

**WHAT FUTURE COMPONENTS WILL EXIST IN HOSTAGE
NEGOTIATION TEAMS BY THE YEAR 2004?**

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This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future, but rather to project a number of possible scenarios for strategic planning consideration.

Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.

Managing the future means influencing the future -- creating it, constraining it, adapting to it. A futures study points the way.

The views and conclusions expressed in the Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).

Many law enforcement agencies have teams of personnel who are trained to communicate with potentially violent suspects, hostage-takers, barricaded persons, political terrorists, suicidal and mentally-unstable persons, and other criminals during life-threatening situations. Called "hostage negotiators" or "crisis negotiators," these specially-trained members are utilized to employ crisis-management and intelligence-gathering procedures¹ by communicating with persons who, even when contained or isolated, pose an immediate threat to themselves or others. In addition to hostage situations or barricaded suspects, incidents that justify hostage negotiation team (HNT) intervention include: domestic violence calls; suicide threats; high-risk warrant services; and kidnappings.

The mission of every HNT is to "buy" time, collect information about the suspects and victims and their immediate surroundings, and, ultimately, resolve crises without innocent persons being injured or killed. SWAT units rely on HNTs to assist them in their tactical operations. What an HNT does in the first 15 to 45 minutes of a hostage incident can have a significant effect on the eventual outcome. Although hostage and tactical teams function independently, the success of any such operation depends on the ability of the two units to communicate with one another.²

The Waco and Ruby Ridge incidents were highly-publicized and dramatic examples of the public scrutiny of law enforcement's use of force. While riots and racial tension did not occur as a result of the standoffs at Waco and Ruby Ridge, in both incidents, law officers and innocent persons died.

The use of excessive or lethal force by law enforcement when non-violent options were available, but not utilized, will result in continued second-guessing of the tactics employed by law officers during critical incidents. Public reaction aside, the lawsuit settlements resulting from improper tactics and inadequate training will create even more doubt as to the level of management within the law enforcement profession.

The use of negotiators during the political terrorist attack at the 1972 Olympics in Munich brought international attention to the use of police communicators in tandem with tactical assault units.

In the United States, two men, Frank Bolz and Harvey Schlossberg, are generally credited with formalizing the principles that would become the basis for the training of police hostage negotiators.³ While serving as New York City police officers in the 1970s, Lieutenant Bolz and Detective Schlossberg designed a structured

process of verbal communication with hostage-takers as the preferred method of resolving potentially violent situations. They emphasized that, once the communication link was established, there should be no rush by law enforcement to negotiate a conclusion with the hostage-takers. Time is on the side of the police. Make the hostage-taker wait. Let him consider the situation, consequences, and options. Include him in the problem-solving process. If you hold off long enough, he'll fall asleep, the hostages will escape, and the SWAT team can move in and apprehend the suspect, probably without incident. Time is the best treatment for anxiety, said Schlossberg.⁴

More than 20 years later, the training of hostage negotiators is based on Bolz and Schlossberg's principles. Adopting their technique, the Federal Bureau of Investigation took the lead in hostage negotiation training for U.S. law enforcement agencies.⁵ The FBI continues to provide training and develop reference and intelligence material on the individuals and terrorist groups who are potential hostage-takers.

What components exist in **today's** HNTs? In 1992, the FBI and Baltimore County, Maryland, Police Department conducted a survey of 100 police HNT leaders nationwide.⁶ Training-wise, in only 44% of

the agencies did negotiators receive as much as five days of initial training. Sixty-one teams conduct up to five days of in-service training each year for their HNTs. More than a third (39%) have never trained with their SWAT teams. In 71 of the 100 agencies polled, white males comprised 81% to 100% of the HNTs. Seventy-six agencies admitted that women comprise zero to only 20% of their respective HNTs.

During the 1991 hostage incident at the Good Guys store in Sacramento County, California, in which three hostages and three suspects were shot to death, negotiators could not determine which Southeast Asian language and dialect the suspects spoke. In a study of hostage situations that were handled by the New City Police Department, 44% of the hostage-takers were non-white.

