't do enough strategizing.

Although negotiators have a seemingly endless quest for advanced negotiation techniques, our experience has been that there's no such thing. Again and again we have

An example that comes to mind on a large scale is the Montana Freeman siege. Our quest there was to build bridges: we were looking for those points that we could we agree on. At first, all we did was listen and take notes. But this simple act of paying attention and listening paid incredible dividends. While we were searching for the unsatisfied needs that kept them walled off in there, we began to hear a big emphasis on one single theme: We want people to know the truth.

This truth theme resonated throughout almost everything they said. They had started by speaking about their view of the world, how the County Prosecutor hadn't been honest with them, how they saw the world through a common law prism on issues such as taxes and sovereignty, and so on. But it was the theme of truth that they kept coming back to. And that became our negotiating theme. When they said repeatedly that they wanted the truth to come out, we responded that we did too; that, in fact, this is what we do as an organization. We look for the truth; we get the facts out.

We had used active listening to get the information, to draw out the needs and the hooks. From these we developed the theme to which we returned again and again, restating it in many different ways, but always coming back to it. It's the old lure technique: we throw it out, reel it in, dress it up a bit, and throw it out again. We don't do it just once: we try it a second and a third time; we shift away and then come back to it again.

We also made liberal use of projections: "Leroy, what do you think would be a fair outcome here?" We worked to draw out his game plan, his perfect solutions, because those would most probably incorporate his needs.

This technique also clarified his needs to him. This is very useful because subjects in a hostile situation may

initially be only aware of their anger and frustration, and not understand their needs.

Creativity also played an essential role in how we were able to uncover those needs that, although not yet acknowledged, were still key in moving the stuck places of the negotiation along.

*\*\*Editor's note: The basics of active listening, identifying the hooks, formulating the theme, and being patient, creative and flexible, were hallmarks of this negotiation. But it was the elements of creativity and flexibility so essential to a successful negotiation that came into play in a striking way here. As Schweitzer came to trust the negotiators, he asked to talk with them face-to-face. The meeting was set up in a trailer with two of the Agents, and its surprising outcome led to the resolution of the siege. [See February 2007 Crisis Intervention News.]*

If there *is* an advanced technique, I would say that it is in knowing how to package the peaceful resolution that you want with the “what’s-in-it-for-me” that they want. There will be a point in your active listening when you can start planting those seeds that will let him begin to be aware of what you want. But it’s an intricate double-play: you must be sensitive to their desires and wants (the “defense” part of your negotiation), while at the same time deciding where you want to take this (your “offense”). The offense is where you’re planting the seeds, and it should be felt by that person somewhat. The tricky part of this strategy is how you interweave your offense and defense. You have to really use your active listening skills to sense where those opportunities are for inserting your offense and defense together. You have to be ready.

Another point I would emphasize to negotiators is the incredible value of the team. Don’t miss an opportuni-

ty for the team to come together to talk about (a) where the subject is going next and (b) what the team wants to accomplish. Anticipate the former and look for ways to insert the latter into the negotiation. You need this structure to make the best use of your time out.

I think negotiators need more work in this area. Many times negotiators stay on phone when they don’t need to. Sometimes they’re afraid to call their own time out. There are times where you need to stay on the phone, but if you sense that the negotiation is not going anywhere, it’s a good time to get off the phone and regroup.

You can use this time to capitalize on your strength, which is that there is one of him and a lot of you. You can cognitively overpower him by using all your assets: strategize with your team; call a time out and use this opportunity to make use of techniques such as suggestibility: “I need to grab a bite, get a cigarette” (which plants a seed because he can’t do this); or create a delay: “You asked about X... I’m going to check on that for you”.

Initiate time outs with these. They are very, very valuable. You don’t have to wait for him.

There are two other problems that negotiators commonly experience during the course of their listening. One is that they get themselves into a reactionary mode. It’s critically important, in the beginning, to let the subject lead the dance. That’s how we get information. We don’t react, we don’t “get into it” with him. We get inside his head and go where he goes.

