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# Effect of Negotiator Active Listening Skills on Crisis (Hostage) Negotiations

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**EFFECT OF NEGOTIATOR ACTIVE LISTENING SKILLS ON CRISIS (HOSTAGE)  
NEGOTIATIONS**

**by**

**Karen N. Guskowski, M.S.**

A Dissertation Presented to the College of Psychology  
of Nova Southeastern University  
in Partial Fulfilment of the Requirements  
for the Degree of Doctor of Philosophy

NOVA SOUTHEASTERN UNIVERSITY

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## DISSERTATION APPROVAL SHEET

This dissertation was submitted by Karen N. Guszowski under the direction of the Chairperson of the dissertation committee listed below. It was submitted to the College of Psychology and approved in partial fulfillment of the requirements for the degree of Doctor of Philosophy in Clinical Psychology at Nova Southeastern University.

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**by**

**Karen N. Guskowski, M.S.**

Nova Southeastern University

## **ABSTRACT**

The purpose of this study was to examine the effectiveness of active listening skills on perpetrator response style in crisis negotiations. The extant literature boasts the utility of negotiations in crisis situations for law enforcement that came about in response to cataclysmic events such as the Attica Prison Riots (1971), Munich Massacre (1972), and the Williamsburg incident (1973). Various crisis negotiation models assert the importance of active listening skills in crisis negotiations; given the recent and voluminous media attention on police, this research aimed to provide further support for a cultural shift in police departments around the country to provide their officers with crisis negotiation training. These trainings allow officers to expand their arsenal of tools that decreases their need to rely on a tactical response when verbal de-escalation may be warranted to minimize risk to both officer and subject. The proposed study coded and analyzed audio recordings from the first 20 minutes of 12 simulated negotiations. The author proposed: (1) an increase in the proportion of active listening skills within the first phase of the negotiation would be associated with a decrease in the proportion of negative perpetrator response style in the second phase of the negotiation, (2) an increase in the proportion of active listening skills within the first half of the negotiation would be associated with an increase in the proportion of positive perpetrator response style in the second half of the negotiation, (3) an increase in the proportion of problem-solving

utilized during the first phase of the negotiation would be associated with an increase in the proportion of negative perpetrator response style in remainder of the negotiation, and (4) an increase in the proportion of emotional labeling, paraphrasing and summarizing, and open-ended questions utilized during the first half of the negotiation would be associated with an increase in the proportion of positive perpetrator response style in the second half of the negotiation. While no significant results were identified via Pearson's correlations, scatterplots were constructed for visual inspection of the data, which indicated potential support of hypotheses II and IV when considering the limitations of the study.

## Statement of Original Work

I declare the following:

I have read the Code of Student Conduct and Academic Responsibility as described in the *Student Handbook* of Nova Southeastern University. This dissertation represents my original work, except where I have acknowledged the ideas, words, or material of other authors.

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Karen N. Guskowski

Name

12/22/2018

Date

## CHAPTER I: Statement of the Problem

First responders—particularly law enforcement—are often expected to act as front line mental health professionals, without having adequate training on what that entails. Law enforcement officers are often responding to highly emotional emergency calls with limited information and the always-present risk of harm. They are trained to assess the risk of the situation on a constant basis and to act swiftly and confidently using tools from their training. However, those tools are typically tactical in nature and may not provide law enforcement with the opportunity to practice verbal de-escalation tactics. This likely translates to more confidence with tactical means of resolving conflict, which presents a greater risk of danger to the perpetrator, bystanders, hostages/victims, and the officer themselves. The use of active listening skills, after training, may offer law enforcement officers an additional practiced tool in their arsenal that could reduce risk of bodily harm to all involved.

## CHAPTER II: Review of the Literature

### Evolution of Crisis Negotiations

*“Best way to avoid defeat is to know when and where not to engage, as well as when to engage.” - Bolz, (2001) p.61*

Within the academic community, crisis (hostage) negotiations has only recently begun to attract attention. However, the implications of these negotiations have been felt by law enforcement and the community-at-large for decades. Hostage taking incidents are not a new phenomenon. There are even biblical references, such as Genesis 14:12-16, to use of force as a means to resolve these types of events and references to taking hostages as rewards or as a strategy in war. Throughout history there is evidence of hostage-taking incidents that were primarily aimed at ransom for goods, securing barter, or as treaties against war. Such examples include European nations holding captive nationals of the newly conquered territories and African nations claiming conquered enemies as slaves. Hostage-taking incidents were also used for coercion of governments and nations, with one of the earliest examples that affected the United States being the capture of Santo Thomas University in the Philippines by the Japanese in 1945 (Hatcher, Mohandie, Turner, & Gelles, 1998). Not surprisingly, this first wave in the history of crisis negotiations was less about negotiating and more about tactical resolutions. In response to hostage-taking incidents becoming more prominent for American law enforcement (due to more frequent airplane hijackings and interrupted armed robberies), a Special Weapons and Tactics Team (SWAT) was developed by the Los Angeles Police Department in 1967 to respond to such incidents with a swift forceful approach (Hatcher et al., 1998).

While effective, the approach utilized by SWAT in the 1960's and early 1970's was called into question after two specific events. These events are credited most with being true catalysts for change from the status quo of the time (tactical resolutions). These events were the Attica Prison Riot in New York in 1971 and the "Munich Massacre" at the 1972 Olympic games (Augustin & Fagan, 2011). The Attica Prison Riot was a four-day standoff with the inmates who had taken over the prison and held hostages. Over 1,200 inmates were able to secure a portion of the facility known as D yard and held prison guards as hostages while making various demands to administration and State Police. While most of the inmate demands were regarding the reported deteriorating living conditions of the prison, inmates also asked to negotiate amnesty for all crimes committed during the riot for the inmates in D yard. In the morning of day four of the standoff, State Police were ordered to deliver an ultimatum to surrender, which was refused. State Police then proceeded to take the facility back by force which resulted in the death of 29 inmates and 10 hostages (Wicker, 1994).

In the 1972 Munich Olympics, a group of Palestinian terrorists entered the Olympic athletes' village and killed two Israeli athletes before capturing nine Israeli athletes as hostages. They demanded the release of 200 Arab prisoners being held in Israel, and safe transportation for themselves to Egypt. Negotiations were attempted, but were seen as a stall tactic by the terrorists who continued to threaten harm to the hostages if their demands were not met. Further negotiations lead to the Palestinian terrorists taking the hostages to an airstrip where German police had tactical units situated on rooftops. At that point, police demanded the hostages be released and that the terrorists surrender. The demand prompted a Palestinian terrorist to throw a grenade into the

helicopter where the Israeli athletes were held which, in turn, prompted German police to open fire. The incident ended with one police officer, 10 of the 12 Palestinian terrorists, and all of the Israeli hostages dead (McMains & Mullins, 2015).

