

THE NATIONAL COUNCIL OF NEGOTIATION ASSOCIATIONS (NCNA)

Established 6/20/2001

The National Council of Negotiation Associations (NCNA)

- The NCNA is comprised of the designated representatives of the regional negotiation associations, crisis negotiation conference groups, and law enforcement/correctional crisis negotiation organizations operating throughout the United States, as identified by the FBI Crisis Negotiation Unit.

The Mission of the NCNA

- The Mission of the NCNA is to provide a collective voice on a national level regarding all aspects of crisis negotiations; to provide suggested negotiation guidelines and policies; and to encourage and support the general advancement of the discipline of crisis negotiations.

NCNA Membership

- California Association of Hostage Negotiators (CAHN)
- Delaware Valley Negotiators Association (DVNA)
- Florida Association of Hostage Negotiators (FAHN)
- Illinois Crisis Negotiation Association (ICNA)
- Indiana Association of Hostage/Crisis Negotiators (IAHCN)
- Louisiana Association of Crisis Negotiators (LACN)
- Metropolitan Area Crisis Negotiators Association (MACNA)
- New England Crisis Negotiators' Association (NECNA)
- New Jersey Crisis Negotiators Association (NJCNA)
- South Carolina Crisis Negotiation Association (SCCNA)
- Baltimore County Negotiators' Conference
- Arkansas State Police Negotiators' Conference

- FBI Crisis Negotiation Unit (FBI CNU)
- Michigan Association of Hostage Negotiators (MAHN)
- Northern Ohio Negotiators' Association (NONA)
- National Tactical Officers' Association (NTOA)
- New York Association of Hostage Negotiators (NYAHN)
- Texas Association of Hostage Negotiators (TAHN)
- Wisconsin Crisis Negotiators' Association (WICNA)
- Western Pennsylvania Negotiators' Association (WPNA)
- Western States Hostage Negotiators' Association (WSHNA)

THE NATIONAL VOICE FOR CRISIS NEGOTIATIONS

- The associations and conferences represented within the NCNA speak for a combined total membership of over 5,000 crisis (hostage) negotiators and play a key role in providing operational guidance and training for negotiation practitioners nationwide.

Recommended Negotiation Guidelines and Policies

National Council of Negotiation Associations (NCNA) and FBI Crisis Negotiation Unit (CNU)

1. Guiding Principles

- A. The Goal of the Negotiation Process is to save lives and to resolve crisis incidents while attempting to avoid unnecessary risk to officers, citizens, victims, and subjects.
- B. The application of Crisis Negotiation skills has consistently proven to be law enforcement's most risk effective method to achieve the desired outcomes.

2. Resolution Determination

- A. The method by which any crisis situation is resolved is ultimately determined by the subject's behavior.
- B. However, standards of acceptability require that law enforcement agencies undertake all reasonable efforts to obtain a nonviolent resolution.
- C. Negotiation defusing skills represent law enforcement's most successful tool (83% resolved without injury: Hostage Barricade Database System (HOBAS June 2001))

3. Crisis Negotiation: The Preferred Strategy

- A. Generally, tactical resolution should be reserved for those instances in which the subject appears likely to engage in further violence despite negotiation efforts.
- B. Due to the inherent danger to all parties in using force, it should be used only when it is necessary, risk effective, and acceptable.

4. Negotiation Capability

- A. All law enforcement agencies should maintain a negotiation capability.
 - 1. Smaller departments may require a mutual aid resource to call upon in crisis situations.
- B. Any department large enough to have a tactical team should have a negotiation team.

- C. As with tactical teams (SWAT), negotiations are best undertaken in a team context.
- D. Law enforcement agencies should identify and train a sufficient team of personnel in nationally recognized negotiation skills.
 - 1. Negotiators should be required to maintain their skill levels through recurrent individual and team training.
 - 2. As with SWAT, the negotiation team should be given sufficient equipment and technical support to carry out their duties.