The other problem that negotiators encounter is that when they meet with strong resistance, they may feel a sense of panic, the feeling that “this isn’t going to work.” In these cases it helps to simply let time pass a bit. I can’t tell you how many times departments have called our unit at Quantico, told us their story, and then said they have already tried all of our suggestions. Our response is always, “If you’re doing the right stuff, don’t change. Have patience. The first 20 times maybe nothing will happen. And then the 21st, something will break.” Why? Because the subject has

finally come to realize the he can live.... or die. And an epiphany will take place where he will make the decision.

It takes time for people to reconsider their actions, and that process can't take place until their emotions have calmed down. Stay with your active listening skills, and be patient.

In addition to basic skills, there are some powerful tools that are very useful in advancing the skills of negotiators. One is looking at incidents, reviewing case studies and seeing what went wrong, looking at complex topics and reinforcing the principles at work in them. The FBI's Hostage Barricade Database System (HOBAS) is a good resource for case studies. From its information on thousands of incidents -- most of them from state and local jurisdictions -- law enforcement can learn how they were resolved, if weapons were used, how long the incidents lasted, and how communications were handled.

The best case-review scenarios would include a full incident debriefing with command, tactical, and intelligence; or simply among team members: what did they do well, what would they do differently, what did they learn from this. Another important component would be the emotional debriefing, using teammates as support.

There is another element that's important to crisis negotiations, and that is the ability to negotiate the potential crisis within a crisis. Tactical and negotiation teams are routinely thrown together in emergency, high tension situations and sometimes have to coordinate without advance preparation and or real understanding of the needs and operational methods of the other. This can lead to problems. One of the best ways negotiators can help avoid a crisis within the response structure is by knowing how to package their information. The structure, brevity and clarity of a briefing paper can make a critical difference in facilitating their requests.

In general, negotiators do a good job of explaining assessment and position to Command and laying out their case. But the problem with most negotiation briefings is that they stop after part one: delineating the situation. When you stop there, you're leaving

the Commander hanging. He wants to know: "Based on your experience, what do you think we have, what do you want me to do?"

In your briefing, offer Command a brief description of the situation, your assessment of what it means, and your recommendations. If, for instance, you are asking the Commander to approve a delivery of food, you should be able to say why you think that would be to the team's benefit. For instance: there are kids in there; it would be a positive stroke; it would build trust; it may enable us to get tactical in there. You also need to include a couple of themes that you intend to use, with the acknowledgement that the tactical team needs to stay in position and ready.

**In the case of a barricaded subject, a briefing might go as follows:**

- **The situation:** a 40-year-old white male is barricaded with his two children and a 9 mm automatic weapon. His only demand is that law enforcement goes away.
- **The assessment (what this information means):** Something of a non-hostage situation; known relationship; demand is for us to go away; site is his own home. Include where you put the risk at this time (are there children involved, etc.)
- **The recommendation:** threat level is low to moderate: he is talking about the future. Feel we should continue to negotiate with him.

These are just a few examples of crisis skills at work, and how the basics lay the foundation for the strategizing and presentations to follow. The more I use them, the more I am convinced of the power of the basics. They're there because they work. Give them a chance and they will get you through.

## TROUBLE IN PARADOX: ACTIVE LISTENING AND THE USE OF FORCE IN CRISIS NEGOTIATION

*Interview with Dr. Mike Webster*

Mike Webster's work as a clinical psychologist and former member of the Royal Canadian Mounted Police has taken him directly into the middle of some high profile crisis negotiations. It has also led to findings in his research that shook up conventional wisdom. In this interview, he speaks about the paradoxes that confront crisis intervenors, and two in particular that have shaped and then reshaped his work.

One concerns the use of force, which he explored in an analysis that emerged from his work with the RCMP and from such incidents as Ruby Ridge, Gustafsen Lake and Waco. The other concerns active listening and an approach that appears to successfully challenge conventional wisdom.