Prior to the Munich Massacre, in 1971, a legal precedent was established in *Downs v. United States*. This case was litigated after George Cliff had taken his wife hostage and hijacked a charter plane with a gun and explosive device in hand. When the plane had to land to refuel, the law enforcement agency that handled the situation decided to go tactical by disengaging breaks and engines on the plane when the hostage taker refused to come out. Shortly after the engine was taken out by a sharpshooter, gun shots were heard inside the plane. Upon entering the plane, both the pilot and the hostage were dead and the hostage taker had been fatally wounded. The pilot's wife filed a civil suit against the law enforcement agency handling the situation, claiming negligence that resulted in her husband's death. The ruling in this case found that the use of force was not unreasonable, however, the appeals court found there could have been a better alternative considered for the safety of the hostages. The ruling added negotiations as a third possibility to consider in emergency situations as opposed to the traditional possibilities of force or escape (McMains & Mullins, 2015).

In addition, these events were the impetus for the New York City Police Department (NYPD) to begin evaluating the usefulness of tactical response to hostage situations. Detective Harvey Schlossberg, who had his Ph.D. in psychology, along with Lieutenant Frank Boltz developed principles for negotiators to consider handling hostage incidents as crisis management for the hostage taker (McMains & Mullins, 2015). In 1973, the NYPD was called to John and Al's Sporting Goods Store for a robbery in



progress. On arrival, the robbers were trapped in the store with hostages and began firing at police. Two police officers and one robber were injured and one police officer was killed in an exchange of gunfire. The NYPD contained the scene and began negotiations. Communication was established and small demands such as food and cigarettes were met for the release of hostages. Even with episodic gun fire from the hostage takers, the NYPD held their gunfire and continued negotiations. Ultimately, the remaining hostages were able to escape and the hostage takers conceded. The success of this approach was brought to the Federal Bureau of Investigation (FBI) by the NYPD and a national training program at the FBI Academy in Quantico was established (McMains & Mullins, 2015).

As a result of these events, the United States initiated a “negotiate first” policy (Grubb, 2010) in 1975 when the U.S. Court of Appeals overturned their ruling in *Downs v. United States* to declare that before resorting to the use of force, one must “exhaust all reasonable non-violent options” (Birge, 2002, p. 102). This shifted from negotiation being a third option for law enforcement to effectively being the first considered option in emergency situations. Various crisis management teams and trainings began to develop around the country for law enforcement under different names such as Crisis Negotiation Team (CNT), Crisis Response Team (CRT), Crisis Intervention Team (CIT), and Hostage Rescue Team (HRT) all with the intention of ending critical incidents using verbal strategies (Augustin & Fagan, 2011). According to Fagan (2003), “in contrast to tactical teams, which regularly create and utilize assault strategies/techniques to end critical incidents, negotiation teams create and use verbal strategies to attain the same goals” (p. 169).

The Attica Prison Riot and The Munich Massacre are reminiscent of the first generation of crisis intervention where the focus was on terrorism, hijackings, and politically motivated international events (Hatcher et al., 1998). As such, hostages were perceived to be primarily utilized for secondary or instrumental gain. Typologies of hostage-takers, developed for the time, mirrored this focus and included the emotionally disturbed, the trapped criminal, the prisoner revolt, or the politically motivated (Grubb, 2010).

A drastic shift took place in the 1980's into what is now called the second generation of crisis negotiations where the focus turned to barricaded subjects. Here, the language shifted from "hostage" negotiation to "crisis" negotiation (Grubb, 2010) as a result of the increase in hostage and barricaded subjects (Botting, Lanceley, & Noesner, 1995). At this time, the Federal Bureau of Investigation's Crisis Management Unit (CMU) also formed the Critical Incident Negotiation Team (CINT) (Botting et al., 1995) with the influence of Schlossberg and Boltz emphasizing the management of these situations being seen as the hostage taker in crisis. Schlossberg and Boltz developed three principles to help emphasize the importance of the crisis nature of these incidents: (a) contain and negotiate with the hostage taker, (b) understand the hostage takers' motivation and personality, and (c) slow the incident down as time is in your favor (McMains & Mullins, 2015). Due to this shift, further training became necessary to increase the negotiation teams understanding of what "crisis" situations were, as well as identifying specific techniques to implement during these crisis negotiations (Hatcher et al., 1998). In addition to these efforts by NYPD, the first Critical Incident Team (CIT) training was developed in Memphis in 1988 which placed mandatory training

requirements on the team members who handled these crisis situations (Augustin & Fagan, 2011).

Today, we remain in the second generation of crisis negotiations where the psychology of a hostage taker or barricaded subject becomes a key focus, as is the psychology and training of the negotiation team. As stated above, the goal of these specialized teams (HRT, CNT, CRT, or CIT) is to resolve critical incidents peacefully and without lethal force using a verbal arsenal that includes techniques such as active listening, which will be discussed later in more detail.

### **“Crisis” v. “Hostage” Negotiations**

The terms “crisis” and “hostage” negotiations are often used interchangeably in the literature. However, there are fundamental differences between these incidents that are important to identify.

**Hostage situations.** Hostages are best defined by their purpose during an incident. The purpose of a hostage, as discussed in the first wave of negotiations, is to secure a substantive demand, also known as an instrumental gain. A substantive demand is what the perpetrator wants to achieve through a third party and believes there is no other way than taking a hostage to do so. These incidents can be deliberate and occur after careful planning, or they can randomly occur as a frantic measure to ensure the perpetrators safety during the commission of a crime (Knutson, 1980). Examples of substantive demands include extreme environmental activists seeking policy change, a cultural subgroup bringing attention to a perceived plight, and a bank-robbery gone wrong where the robber seeks to escape. Therefore, a true hostage negotiation requires

attention to the substantive demand as the value of the hostage is measured only in how far they can manipulate a third party towards meeting their demand. In a hostage negotiation, the perpetrator typically does not have the intent to kill the hostage, although they may be prepared to do so (Lanceley, 2003). Knutson (1980), in an interview with airplane hijackers, had one reluctant hijacker explain:

*“What my intention was, was to take ‘em to Vietnam, where they could have seen for themselves what was happening to that country and I figured that the Vietnamese would have showed them around, you know, different hospitals and places bombed and stuff like that...later the passengers will return to the United States and they will tell what they’ve seen...that way the most publicity could be made against the war.” (p. 122)*