How effectively can an HNT with only English-speaking members negotiate with hostage-takers who communicate in other languages? The Good Guys incident, while tragic, is an excellent example of what law enforcement faces today. More importantly, it should have been a wake-up call to police administrators as to their hiring practices.

With the immigrant population in the U.S. continuing to increase,

will every police agency be able to hire bilingual and bicultural personnel to meet the law enforcement needs of this growing trend?⁷ And if not, what proactive measures can chief law officers take to ensure that their HNTs (and all units within their agencies) can respond adequately to any critical situation.

The aforementioned data and issues became the basis for an independent study project (ISP) that posed the issue question:

- ▷ What future components will exist in hostage negotiation teams by the year 2004?

Three sub-issue questions kept the project focused on the issue and served as the starting points for its research, strategy, and findings:

- ▷ What will be the selection criteria for hostage negotiation team candidates?
- ▷ What training will be required of hostage negotiation team members?
- ▷ Who will comprise the personnel pool of hostage negotiator

candidates?

This study would be the result of the author's coursework as a member of the California Law Enforcement Command College, a two-year executive leadership program of the state's Commission on Peace Officer Standards and Training (POST).

The author, a commander with the Bay Area Rapid Transit Police Department in Oakland, California, interviewed nine members of the agency's HNT as the first research step for the independent study project (ISP). The concerns of each member were elicited as to what was needed to improve the team's readiness to handle critical incidents and their opinions on how future HNTs should be managed. Training was at the top of everyone's priorities, including specialized training on cultural diversity and abnormal psychology. Mock training scenarios with the Special Problems and Rescue team, which is the department's SWAT team, were extremely valuable and should be continued on a more frequent basis.

A more formalized research method, the Nominal Group Technique or NGT, was used to identify and evaluate the trends and future events that could impact the future components of HNTs. An NGT is a small group process that achieves consensus through a combination of open

discussion and the expertise and forecasting skills of each participant. The NGT panel identified and defined the trends and events of the issue. Through a vote on each trend and event, it then reached a ranking of the most significant of those trends and events. The panel then forecasted the impacts and levels of the top ten trends and events.

Selection of the eight panelists was based on their knowledge of crisis negotiations and the expertise that each possesses in his/her profession. The panel included: Richard Michaelson, a chief of police who also serves as city administrator; Evelyn Lee, Ph.D., a psychologist who specializes in cross-cultural issues; and six members of the BART police HNT. Three panelists were ethnic minorities and two were bilingual in the group of seven men and one woman. The author, who served as facilitator, was assisted by a scribe.

Once the participants had a clear understanding of the uniqueness and difference between trends and events, the process began. Each panelist was instructed to list the trends that he/she felt could affect the issue. The trends were discussed and listed on flip charts. To reduce the initial list of 28 trends, the panelists voted individually to determine which ones belonged in the final

cut. Another vote was conducted to select the top ten. They were, in ranking order:

- Changes in technology;
- Level of funding for law enforcement training;
- Level of mental-health funding;
- Rate of crime;
- Changes in methods of training;
- Rate of weapons-related crimes;
- Changes in welfare funding;
- Rate of lawsuits from hostage situations;
- Rate of suicide;
- Rate of unemployment.

The panelists then individually forecasted each of the ten trends, from the levels of five and ten years ago, to five and ten years into the future. An average of the high, low, and median levels gave the author a consensus of the panel's forecasts. The rate of crime and weapons-related crimes were selected as core trends. This enabled the author to use statistical data available through the U.S. and California justice departments to determine the history of those specific trends over the preceding ten-year period.⁸

Each panelist then identified future events that he/she believed **could** occur and which would impact the issue. Like the trends, the events were discussed and voted on to reach the top ten, which were:

- ▶ Incident where the media contributed to a law officer being killed;
- ▶ Lawsuits from hostage incident bankrupts a small government;
- ▶ Welfare and mental-health funding are eliminated;
- ▶ Hostage-taker uses chemical weapons;
- ▶ Shooting occurs in mass-transit environment during rush hour;
- ▶ Hostage takeover that targets an ethnic group;
- ▶ Media barred from reporting any hostage situations in progress;
- ▶ Transit employee taken hostage by mentally-ill person;
- ▶ Carjacking suspect creates hostage situation in parking facility;
- ▶ Terrorist with nuclear weapons take hostages.