In "The Use of Force and the Gustafsen Lake Barricade" (a land dispute in British Columbia between native peoples and the Canadian government), that there is a "natural human tendency to abandon problem solving and embrace the use of force" when the opposition shows strong or continued resistance. The expectation is that the opposition will be intimidated by a show of power and, in a happy coincidence, understand the error of their ways.

Says Webster, "It is my observation that this rarely happens."

There are several reasons that make capitulation unlikely. First, the power must be so great that there is no question that the opposing party will be overwhelmed. If it is in question, the show of force will simply increase their determination to resist, demonstrate their own power, or retaliate.

Second, once "force-against" is used, you cannot turn back. Now there must be a winner and a loser, and the possibilities of negotiation are almost irretrievably compromised. "The opposition," Webster points out, "will have difficulty accepting your efforts to 'talk it out' after you have tried to 'take them out.'"

But the most compelling reason may also be the most counterintuitive. "The application of force," says Webster, "is enveloped in a paradox." The more force you use to make the opposition comply, the more difficult you make it for them to do so, because they now increasingly value whatever option you are limiting.

It triggers the scarcity principle: the less available an item is, the more valuable it becomes. This is as true of freedom and the ability to control one's life as it is of art objects and gold. The more the freedoms are limited, the more valuable they become, and the more aggressively they will be fought for. "Force now becomes counterproductive," says Webster, "driving the opposition into a defensive position where they will resist us with all they can muster."

Yet it is not force that is the problem. The problem is when frustration drives the negotiator to abandon problem solving and fall back solely on the power strategy. If you must use force, use "neutral force" wherever you can. Neutralize the attack without attacking back.

In writing "The Use of Force and The Gustafsen Lake Barricade," Webster wanted to provide crisis managers with a "powerful and effective crisis management philosophy." But as a critical analysis of the use of force in negotiations, it also offers a paradigm for dealing with conflicts in any aspect of living, from being the parent of toddler to managing a workforce, to negotiating an international incident.

After Webster left the RCMP for private practice, he continued his research in the dynamics of conflict. His work continued to demonstrate that the dynamics are always the same -- whether interpersonal or extended, whether in domestic violence, high profile incidents, or overseas kidnappings. The classic "good ways and bad ways" of gaining cooperation are also the same. But as his research progressed, he found another paradox: routine patrol officers who used "bad ways" of dialoging in crisis negotiations were getting very good results. This sparked some research that led to some surprising findings.

In his initial training of the officers, Webster had observed that how they interacted with subjects in crisis incidents was identical to the way they interacted

with people on the street -- in spite of the fact that these were two very different situations. "The first law of crisis intervention is: no more crisis," says Webster, "so they obviously couldn't come in barking orders the way they had to on the street, because this itself could precipitate a crisis. So I began searching for a way to make a clear-cut distinction between the crisis intervention call-outs and regular police call-outs."

What he did was train intensively in the deep listening skills: those that created a non-threatening environment, skills that brought the subject's arousal level down, and provided a safe space where their story could come out and their problem-solving abilities increase.

"I believed that these skills and this mindset would create that clear distinction between a crisis call and routine patrol call. I believed that if officers could first see this distinction, they would then be able to do the deep listening and speak to subjects mindfully, in a way that would not trigger defensiveness and reactivity and throw up a wall.

"However, as I continued to attend call-outs, I noticed that even with the greater emphasis on deep listening, I still wasn't hearing much of it. It occurred to me that perhaps that my expectations were too high. So, with the goal of eliminating personal bias, I began to gather data and put together a team to help me look at it objectively.

"Before I could even measure the effectiveness of the deep listening techniques, though, I first had to see if they were being used. I obtained about 30 audiotapes from across Canada: from federal, provincial and municipal services, from male, female, old and young officers, those who had been recently trained as well as those who had had years of training. I performed content analysis and trained listeners how to listen to the tapes. They noted every speaking turn of every crisis negotiator and marked it as to whether it was an active listening skill and, if so, what kind (minimal encouragers, paraphrasing, emotional labeling, etc.); or whether it was something else (a directive, a leading question, advice, explaining, confronting, commanding)."