While this depicts how someone could utilize hostages to promote a cause without escalating to violence, some hostage takers have violence built into their plan. In an interview with a deliberate hijacker, Knutson (1980), shed light on this difference:

*“Oh, no; it’s not revenge. That’s a part of the plan. If I don’t make it, I’m gonna kill him. If I don’t make it, I will kill him...I still have to go back to the thing that I have a plan; right? And a—a part of my plan is killin’ him if it messes up. You—you have to have control. If I’ve got—if I’ve got six hostages and uh-and uh- and one of ‘em is causin’ dissension in the group, to sacrifice that one will draw the others into line.” (p. 124)*

**Crisis situations.** The simplest and most succinct definition of a crisis is “any situation in which a person’s ability to cope is exceeded” (Lanceley, 2003 p. 15). Crisis

situations are highly emotionally charged situations. Barricaded crisis situations are defined as captive taking for the irrational means of harming the captive, such as in domestic violence cases. This is in contrast to a barricaded hostage situation where the captive has been taken for some instrumental gain (Booth et al., 2010). In 1988, it was approximated that 52% of all hostage incidents involved a mentally disturbed individual (Fuselier, 1988). In 2004, that estimation remained similar with 50% of hostage perpetrators were subjects with mental illness. This is consistent with more express motivations of captive-takers or interpersonal retribution rather than the previously identified motives of escape, garnering support for a particular cause, or influence change. (Feldman, 2004). In these captive taking events, it is more likely that the hostage is really a “victim in the making” (Lanceley, 2003). Victim differs from a hostage in that the victim is being held for expressive reasons rather than instrumental reasons in a hostage situation. This victim is likely either the “reason” why the perpetrator is in crisis or perceived to be contributing to the “reason” the perpetrator is in crisis. As such, the primary goal of these situations is to hurt, humiliate, receive retribution from, or kill the victim (Lanceley, 2003). In contrast, the primary goal of hostage taking incident is instrumental gains such as bringing attention to a cause, political change, etc.

Approximately 90% of captive-taking incidents in the United States are highly emotionally charged and involving captives that were actually “victims-to-be” (Browning, 2011). This trend has been identified using the FBI database that tracks national hostage and barricaded subject cases (HoBaS). It is also not uncommon that during a crisis situation, the subjects themselves are the potential victim as they barricade themselves with the intention of dying by suicide. While demands may be made during

these situations (such as for food, water, or cigarettes), these are not the primary motivations for the incident. Crisis situations are often precipitated by a loss of some kind such as a job or relationship. Gist and Perry (1985) concluded that while negotiators were trained in hostage bargaining techniques, they were largely called out for domestic, barricaded, or suicidal incidents. Given the high emotionality of these situations, time is the most important factor in negotiation. Time allows for the development of rapport, for fatigue to set in, for intelligence to be gathered, for a rescue plan to be developed, and—most importantly—time helps decrease emotional reactivity to a situation in order to achieve emotional equilibrium (Sen, 1989). Due to the influence of the second wave of negotiations during the 1980's, the shift towards trying to understand the perpetrators' motives, and exhausting all non-lethal means before going tactical, led to negotiators being better prepared to handle the predominately barricaded crisis situations that they were encountering.

### **Crisis Negotiations Today**

Today, negotiators are called to intervene in barricaded/suicidal incidents, issuance of high-risk warrants and workplace/school violence events (McMains & Mullins, 2015). However, nearly 90% of “callouts” are to non-hostage emotional victims (Webster, 2003). Most departments have a Crisis Response Team (CRT) that is a highly specialized group of officers with advanced training in crisis intervention and negotiation strategies. They are called upon when a crisis situation has developed and they must intervene. Typically, it is the first responding officer who initially deals with a crisis situation. Consequently, Crisis Intervention Training (CIT) has become a necessary basic part of all law enforcement training. This training developed in Memphis in 1988 is a

collaboration between community mental health resources and law enforcement. The training provides law enforcement with information regarding mental illness and local systems of care in an effort to decrease arrests where care can be provided (Teller, Munetz, Gil, & Ritter, 2006). CIT along with intensive advanced curricula and monthly trainings (which will be discussed later in more detail) have become the norm for many departments across the country for, not only specialized negotiation teams, but all law enforcement personnel in an effort to meet the needs of those in crisis.

### **Why Crisis Negotiation Training?**

*“The nature of a crisis is such that it overrides an individual’s normal psychological and biological coping mechanisms.” –(Noesner & Webster, 1997a p.4)*

It is crucial to recognize that although “going tactical” (i.e. immediate SWAT team response) was the status quo for some time, this strategy can have dangerous and lethal consequences. From 1990-1993, it was estimated that 240 police officers were feloniously killed and an additional 26,000 were injured due to assault by perpetrators (Greenstone, 1998). It is important to consider that a tactical response endangers the perpetrator as well as the hostages, bystanders, and most importantly, the law enforcement officers that are putting themselves in harm’s way. Tactical interventions do not need to be removed from consideration; however, crisis negotiations can be an effective intervention strategy that minimizes such risks. Indeed, using HoBaS data, Van Hasselt et al. (2005a) provided case illustrations in the context of domestic violence where only one out of the five required a tactical resolution, due to not being able to establish communication. It is important to note that in all five cases, the subjects had a deadly weapon and four had prior histories of domestic violence. Booth et al., (2010)

also used HoBaS data to identify domestic violence captive-taking incidents. Using 56 cases, they found that most cases were unplanned and occurred in a private residence. In addition, only 14 of these cases required a tactical entry. Domestic violence incidents are not the only interpersonal retribution style captive-taking events that have been studied. Booth, Vecchi, Finney, Van Hasselt, and Romano (2009) also used HoBaS data to examine workplace captive-taking incidents. They identified 15 cases and noted that 60% of these incidents were planned (unlike the domestic violence incidents), but that most cases resolved peacefully with negotiations.

### **Negotiator Training**

Gahr (1992) contended that the primary role of a negotiator is to save lives. To do so, a negotiator's job involves considerable listening, some talking, and small interjections that help the hostage taker realize that you are there to resolve the situation safely. In addition, negotiators need to be aware when they arrive on-scene of a critical incident that "the subject is already in the midst of considerable internal turmoil" (Noesner & Webster, 1997b, p.14). Therefore, specific training for these situations is critical due to the decidedly different nature of the job of a negotiator compared to that of the first responding police officer.