After the NGT concluded, the author and panelist Michaelsen forecasted the impact that each event would have on the others.

Michaelsen, who is a Command College graduate (Class 10) and has served on two previous NGTs. He was selected to assist with the cross-impact analysis because of his dual position of police chief and city administrator of Waterford, California, along with his forecasting experience. An event-to-event cross-impact matrix, developed for POST by William Renfro, Ph.D., a Command College instructor, was used to facilitate this process. Using Dr. Renfro's formula, the author was able to determine how each event would be a benefit or detriment to the ISP issue.

From the results of the NGT and cross-impact analysis, the author identified policy considerations that relate directly to the ISP issue, including:

- ▶ In this era of high technology and its constant changes, law enforcement executives must consider the state-of-the-art technology and equipment that are available to his personnel, including HNTs, to remain on the cutting edge and minimize the risk of liability;
- ▶ Law enforcement entities must consider the number of lawsuits and cost of litigation settlements against the cost of hiring and retaining a well-trained and culturally-diverse work force

which reflects the communities that they serve;

- ▶ The crime rate and number of weapons-related offenses obviate the need for government leaders to consider policing plans that involve the community and private sector. Hiring qualified personnel and adopting community-oriented policing programs are steps in that direction.

The agency selected as the subject of this strategic plan is the Bay Area Rapid Transit Police Department, which is the sole law enforcement provider for the four-county San Francisco Bay Area Rapid Transit District (BART). Established in 1972, the BART Police Department is the only regional public transit police force in Northern California. It is comprised of one hundred and sixty-six sworn officers and seventy-one civilian employees.

BART police officers have fulltime peace-officer authority anywhere in the state. They not only meet the pre-employment and training mandates that are regulated by the state Commission on Peace Officer Standards and Training (POST), but must also receive specialized training on the management of emergencies and critical incidents that could occur within a major mass-transit system. Applicants must possess two years of college education to qualify

for an entry-level police officer's position.

The BART police's jurisdiction presently crosses the boundaries of 26 cities in Alameda, Contra Costa, San Francisco, and San Mateo counties. The future will bring significant changes to BART and its police department. Within the next two years, BART's tracks will stretch from its present 72 miles to several outlying areas: Antioch and Pittsburg in eastern Contra Costa County; Castro Valley, Dublin, and Pleasanton in southern Alameda County and San Ramon Valley; and Colma, South San Francisco, San Bruno, and the San Francisco International Airport on the northern end of San Mateo County.

In anticipation of that expansion, the department is decentralizing into four police zones, each of which would be headed by a commander. Presently in its implementation phase, the decentralization, when completed in the next two years, will be divide the operations of the BART police into the following zone commands:

- ▷ Zone One in Oakland, the hub of the BART system. Based at BART police headquarters, it includes the eight transit stations that are located throughout Oakland, plus a

maintenance yard, cash-handling facility, and other satellite offices in downtown Oakland;

- ▶ Zone Two serves Richmond, El Cerrito, Berkeley, and all of central Contra Costa County from Orinda to Concord, plus two major train yards. Headquartered in El Cerrito, it will also include the extensions to Antioch, Pittsburg, and Brentwood;
- ▶ Zone Three's temporary headquarters, to be constructed in late 1995, will be in San Leandro and the permanent zone police station will be Castro Valley sometime in 1997. It will serve from San Leandro to Fremont in southern Alameda County, including the Hayward train yard, plus the extension lines to Dublin, Pleasanton, and Castro Valley;
- ▶ Zone Four has its headquarters in downtown San Francisco and serves the present BART lines from San Francisco to Daly City and the Colma yard. It will also cover the extensions that will extend BART to the San Francisco airport.

In the event of a critical incident anywhere in the transit system, callouts would be made to any or all of the following special units of the BART Police Department, depending on the circumstances:

- ▶ A 25-member tactical team that is trained in civil disobedience and crowd management;
- ▶ Two six-member Special Problems and Rescue (SPAR) teams, which are the equivalent of SWAT;
- ▶ A ten-member hostage negotiation team (HNT), the only special unit that includes non-sworn personnel.