The results were something of a revelation. "Without any benchmarks to draw on, I had surmised that active listening skills would be used about 25% of the time. In reality it was about 13%. When we factored out minimal encouragers such as 'uh huh,' 'oh yeah,' 'really,' and so forth, we found that active listening skills comprised only about 3% of crisis intervention dialogue.

"It was an epiphany of sorts; in fact, I believe my first thought was: 'Wow!'" All this time teaching and practicing with scenarios and feedback, and still deep listening skills were used in only a tiny fraction of situations.

"But: the officers were successful in the vast majority of call-outs. Scores of perfect opportunities were missed, yet the incidents were managed successfully. So the question was: what were they doing that made them so successful? If wasn't the active listening skills that were resolving these crises, what was it?

"My hypothesis was that it was the crisis negotiators' problem-solving capabilities. These officers were likely street policemen who had a long career of dealing with people's problems, were skilled in doing this, and were able to communicate and instill confidence in their problem-solving skills.

"So I turned much of my research to problem-solving skills, in particular, one called solution-oriented problem solving.

"The great advantage of solution-oriented problem solving is that not only is it easy to teach, but police officers without broad behavioral backgrounds can take it in easily. There is no great emphasis placed on the background of the subject in crisis, or on his history: the emphasis is on what the subject is doing right now that is creating a crisis and what he did in the past when he wasn't in crisis.

"The underlying philosophy is that because crises are in always flux, we can bring that to the forefront of his consciousness by asking him questions that can bring him straight into the center of a solution in a connected and safe way, without losing the rapport. For instance:

- What did you do then [when you weren't in this crisis] and how can we bring some of that out now?
- If there was a miracle last night and you got what you wanted, what would that be like?
- How would I know that? If I were a fly on the wall, what would I see? What would I hear?
- Was there ever a time in the past when this wasn't so bad? Let's look at what you were doing then...
- I understand you're bummed and you're feeling hopeless. I would have expected you would have killed yourself by now. What's kept you here?
- An especially effective way to teach this is to ask the officers to call one of their own problems to mind, and apply these same questions.

“It's important to keep in mind that we bring this skill to work alongside deep listening, which I continue to believe is the key element in forming the working alliance. That's true in any situation. It doesn't matter what kind of therapy, for instance, a therapist practices. The greatest therapeutic agent is the nonspecific alliance between the therapist and the patient. If there's a strong relationship between the two, it will work.

“It is the same with law enforcement: after that alliance is established, the police person's ability to solve problems becomes very effective. They work in tandem: just as deep listening is key to building strong alliances, solution-oriented problem solving skills are the key to effective solutions.”

It is a compelling and workable synthesis of theory and practice. Yet the questions linger:

What role does active listening actually play in hostage/barricade work? Is there even a correlation between the rate of active listening and the outcome? Are there other equally effective factors that are more directive than responsive in nature? Is there an optimal level of active listening? Is it more a question of timing than rates; that is, not how often the active listening skills are used, but when they are used?

Webster continues his research, and welcomes discourse on these questions and the possibilities they hold for creating a new level of understanding in this complicated, dynamic field.

## Psychological Aspects of Crisis Negotiation

by Thomas Strentz

*Reviewed by Kevin P. Smith*

*Det. Lt. Kevin Smith has been a member of the Suffolk County (NY) Crisis Negotiation Team since 1999 and currently oversees its the training. A graduate of both the NYPD's two-week school hostage negotiation training and the FBI's two-week HN training at the FBI's National Academy in Quantico, Det. Lt. Smith is also Commanding Officer of the Public Information Department. He has been with the department for 23 years, serving in patrol as a patrol officer, a plainclothes enforcement officer, and a narcotics enforcement officer. Upon promotion to sergeant he worked as a patrol supervisor and later as supervisor in charge of Precinct Plainclothes operations, the Problem Oriented Police Unit and the Arrest Response Team.*