Carlson (1977), attempted to create a standard operating procedure for crisis interventions for law enforcement. This standard operating procedure sought to have common questions faced by negotiators answered, prior to engagement in a negotiation, to reduce the burden of those decisions being made during negotiations. Common questions included the department's policy on swapping hostages, providing the subject with a weapon or a vehicle, leaving the scene, combining forces with other local law



enforcement departments, liaison with utility companies, use of lethal force, how to prevent overreaction, and utilization of third party intermediaries (TPI's). TPI's are predominately non law enforcement personnel that are utilized during a crisis negotiation due to some pre-established relationship with the person in crisis (Lanceley, 2003). Another early form of training suggested that negotiators should take objective personality tests such as the Minnesota Multiphasic Personality Inventory, to promote better self-awareness. Such training encouraged the negotiator to take the time to understand their own feelings and biases in order to effectively manage transference, countertransference, Stockholm Syndrome, Circadian Rhythm Stress, and various personality types (Baruth, 1988).

### **Basic Negotiator Training**

The first formalized curriculum developed by Shea (1988), was referred to as tactical communication training and was in response to the notion that “the tough cop of today is outdated and ineffective” (Shea, 1988, p. 380). The 40-hour curriculum combined role-play and lecture on various topics, including verbal and non-verbal communication, listening skills, proxemics, sexual and cultural differences, calming techniques, assessment of attitudes, “sizing up” the situation, and strategies for dealing with the emotional person (Shea, 1988). Fuselier (1986) addressed the early issues negotiators faced from their supervisors at the time, the negotiators emphasized the following points: our options should be from least to most intrusive, “deadlines are hardly kept by bad guys so please don't give us one”, third party intermediaries are untrustworthy, do not exchange hostages, we can still help in tactical mode, and most importantly, time is our friend!

**First responder on-scene training.** One of the most dangerous times of any crisis situation is the first 15-45 minutes (Dolan & Fuselier, 1989). During this interval, the first responding officer has the burden of containing, isolating, and controlling the scene (Biggs, 1987). Assembling the crisis response and tactical teams takes time. Therefore, it is incumbent on the first responder to initiate contact and evaluate the situation. The goal of the first responder on-scene is to gather as much intelligence as possible while assessing for any immediate threats. First responder on-scene actions, which are targeted in training, include: (a) recording all communications with the subject in detail, (b) allowing the subject to speak, (c) restraining from giving orders that could escalate the situation, (d) minimizing past events leading to the event, (e) avoiding making any offers, (f) minimizing emphasis on victims, (g) conveying honest and sincere concern, (h) clarifying the situation for the subject, (i) “softening”, but not dismissing demands and requests, (j) avoiding deadlines, (k) avoiding problem-solving, (l) not allowing outsiders (e.g. family members) to negotiate face-to-face, (m) helping plan the surrender if the subject so desires, and (n) assessing suicide risk (Dolan & Fuselier, 1989; Mullins, 2003). Asking about suicidality is warranted as a person will often interpret the question concretely. For example, Lanceley (2003) described how a negotiator asked if a subject planned on hurting himself to which the subject replied “no”, yet was found to have died by suicide using a gas when a tactical entry was made. The subject left a note stating he had not lied to the negotiator as the gas did not hurt him. On another case, a negotiator asked the subject if she was thinking about suicide, she replied that she was not. However, as time progressed, the negotiator noticed that the subject was slurring her

words and indicated she had taken a large quantity of drugs. The subject informed the negotiator she was not thinking about suicide; she was doing it.

**Negotiation team trainings.** The “second wave” of crisis negotiations team trainings refined the organizational structure of teams, and increased the utilization of role-play scenarios with immediate feedback from team members (Gentz, 1988). The training curriculum emphasized the “oneness” of a negotiation team. The curriculum included basic, intermediate, and advanced training and sought to develop and maintain rapport between team members in order to maximize the teams’ efficiency and effectiveness. Illustrative is the FBI’s National Crisis Negotiation Course in Quantico composed of 11 modules that involved 80 hours of training with the following modules: active listening skills, equipment training, policy and administrative issues training, team duties and role training, penal code training applicable to hostage negotiations, community resources training, practical exercise, negative stress survival training, case illustrations and reviews, and realistic role plays in a variety of settings and different types of subjects. In addition, the curriculum calls for communication training and for the team to maintain training on a regular basis (Greenstone, 1995a).

**Active listening skills and rapport.** Active listening skills are a critical focus of crisis negotiation training. Use of these skills is the key to establishing rapport and determining the “hook”. The “hook” is the event which led the subject to be in the situation he/she is in today that required a CRT callout (DiVasto, 1996). These skills are important in all phases of crisis intervention: de-escalation of emotions, developing rapport, gathering information, and problem solving. Active listening skills include: effective pauses, emotional labeling, “I” messages, minimal encouragers, mirroring,

paraphrasing, summarizing, and open-ended questions. Effective pauses are used to elongate silences that emphasize an important point or for a negotiator to have time to compose themselves. Emotional labeling is identifying the emotion the subject is experiencing and reflecting that emotion back to them. This involves interpretation of how the subject is feeling based on their message content and tone. “I” messages are to be used sparingly but can be employed to express discomfort. Minimal encouragers remind the subject the negotiator is listening. Mirroring is used to reinforce that you are listening by repeating the last few words the subject said. Paraphrasing is a more active form of mirroring where the negotiator puts what the subject says into their own words to indicate they are listening but also can be used to verify what was said. Summarizing is a combination of paraphrasing and emotional labeling to combine content and emotion. Finally, open-ended questions are questions that cannot be answered with a ‘yes’ or ‘no’ but require the subject to actively answer questions and promote further conversation (Van Hasselt et al., 2005b; Van Hasselt et al., 2006; Sommers-Flanagan & Sommers-Flanagan 2012).

A basic ethical principle of crisis negotiations is to avoid deception and demonstrate respect for the subject. Rapport is critical in a crisis negotiation. Without rapport, there is little likelihood of a successful resolution. Using deception is a form of disrespecting the subject which can be easily detected (Burke, 1995).

### **Advanced Negotiator Training**

Advanced negotiation training focuses on the development of personal approaches (i.e., a personal style of implementing crisis intervention and negotiation strategies), role-playing, physical crisis, specialized procedures, environmental impacts,

religion as a factor, and critical incident debriefing (Greenstone, 1994). When a subject resists the negotiation and appears resistant to the process, this can be one of the more difficult aspects of negotiating. William Ury's 5-step model for "getting past no" (Mullins, 2002, p. 64) is an advanced communication technique that can be utilized during these incidents. The first step is not reacting. Utilizing active pauses and slowing down the pace allows a negotiator to minimize their own emotions that can be elicited by such a difficult subject. The second step is to ally with the hostage taker making the two of you partners in a collaborative process. Active listening plays a big role at this point and both/and choices are optimally used at this point instead of either/or. The third step is to reframe but not reject demands. Ignore stonewalling and deadlines by focusing on problem-solving as a 'we' instead of a 'they'. The fourth step is to make it easier for the hostage taker to say yes than no by collaborating on alternatives and why they are better than the current solution. Tactics such as 'foot-in-the-door' can be beneficial here by allowing the hostage taker to say yes to small things before asking them to say yes to bigger things. The final step is to reinforce the alternative solution you both came up with by not issuing demands and allowing the hostage taker to save face (Mullins, 2002). The negotiator is trained to remember that "getting past no" is "bring[ing] the hostage taker to his senses, not his knees" (Mullins, 2002, p. 71).