5. Public Confidence and Liability

- A. Society demands that law enforcement agencies have a professional capability to resolve crisis incidents in the most risk effective manner (negotiations).
- B. Civil liability is most likely to present a problem to any agency that cannot demonstrate it has trained negotiators, policies, procedures, and equipment for responding to crisis incidents.

6. Negotiation Team Composition

- A. The staffing level for a negotiation team varies greatly from one department to another based on perceived or demonstrated need.
- B. It is recommended that a minimum of three negotiators respond to any crisis incident.
- C. More complex or difficult incidents may require additional team members working in shifts and filling a variety of team functions.

7. Mental Health Assistance

- A. Negotiation teams should consider establishing a consultative relationship with a mental health professional(s).
- B. To be an asset, selected mental health professionals should:
 - 1. Serve as team advisor, not as a negotiator
 - 2. Participate in negotiation team training
 - 3. Respond to team call outs as requested
 - 4. Focus on behavioral assessment of subject
 - 5. Assist in team debriefings after a critical incident

8. Selecting Negotiation Team Members

- A. Nationally, selection standards vary widely; however, consideration should be given to identifying officers with the following skills:
 - 1. A volunteer
 - 2. High level of self control
 - 3. Ability to remain calm under stress
 - 4. Excellent interpersonal communication skills
 - 5. Calm and confident demeanor
 - 6. Good listener and interviewer
 - 7. Works well in a team concept

9. Required Initial Training for Negotiators

- A. It is recommended that officers selected to become negotiators receive training which includes:
 - 1. A minimum of 40 hours in a qualified course
 - 2. Training should include basic concepts and techniques, abnormal psychology, assessment, crisis/suicide intervention, active listening skills, case studies, meaningful role-playing drills, and an incident management overview
 - 3. If practical and available, attending additional training is recommended

10. Recurrent Negotiation Training

- A. As with all critical law enforcement skills, such as firearms, negotiators should periodically receive updated training and practice in order to maintain proficiency.
- B. It is recommended that negotiators annually attend a minimum of 5 days of training in order to stay proficient.
- C. Attending regional or national conferences and learning from case study presentations is highly desirable.

11. Negotiation Team Organization

- A. It is recommended that each agency organize its negotiation team with the following in mind:
 - 1. Identify a team leader responsible for operational assignments, team selection, training, and equipment maintenance.
 - 2. Develop a written policy for call outs and have a standard operation procedure (SOP)
 - 3. Institute standard procedures for establishing and running a functional negotiation operations center (NOC)

12. Negotiation Team Role in the Command Structure

- A. Regardless of the incident response system used, the negotiation team leader should be seen as a critical advisor and have direct access to the On-Scene Commander (OSC) during an operation.
- B. For balanced decision making, the negotiation team's input should be independent of, yet equal to, that of the tactical team.
 - 1. Even if the negotiation team is administratively assigned as a sub-unit of the tactical team

13. Commanders Don't Negotiate and Negotiators Don't Command

- A. Past incidents have clearly demonstrated that due to their responsibilities for overall management of the incident, the OSC should refrain from functioning as the negotiator.
- B. Universally accepted negotiation procedures allow the negotiator to delay and "buy time" by indicating that final decisions rest above him/her. The OSC cannot do that.

14. Recommended Negotiation Approaches

- A. 92% of all law enforcement incidents are emotionally driven with the subjects having no clear goal (HOBAS June 2001)
- B. Non-threatening, nonjudgmental communication skills should be used with the aim of de-escalating and defusing the incident.
- C. In most cases, the initial strategy should be to lower emotions and reduce tension at the scene.
- D. Early contact between the subject and the negotiation team can serve as "verbal containment."
 - 1. Helps to reduce tension and minimize misunderstanding
 - 2. Should be considered even if the tactical team has not yet arrived on scene
- E. Despite peaceful intent, police actions will often be viewed as threatening by the subject and can promote further resistance.
- F. Perceived law enforcement encroachment may be counterproductive to establishing and maintaining meaningful dialogue.
 - 1. When practical, agencies should employ a low profile response scheme for emotionally driven situations (92% HOBAS June 2001)
 - 2. Traditional hostage incidents (7% HOBAS June 2001) may benefit from a higher profile response scheme (contrast risks of resistance versus benefits of surrender)
- G. A majority of subjects encountered will be barricaded in the place they live (78.3% HOBAS June 2001)
- H. Beware of the "King of His Castle" mentality.
 - 1. This is likely to evoke a strong defensive posture and resistance (Bunker Mentality)
 - 2. Tends to make the subject hypervigilant and hypersensitive to perceived aggression
- I. Subjects will typically want police to "go away."
- J. Experience suggests that the subjects are in a "Crisis State."