The successful operation of an HNT is the focus of the strategic plan. Projected growth of the BART Police Department over the next ten years will be predicated upon when the new stations are operational, the increased ridership, and how the expansion will impact crime patterns in those areas and system-wide.

There is no plan to increase the number of trained hostage negotiators during the department's growth in the next decade. The incumbent members of the HNT, however, regularly meet to discuss future issues that will impact the unit, including the changing demographics and new technology.

The BART system operates in the most populous and culturally-diverse region in the northern half of California. Over 250,000

daily riders pass through the faregates of the 34 stations and into 80 m.p.h. trains that are operated by the latest in computer technology.

In less than 45 minutes, a train with up to 2,000 passengers can travel from the affluent white suburbs of Lafayette, Moraga, and Orinda to the black working-class and poverty-level neighborhoods of Oakland to the financial center of San Francisco to the city's densely-populated Latino center, the Mission District. BART stations and trains are unique cultural centers, where people of all races, backgrounds, and educational and social levels are crowded together.

For the most part, the quarter-million daily BART riders are able to co-exist while on the transit system without problems. Conflicts, however, do occur in the mass-transit environment. They range from disputes over quality-of-life issues to abnormal behavior to criminal acts. In every such case, the BART police become the mediators or enforcers, depending on the circumstances. Mediation can often be handled by the police dispatcher or community service assistant who receives the complaint by telephone or at a reception desk. The rest become the responsibility of Association of Hostage Negotiators (CAHN).

BART serves a culturally-diverse population that includes not only immigrants from Spanish-speaking nations, but China, southeast Asia, the Philippines, Middle East, and Europe. Tagalog, the primary Filipino dialect, will, in the next ten years, replace Spanish as the Bay Area's second language. The influx of immigrants from Hong Kong and mainland China continues to bring more Cantonese- and Mandarin-speaking people to the area. Some police agencies, including the BART Police Department, give premium pay to employees who are bilingual and can pass a language proficiency test.

The cross-section of society that comprises BART's ridership is, therefore, the environmental factor that presents the greatest opportunity for supporting the achievement of the mission statement. An HNT's formation, tasks, and successes are the results of scenarios created by persons who resort to violence or the threat of physical harm to themselves or innocent others by barricading themselves and their victims. People and their behavior are the environmental "opportunities," without which there would be no mission or purpose for HNTs.

The hostage-takers or barricaded persons who are the

"opportunities" for HNTs can, at the same time, be "threats" to the successful accomplishment of the HNT's mission. All but a very few hostage-negotiation efforts are successful, in that they are resolved without violence. The ones that end violently are the "threats." When dealing with the combination of abnormal behavior and the criminal mind, success can turn into setback or failure in an instant.

Technology has contributed "opportunities" toward the mission of HNTs. The use of electronic-surveillance devices implanted into what appears to be a conventional telephone that is delivered to a hostage-taker can aid in the success of an HNT intervention. Future technology will include even more sophisticated methods of communication and detection that will enhance the ability of HNTs to gather information and maintain an advantage over hostage takers and barricaded suspects. State-of-the-art technology can also threaten an HNT's objectives. Allowing television news cameras within range of police tactical situations have proven to be detrimental and, in some cases, fatal. The economy can play an important role in the number of scenarios that require the callout of HNTs. During hard economic times, suicides and incidences of abnormal behavior increase, and so do the number of calls to the police.

The Modified Policy Delphi process was utilized as the method to identify and analyze alternate strategies that would facilitate achievement of the HNT's mission. Six members of the BART police HNT served as the Modified Policy Delphi group for this process. A review of the situational analysis was the first step of the process. Each member of the group was familiar with the organization's environment and capability. The author then discussed the three policy considerations that were developed in and by the futures study. From this data base, the group generated alternative strategic approaches.

The strategies were then voted on by each member, with ratings of 1 to 4 on the following criteria: short-term (1-2 years) desirability; long-term desirability; feasibility; cost appeal; stakeholder support; and community support. A total of the votes resulted in three strategies that clearly outranked the others:

Strategy #1:

A consortium of local HNTs should be formed for the purpose of joint training; maximizing the pool of bilingual personnel who are HNT-trained; and sharing of HNT equipment.