*During one negotiation this year, Smith and his team were called out to assist when officers investigating a domestic disturbance report came under gunfire by a 23-year-old male, who had previously been arrested for attempted murder and robbery. Although there were no hostages, the suspect held police at bay, threatened further violence and was suspected to have been entertaining thoughts of suicide by cop. Smith was the primary negotiator; together with his team, he talked with the subject for approximately nine hours. The incident was concluded with no injuries, and with no loss of life.*

\*\*\*

For the new negotiator and veteran alike, reading a text on crisis negotiations is primarily a means to reinforce the techniques and methods associated with our mission. After all, many of us have multiple job responsibilities and a difficult time finding meaningful ways to keep the job fresh. Thomas Strentz' Psychological Aspects of Crisis Negotiation reads like an old friend or mentor who takes the time to reacquaint you with the fundamentals and goals of the process, while delivering meaningful assessments and

recommendations for dealing with the emotionally troubled subject.

Part 1 reads as a plan for success. Here is what you need to know before you get out in the field to participate.

The first few chapters address history, team concept and potential problems. In the opening chapters you will read material that is designed to give you a look at the early years of crisis negotiation and how improvement in unit cooperation ultimately lends itself to a favorable outcome. The massacre at the Munich Olympics in 1972, for instance, was a glaring example of a police response that was doomed to failure. Strentz emphasizes this point when he talks about Dr. Manfred Schreiber, the German Police Commander who "...by his own admission was wearing too many hats and had not been trained for an event of this magnitude, nor did he have anyone else on whom to call." The author is a strong proponent of the team concept and, with examples such as these, presents good cause for adopting this style.

Part 1 concludes by addressing the concerns of the team as it relates to post-incident stress. As action-oriented people we often want control and compliance; negotiations, however, can be long and unpredictable. Strentz describes the stressors common to these situations, and discusses stress management as it applies to negotiators.

We negotiate with all types, from normal persons whose senses are heightened, usually by some misfortune or misdeed, to those who suffer from personality disorders. Strentz offers good insights and provides explanations and guidelines for dealing with an assortment of emotionally disturbed subjects. In a chilling example of someone affected by Antisocial Personality Disorder, the author recalls a statement made by a young man incarcerated for killing his grandparents: "I always wondered what it would feel like to kill a person." A topic I personally found particularly interesting was the turbulent phases of being an adolescent. Having three teenagers in my home gives me considerable expertise in verifying the author's findings as they relate to adolescents and their decision-making processes.

No book on the subject matter would be complete without mention of suicide or police-assisted suicide. Strentz navigates the complexities of this subject in a heartfelt, direct manner. He stresses that we are not there to fix the subject's problems, but to buy him time, time to take another look, time to cast doubt on his decision-making process. Very few persons have survived a jump from the Golden Gate Bridge, and "...those who have, stated that immediately after jumping they had second thoughts and knew it was a bad idea." The author offers an assortment of indicators, diagnostic criteria and negotiation techniques to consider when encountering the solo suicide or the police-assisted suicide situation. Indicators of a solo suicide include, but are not limited to, prior attempts, giving away possessions and frequent mood swings. Signs that may indicate a desire to initiate a police-assisted suicide can include the subjects' ignoring commands, presenting themselves as clear targets, and occasionally firing shots during the siege.

Negotiators should also be familiar with indicators of surrender and violence. Knowing what may be about to happen and keeping the command structure and tactical units advised of these conditions is of paramount importance to the success of the mission. Indicators of both imminent resolution and volatile behavior are discussed in this text.

A text on negotiating would not be complete without an analysis of the Stockholm syndrome, and I was not disappointed with the author's views on the subject, which included references to actual incidents in which he brings to light the thoughts of the hostage takers as well as the captives. Understanding the stages of captivity as well as the demeanor of the hostages may serve you well during the negotiations. I enjoyed the manner in which the material was presented and recommend becoming familiar with the topics, theory and strategies outlined in this work. While at times I thought certain phrases were repetitive, it became abundantly clear that certain words bear repeating, and during the course of negotiations my teammates and I often use the same language in working toward a good outcome.