- K. The subject may not be able to cope with recent life stressors or significant loss (job, relationship, self-esteem, etc.).
- L. Incidents are typically unplanned and seemingly irrational (65% HOBAS June 2001).
- M. Response efforts should try to lower emotions and raise rational thinking.
- N. The passage of time (buying time) is typically the most important tool of the negotiation team by serving to:
 - 1. Allow for the arrival of personnel and equipment
 - 2. Facilitate the gathering of intelligence
 - 3. Provide escape opportunities for victims
 - 4. Assist in tactical intervention planning
 - 5. Help lower tension and build rapport
 - 6. Promote more rational thinking by the subject
- O. Law enforcement's investment in time tends to pay great dividends:
 - 1. 64% of all incidents are resolved in 4 hours or less (HOBAS June 2001).
 - 2. 91% of all incidents are resolved in 9 hours or less (HOBAS June 2001).
- P. The costs of patiently managing the typical situation are significantly less than the costs associated with a typical lawsuit.

15. Desired Outcomes

- A. Violence is most likely to happen at the beginning of an incident and at the end if tactical intervention is required.
 - 1. Officers, victims, and subjects face the biggest risk during a tactical intervention
- B. 87% of incidents involving victims are resolved through the negotiation process (HOBAS June 2001).
- C. In 90% of the situations there is no loss of life (HOBAS June 2001).

16. Need for Tactical Coordination

- A. It is imperative that the negotiation and tactical teams develop and maintain a close understanding and cooperative working relationship.
 - 1. Nationally, significant problems persist when these teams fail to understand each other's methods and insufficiently train together.
- B. The delivery of items, release of victims, or surrender of subjects in the crisis site requires close coordination between negotiation and tactical teams.

17. Relationship With Command

- A. It is important for on scene commanders to be familiar with and understand essential negotiation concepts and philosophies.
- B. Commanders should foster a balanced decision making process, seeking input from and simultaneously meeting with both the negotiation and tactical team leaders.
- C. This "Command Triad" should openly discuss alternatives and seek consensus whenever possible.

18. Handling the Press

- A. The Press Information Officer (PIO) should establish a media briefing area.
- B. The Press should be routinely briefed and their cooperation sought.
- C. Only the PIO and OSC should make press statements. Avoid exposing/identifying tactical and negotiation personnel.
- D. Press statements during an incident should be reviewed by the negotiation team.
- E. Press statements can be a negotiation tool.

19. Post Incident Debrief and Review

- A. It is recommended that agencies conduct timely reviews of each incident to:
 - 1. Identify problem areas and solutions
 - 2. Identify positive actions for future replication
- B. Address misunderstandings and correct misperceptions to minimize negative influences on all personnel.

- C. If the resolution is traumatic, an automatic critical stress debriefing protocol should take place for all personnel.

20. Additional Guidance

- A. The NCNA's Recommended Negotiation Guidelines and Policies are not intended to be all encompassing or address all aspects of negotiation team operations.
- B. Each agency should have a written SOP that addresses their specific issues and concerns in accordance with their mission and responsibilities.
- C. Policies for many issues (i.e. the use of listening devices) may be dictated by state or local laws.

THESE GUIDELINES WERE RATIFIED BY THE NCNA MEMBER ASSOCIATIONS EFFECTIVE 10/4/2001.