### **Key Points in Crisis Negotiations**

While all these errors may not be specific to crisis negotiations, the ramifications of error can include violence and death:

1. It is important to take the time to understand the intelligence gathered before entering into a negotiation,

2. Regardless of the day you were having, you must show genuine interest and concern for the situation or a meaningful connection with the subject will not be possible,
3. Understand that a negotiation is a dynamic process so keeping in mind the strengths and weaknesses of yourself and the subject and be prepared to roll with some ups and downs,
4. Identify the perspective of the subject by understanding their view of the situation along with motives and agenda,
5. Time is your best friend so do not give in to time pressure,
6. Find the “hook” that led up to this moment, the crisis happened for a reason, so find out what that reason is,
7. Convey that the negotiation is a true collaboration and that walking away from the negotiation with the subjects’ needs being met as much as possible is the goal,
8. If relationship dynamics are at play, make sure you understand what types of relationships are between what people and realize that not all relationships need to endure,
9. Remember you have an entire team to support you in the negotiation, do not forget about them, and
10. PRACTICE! (Greenstone, 2007)

## **Crisis Negotiation Models**

The four stages of a crisis not specific to criminal justice negotiations are considered pre-crisis, crisis, negotiation, and resolution (McMains & Mullins, 2015). Since these stages are not specified for law enforcement responses to crisis situations, various models and approaches—some more comprehensive than others—have attempted to better define and explain the dynamic nature of the crisis negotiation process. One such approach is a causal approach which defines a situation by the motives and unique characteristics of that situation. This approach looks at instrumental (meaning for a purpose or gain) v. expressive (emotional and irrational) motivations as a guide (Schlossberg, 1979). A second approach emphasized relational limits within a negotiation. The limits were affiliation and interdependence and the way in which the negotiator and subject were moving with regard to those limits. Affiliation is the degree to which the two accepted one another; interdependence is the degree to which the two impose an obligation on the other. The interaction of these limits is manifested in the dynamic of the negotiation ranging from moving away from each other (low affiliation and low interdependence), to moving against each other (low affiliation, high interdependence), to moving with the other (high affiliation, low interdependence), and moving toward each other (high affiliation, high interdependence). The latter two are more conducive to a peaceful resolution (Donohue & Roberto, 1993). Business-type approaches to crisis negotiations attempt to find mutually beneficial outcomes. Finally, atheoretical approaches rely on a list of rules, rapport building, and active listening techniques to influence behavior change that may not be expressed by the subject. Similarly, trans-theoretical approaches require the subject to be concerned with their

behavior, convinced to change their behavior, plan to change their behavior, and then follow-through with that plan (Kelln & McMurtry, 2007).

**Behavioral Change Stairway Model (BCSM).** This model, developed by Vecchi, Van Hasselt, and Romano (2005), recognizes the four stages of crisis mentioned above: pre-crisis, crisis, negotiation, and resolution where the goal during crisis is “restoring the ability of a person to cope through the re-establishment of baseline functioning...” (p. 542). The model utilizes a staircase to symbolize behavior change of the subject being something that has to be worked towards by implementing various techniques across the duration of the negotiation where each stage is sequential and cumulative (Browning, 2011). The first and most important level of the model is active listening, which is continued throughout the negotiation. From active listening, empathy can be achieved. Empathy is defined as “an identification with, and understanding of, another’s situation, feelings, and motives” (Vecchi, Van Hasselt, & Romano, 2005; Mehrabian & Epstein, 1972); and from empathy, rapport is established. Rapport is defined as an increased trust and mutual affinity (Vecchi et al., 2005). At this point, negotiators employ face-saving justification or minimizations that set the stage for the perpetrator to be allowed to end the crisis. Once rapport is built, it would be intuitive to move to problem solving. However, the model emphasizes that before moving to the influence stage, the negotiator must make certain they have dealt with the emotional state and de-escalated the subject, established an open line of communication, and identified a precipitating event or “hook”. Once these have been established, the negotiation progresses to the influence stage where the negotiator and subject collaborate in the problem-solving process until a resolution is reached and the behavioral change stage is



attained (Vecchi et al., 2005). While the model is not empirically validated, it is taught as a real-world approach to demonstrate that over time, the natural progression should be toward behavioral change, and that set-backs at any level require a negotiator to rely on the skills of the previous levels to “regain footing” (see Appendix A).

**Structural Tactical Engagement Process (STEP).** Developed by Kelln and McMurtry (2007), this model is presented as a flexible framework for not only understanding, but influencing barricaded subjects. The model utilizes four stages to describe the crisis negotiation process: pre-contemplation, contemplation, preparation, and action. The model is built upon this four-stage crisis negotiation process and has four major assumptions that guide negotiations. Similar to a business-like approach, the first assumption is that peaceful surrender is a common goal for all parties. The second assumption is that subjects can be at different levels of readiness, and the negotiation needs to cater to subject’s level of readiness to change. The third assumption is that the negotiator has to collaborate with, not command, the subject in order to move them through the levels of readiness. The fourth assumption is that the subject must progress through these stages voluntarily to successfully reach a peaceful surrender (Kelln & McMurtry, 2007). The ultimate benefit of this model derives from understanding that a subjects’ willingness to change can dramatically impact the negotiation process. Therefore, determining where the subject is in the process can help steer the negotiation toward a successful resolution.

**Four-Phase Model (FPM).** This model, developed by Madrigal, Bowman, and McClain (2009), attempts to combine and enhance the previous strategies into four phases: establishing contact, building rapport, influencing, and surrender (Madrigal,

2010). The model's phases are expected to occur in order and at particular intervals such that identifying the phase of the negotiation will better inform negotiators which tactics to employ. The model utilizes the Communication Rating Scale (CCRS) developed by McClain, Callaghan, Madrigal, Unwin, and Castoreno (2006) to identify these phases along with the goals and guidelines for negotiators during each phase. The first phase of establishing contact is meant to initiate negotiations with the perpetrator by using superficial and safe statements such as impersonal inquiries (i.e., "how's the weather?") and fill talk (i.e., discussing sports). The second phase of building rapport is meant to build a relationship with the perpetrator utilizing empathy, personal inquiry, and praise among other tactics. Influencing is meant to utilize the personal relationship that was developed in the previous stage to make suggestions and reframe the situation by minimizing the negative outcomes of surrender. The final phase provides the perpetrator with instructions for the surrender process to ensure their safety (Madrigal, 2010). While this model is meant to address the gaps in the previous models, attempts to validate it found support only for the first three phases with a sample of five, incomplete, real-world crisis negotiation audiotapes (Madrigal, 2010).