Pros: Excellent pool of resources; training would be diversified; inter-agency cooperation would be improved; plan would receive community support; more funding sources would become available.

Cons: Deciding who takes the lead in planning and facilitating the training; commitment from chiefs to allow personnel to participate in regular training; disputes over frequency of training; storage and maintenance of equipment.

Strategy #2:

To attract and select more bilingual HNT members, the department should offer bonus pay to all bilingual officers, dispatchers, and community-service assistants.

Pros: Good recruitment benefit; attract minority and other bilingual applicants; improve department's liaison with ethnic communities; reduce possibility of lawsuit over lack of bilingual personnel to communicate during critical incidents.

Cons: Management would have to meet and confer with police bargaining groups to reach memorandum of understanding; labor disputes from non-police bargaining groups who would seek bonus pay for all bilingual employees; must be renegotiated at end of each contract period.

Strategy #3:

Elicit donations and grants from private businesses and the community for the purchase of HNT telephones and other communications equipment.

Pros: Department could obtain state-of-the-art equipment at no cost; HNT would be better equipped; morale of HNT would improve with acquisition of new equipment.

Cons: Few such grants are available; process takes a long time; no guarantee of approval.

The strategy that would best serve the issue and HNT's mission was the consortium approach (Strategy #1) to training and utilization of personnel and equipment of multiple agencies. A regionalized HNT concept would probably receive across-the-board acceptance from

the stakeholders (except, of course, the criminals).

Since all HNT members in the San Francisco Bay Area received their basic and update hostage-negotiation training from the POST-certified courses offered at San Jose State University, the regionalized HNT would all have been identically trained. Each agency's HNT procedures are from models that were available through the FBI and SJSU training curriculum, so preparing a uniform policy would not be a difficult process.

A regionalized HNT would include a larger pool of bilingual negotiators, plus the capability of sharing available equipment and more purchasing power for new equipment. The multi-agency approach would receive acceptance by the participating public entities, police agencies, and their communities for the cost-saving benefits alone.

Implementation of the multi-agency HNT would be directed by a committee of the participating agencies' HNT commanders. A draft of the committee's implementation plan would be presented at a meeting of the law enforcement chiefs and top executive officers from the participating entities. The plan would include the division of responsibilities as to the following issues:

- ▶ Training. A training schedule would be prepared that requires each agency to plan, host, and coordinate training on designated dates throughout the year;

- ▶ Funding. Each agency would assume an equal share of the cost of training and purchasing of equipment. The chief executives must unanimously agree to funding requests and agencies must bear their respective personnel costs for training and actual callouts;

- ▶ Administration. Administrative tasks, including maintenance of current HNT personnel rosters and equipment, plus the storage of equipment and files, would be rotated to a different participating agency on an annual basis.

- ▶ Evaluation. The final draft would be sent to POST for that agency's assessment of the proposed implementation plan. POST would also be requested to evaluate the effectiveness of the multi-agency HNT after a one-year period.

The best method of ensuring that the plan is not only implemented, but completed in the order and timing that best meets the desired changes and results is through the use of action plans.

Each committee chairperson would establish whatever action plans are needed to meet his committee's goals. The action plans would include the persons who would be involved in each process, a chronological timeline for periodic reviews, and deadlines for completion and implementation of the phases of the strategic plan.

The action plans would be published and the project manager, designated by the chief, would be responsible for ensuring that the each action plan meets its stated objectives and on time. Every action plan should have the flexibility of being revised when time constraints and responsibilities and duties must be changed or unforeseen or anticipated obstacles occur.

If managed closely, this transition management plan should meet its expected changes with minimal problems or obstacles. Such obstacles could include interference from executives, fiscal constraints that unexpectedly occur during these economic times, personnel changes that could affect scheduled meeting times, and the "expect the unexpected" factors that could suddenly shift a law enforcement agency's priorities.

Strong leadership from the chief executive, which includes confidence in, and the granting of autonomy to, the project

manager, will all but guarantee the on-time completion, implementation, and success of any comprehensive and well-managed strategic plan, and, in this case, the independent study project.

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