Although there is no consensus regarding the heuristic value of any of the aforementioned models, they are meant to serve a function for negotiators. That function is to act as a guide during negotiations so that a negotiation team can identify the stage of the negotiation process they are currently in. Identification of a particular stage or phase is ideally accompanied by use of specific types of verbal negotiation tactics in order to move the negotiation towards a peaceful resolution. Models alone do not ensure a peaceful resolution; however, in combination with understanding the characteristics of all

participants involved (i.e., negotiator, perpetrator, and hostage/victim), there is an increased propensity for such success.

### **Negotiator Characteristics**

*“Recognition of negotiation as a technique for changing emotional states and relationships gave rise to the realization that the mental and emotional condition of the hostage taker is not the only factor of concern...”-Bracey (1980) p. 110*

It was originally believed that any law enforcement officer could be trained to become a crisis negotiator. Given that the first responder on-scene is likely to have to initiate the negotiation process, it seemed that any officer could be trained to demonstrate they were listening and taking a perpetrator seriously while not attempting to problem solve (Mullins, 2003). However, the typical duties of a road patrol officer are quite different than that of a negotiator; the job of the former is to take control of situations and quickly problem-solve for a solution so they can get to the next call. Consequently, identification of and screening for, particular personality characteristics and qualities believed to be essential for competent crisis negotiators has been the focus of increased attention. For example, Getty and Elam (1988) attempted to utilize objective personality measures (e.g. Minnesota Multiphasic Personality Inventory and California Personality Inventory) to distinguish between negotiators and their law enforcement peers. They found scales that were able to discriminate significantly on both objective measures used and concluded from these data that key characteristics for negotiators were: (a) verbal fluency, (b) a positive self-image, and (c) increased reasoning ability and sensitivity towards others. This list was expanded by Vakili, Gonzalez, Allen, and Westwell (2002) who found the following characteristics of successful crisis negotiators: more socially

withdrawn, reliable and dependable, increased baseline of arousal and awareness, confidence and poise, resourcefulness and efficiency, dutiful sense of morality, more reserved, increased ability to control their anger and aggression, increased ability to work as part of a team, strong emphasis on cooperation, and disapproval of non-conforming behavior.

### **Perpetrator Characteristics**

Research in crisis negotiations has emphasized the determination of characteristics of barricaded subjects and captive-takers. Just prior to the second wave of crisis negotiations, it was believed perpetrators fell into one of four categories: a criminal who had been caught, a criminal attempting to escape, a person suffering from mental illness, or a terrorist (Carlson, 1977). Welch (1984), on the other hand, expanded the number of categories a perpetrator could fall into: crusader, criminal, crazy, suicidal, vengeance seeker, disturbed, cornered perpetrator, aggrieved inmate, felonious extortionist, social protestor, ideological zealot, terrorist extremist, leader, opportunistic, and idealist. It was believed these groups had vastly different characteristics and identifying the type of perpetrator would lead to the appropriate negotiation strategy.

**Deliberate v. reluctant hostage takers.** There has been discussion in the field as to whether there was a true distinction between a deliberate or reluctant hostage situation (as defined earlier). Knutson (1980) stated that negotiators should disregard the “grossly psychologically impaired captors [due to their] numerical insignificance” (p. 118). This study found a significant difference between reluctant and deliberate hostage takers and that the former appeared to be the most prominent of the two. Bahn (1980) agreed, and added that the distinction between a deliberate and reluctant hostage-taker appeared to be

the degree to which they were willing to use violence toward hostages. While reluctant hostage-takers appeared to employ hostages as either an afterthought or to convert them to followers of their cause (Knutson, 1980), deliberate hostage-takers appeared to use hostages as a forethought for tactical advantage (e.g., bargaining power with law enforcement) and often initiated a brutal act upon them to make their threat more credible to both hostages and authorities (Bahn, 1980).

**Mentally ill perpetrators.** While Knutson (1980) dismissed the grossly psychologically impaired individual in these situations, encountering mentally ill barricaded subjects and captive-takers has received increased investigative attention. For example, Fuselier (1981), identified four mentally disturbed hostage-taker types: paranoid, depressed, antisocial personality disordered, and inadequate personality disordered. This classification system was an attempt to minimize perpetrator categories in order to provide real-world applications for negotiators. This categorization prompted research into the specific groupings.

***Paranoid types.*** Paranoid types were considered the most difficult due to their distrust of law enforcement. It is recommended to avoid deception and deceptive tactics (i.e. lying about having a family member there) more so than with other hostage-taker groups and to maintain a straight-forward attitude while remaining calm (Miller, 2007). In addition, negotiators are encouraged to accept their statements as true and to not try to argue the validity of their statements. Negotiators are taught to emphasize the collaborative nature of problem-solving with paranoid types since any idea brought up by the negotiator could be seen as a ploy, (Fuselier, 1981) and to work towards solving concrete problems (Miller, 2007).

***Depressed types.*** Depressed types are believed to be at higher risk for suicide; therefore, negotiators are encouraged to provide support and recognize that they are likely to have slow cognitive processing (Fuselier, 1981). Consequently, time is essential with these individuals as is the need for support from the negotiator. Negotiators should adopt a stance of nurturance through active listening and address suicidality directly (i.e., ask about it) (Miller, 2007).

***Antisocial personality types.*** Antisocial personality disorder is believed to be diagnosable in 40% of all criminals with this group committing approximately 80 to 90% of all crimes (Lanceley, 1981). They are believed to be so self-absorbed that they disregard the impact of their behavior on others. As a result, negotiators should avoid utilizing family members (TPI's) even more than with other personality types and avoid discussing interpersonal relationships during negotiations (Lanceley, 1981). Antisocial personality disordered individuals also are less fearful, but seek constant stimulation which is often sought through contact with negotiators (Fuselier, 1981). They are believed to be incapable of building genuine rapport, which requires that the negotiator appeal to their self-interest by providing face-saving solutions (Miller, 2007).

***Inadequate personality types.*** Inadequate personality types are perhaps the most frequently encountered of hostage takers due to their poor problem solving abilities, pervasive immaturity, and history of being "beaten by life" (Strentz, 1983). This group requires understanding and uncritical acceptance (Fuselier, 1981), and will often start with high demands, but be willing to settle for much less. Negotiators are cautioned that while inadequate personality types may be less likely to die by suicide than the depressed

types, they are more likely to die by suicide than those with antisocial personality disorder.

***Borderline personality types.*** Although not initially discussed in the mentally ill offender typology, Borum and Strentz (1992) discussed this group as living in a “near constant state of crisis” (p.7), and, therefore, are a frequent subject for negotiators. Persons with borderline features are characterized by instability in all domains of functioning such as self-image, interpersonal relations, mood, and identity. Due to this instability, they may present as the most difficult group with which to negotiate as the “real need” is often entangled with their strong need for attention and support. This can be used to the negotiators advantage by building rapport and demonstrating concern (Miller, 2007). In these situations, negotiators are encouraged to provide structure and stability while remaining empathic (Borum & Strentz, 1992).

***Psychotic types.*** Negotiators faced with a psychotic individual, whether it be drug-induced or a schizophrenia-spectrum disorder, need to utilize constructive ambivalence (i.e. not admitting to believe or disbelieve in the individual’s delusion) in order to not challenge or support the individual’s delusions and remain present focused (Miller, 2007).

***Manic types.*** Negotiators will sometimes confront a manic individual, whether it be drug-induced or a manic episode in someone suffering with Bipolar disorder. It is important for negotiators to maintain a slow, even, and steady tone and to adopt a patient position. While not guaranteed by the nature of manic episodes, it is possible for an

individual to “crash” –meaning to come down from their manic episode to a more slowed rate of speech—which would require the negotiator to adopt a new stance (Miller, 2007).

***Narcissistic personality types.*** These individuals have an inflated sense of self that is protecting a frail identity. Negotiators should imply equal status in order to initiate communication with such an individual (Miller, 2007). Further, they need to balance their inflated sense of self with their frail identity.

***Histrionic personality types.*** These individuals are often highly dramatic and sexualized. Negotiators should recognize that facts may not be so easy to obtain from these individuals as they change their story often to please the negotiator. This desire to be attractive to the negotiator warrants that the latter empathically gratify their need for attention while examining resolutions for keeping them safe (Miller, 2007).

**Militias and extremists.** In the late 1990’s, a social trend was made public by the bombing of the Federal building in Oklahoma City. That trend was the militia movement where individuals maintained strong Christian and Constitutional beliefs to justify their antigovernment actions (Duffy & Brantley, 1997). These groups are believed to be mostly concerned with first, second, and fourteenth amendment rights; it is critical for negotiators to initiate and maintain a non-confrontational dialogue in order to better assess their threat (Strentz, 1995).

**High-risk negotiation factors.** While it would be ideal to provide negotiators with a formula for determining the risk of loss of life during a critical incident, no such formula exists. However, research has ascertained high-risk factors that increase the overall risk for loss of life during a negotiation. Such factors include: a subject who has



experienced multiple stressors, a subject's personal history that encourages male dominance, subject's involvement in previous incidents, lack of family or social support, forced confrontation with police, threats or harm to the victim or self, and a verbalized suicide intent and plan (Fuselier, Van Zandt, & Lanceley, 1991). Strentz (1991) identified other risk factors, which include: insistence on face-to-face negotiations, deadline set for their own death, announcement of a verbal will, history of violence, a weapon tied to their body or in the subjects' hand, insistence on a particular person to arrive on-scene, no semblance of rapport being built, hours of negotiation with no clear instrumental or expressive demands, and active substance use.

While the abovementioned characteristics are helpful in identifying risk in a crisis situation, they are not the only characteristics that may influence the volatility of the situation. Hostages or victims also have characteristics that may impact the progression and resolution of a crisis situation.

### **Hostage/Victim Characteristics**

The most widely researched victim or hostage characteristic is that of Stockholm Syndrome (de Fabrique, Van Hasselt, Vecchi, & Romano, 2007). The concept of transference was believed to be the primary basis of the syndrome where the negative feelings once directed toward the hostage-taker was transferred to the authorities such that they develop positive feelings toward their captors. In turn, positive feelings are transferred back to the hostages from their captors (Fuselier, 1999). It was once thought that this syndrome would be found in all captive-taking incidents. However, the FBI's Hostage and Barricaded Subject (HoBaS) database, indicates that out of 1,200 cases, 92% reported no Stockholm Syndrome in victims. Two important factors were identified as

needing to be present to produce the syndrome: (a) increased time of a negotiation, and (b) constant, kind, contact between hostage-taker and victim (Fuselier, 1999).

Giebels, Noelanders, and Vervaeke (2005) examined the psychological reactions to captivity and found that the most common experience of victims was the feeling of hopelessness. Victims of kidnappings often felt isolated and developed new routines to normalize their experiences. This study emphasized that psychological injury should be a consideration for victims and pointed out that role expectations for hostages or victims made a difference. The investigators offered that while the average person may be more willing to follow instructions and place self-preservation first, hostages with a law enforcement or military background may be less inclined to withstand doing nothing to resolve the situation. This assertion makes collecting intelligence on the hostages of equal importance as perpetrator characteristics. Further, whether there is a single or group of hostages/victims may have an impact on the dynamic and outcome of the negotiation.

### **Crisis Negotiation Team Organization and Roles**

*“It’s like a football team where SWAT makes up the offense, negotiators are defense, special teams are the medics and you have one head coach with a bunch of coordinators” -Detective Brian Plancarté, Broward Sheriff’s Office (2014).*

The emphasis on a team approach necessitates that a team be established prior to crisis negotiation training. In some departments, the team is compiled by having prospective team members submit letters of intent followed by an interview. Once the selection board approves the person, and approval is granted from the higher authorities,

that individual is invited to individual and team trainings (Greenstone, 1995a). Teams can be organized with as few as three members: a primary negotiator, a coordinating negotiator or coach, and an auxiliary negotiator (Gentz, 1988). The auxiliary negotiator's role includes keeping incident boards (which are visual aids to consolidate information pertaining to the critical incident) current to organize vast information obtained in a crisis. This information would include names and information of the subject, hostages, and family members along with deadlines made, police actions conducted or planned, a surrender plan, topics to avoid (i.e. "triggers"), and important demands (Duffy, 1997).

Mullins (2003) found that most teams are composed of 6-10 team members with the largest being 20. Schlossberg (1980) emphasized the necessity of a team approach with delegated tasks so that the team can better function as a unit in critical incidents. Building an effective negotiation team is essential and relies on eight crucial steps: (a) establishing urgency and direction, (b) selecting members for their skill and potential for skill development over personality, (c) careful attention to the tone and agenda for the first meeting as a team, (d) establishing clear rules for team behavior, (e) pursuing immediately productive tasks, (f) challenging the team with new facts and goals, (g) spending time together, and (h) utilizing the power of positive feedback, recognition, and reward (McMains & Mullins, 2015). FBI guidelines suggest five specific roles be filled in negotiation teams: negotiator supervisor, primary negotiator, secondary negotiator (coach), intelligence officer, and mental health consultant (McMains & Mullins, 2015). Regini and his colleagues (2002) at the FBI's Crisis Negotiation Unit offered suggestions for selecting crisis team members and leaders.

**Team members.** Team members should be strong investigators who are able to employ a non-confrontational approach. They should be able to remain calm (or at least appear to be calm) during stressful events. Given the variety of trainings necessary to become effective negotiators, time dedication and commitment to the team is essential for trainings and actual team call-outs.

**Team leaders.** Senior investigators or supervisors are best to first consider for these positions. They must: (a) be well trained in current negotiation procedures, (b) have the ability to interact with other specialized teams, and (c) be able to assess for risk. Equal rank to that of the other specialized team commanders is preferred. It is recommended that crisis response team leaders have a familiarity with psychological concepts. Considerable time dedicated and commitment to trainings and call-outs is required.

One of the issues negotiators face in a negotiation is pressure from commanders to resolve issues quickly. In a survey addressing issues negotiators wished their supervisors knew, negotiators emphasized the importance of time and expressed frustration with command setting deadlines for resolutions (since deadlines were rarely kept by perpetrators). In addition, negotiators wanted to be recognized for their ability to assist in tactical considerations in order to decrease the lethality to all parties involved (Fuselier, 1986). Working with command can be a particularly difficult issue to overcome, especially when command decisions can emanate from multiple specialized groups. Negotiators can facilitate open lines of communication with command by emphasizing a “solution-focused” rather than “solution-forced” problem-solving strategy (Webster, 2003) and identifying when indicators of progress are evident in the

negotiation. These indicators are: (a) no additional injury to self or others, (b) reduction in threats or in intensity of threats, (c) lowered emotions, (d) increased rationality, (e) passed deadlines, (f) willingness to bargain, (g) lowering demands, (h) releasing hostages, (i) establishing rapport, (j) positive statements towards self or others, and (k) questions regarding consequences and surrender (Noesner, 1999). As training within the negotiation team for incidents is essential, so is training and pre-planning lines of communication across responders (Walton, 1988). As contended by Van Zandt (1991), “Negotiators do not command; commanders do not negotiate” (p. 18) which underscores the dual-role conflict from taking on both responsibilities. Negotiators need to act as the spokesperson to the perpetrator on behalf of the team; the commander needs to see the full picture of the crisis situation and its’ ramifications for other specialized teams (Van Zandt, 1991).

### **Role of the Psychologist in Crisis Negotiation**

FBI guidelines encourage a mental health consultant be part of the crisis response team. This is because approximately 50-52% of all hostage incidents involve a mentally disturbed individual (Feldman, 2004; Fuselier, 1988). Roles for psychologists on negotiation teams were initially considered as: (a) a resource to develop negotiation strategies, (b) a consult to train and brief on mental health issues and active listening skills, (c) an intelligence gatherer, (d) a post-trauma counselor, or (e) a resource evaluator (Powitzky, 1979). Powitzky (1979) argued that “the majority of practicing psychologists, especially those who work outside the criminal justice system, would not be very helpful (and some harmful) in a hostage-taking situation” (p.30). Slatkin (2000) identified possible mental health consultant roles being a trainer, coach, observer, monitor,

intelligence gatherer, post-incident debriefer, and researcher. The role of a psychologist or mental health professional is believed to be a “circumscribed but critical role” (p. 66). Research since has supported the use of mental health consultants and psychologists as part of crisis response teams. Butler, Leitenberg, and Fuselier (1993) examined the outcomes based on mental health professional roles and found that agencies utilizing a mental health professional, as a consult, reported significantly more surrenders and fewer tactical responses. Hammer, Van Zandt, and Rogan (1994) found that a majority of mental health professionals were used either as a post-incident resource, an on-site consult, or in trainings for the crisis response team. Hatcher et al. (1998) discussed the practicality of mental health professionals being presented with an opportunity to consult with law enforcement. They emphasize that unlike the major departments like NYPD and LAPD (among others), most police departments would not openly offer training and consultation experiences to psychologists. Instead, police departments may ask a psychologist to consult on a single-case basis. This case-by-case based invitation to consult may evolve over time into an invitation to consult with the crisis negotiation team, if three factors are present: mutual acceptance of the psychologist and the crisis negotiation team roles and functions, professional credibility on behalf of the psychologist as evidenced by timely distribution of critical information, and the psychologists’ ability to function in the field (i.e. on a call-out). While other accounts of roles of psychologists may be speculative, these authors identified four actual roles psychologists were utilized for in crisis negotiations (in descending order of frequency): (a) consultant/advisor on psychological issues and behavior change (b) integrated team

member such that they may have interchangeable roles on the team, (c) primary negotiator, and (d) primary controller as an “overall operational commander” (p. 468).

### **Coordinating with Other Specialized Teams**

Crisis response teams are composed of negotiators and Special Weapons and Tactics (SWAT) personnel that are jointly commanded by the triad of command. This triad consists of an on-scene incident, tactical, and negotiations commander (McMains & Mullins, 2015). While the incident commander is the ultimate decision maker, he or she is advised directly by both the tactical and negotiations commanders to avoid “group-think” (which is a tendency for members of a group to conform their thinking to other members of the group rather than establish independent thought) syndrome (Birge, 2002). While the three-part action criteria should be conducted prior to implementing a tactical response, SWAT and negotiators often disagree on the answer to each of the three action criteria questions. The three parts of the action criteria are (a) “is action necessary?”, (b) “is it risk effective?”, and (c) “is it acceptable”. SWAT often answers “yes” to all three questions with negotiators more often responding “no” (Noesner, 1999). The order of acceptable responses should progress from least to most – from the containment, isolation, and attempt to negotiate, to containing and demanding surrender, to utilizing chemical agents and snipers, to implementing a tactical breach with SWAT (Fuselier, 1981). This is not only an effort to preserve the life of the perpetrator and potential victims, but also to preserve safety of the SWAT team. As mentioned earlier, Greenstone (1998) conducted a study from 1990-1993 and found that 240 police officers were feloniously killed annually with over 26,000 injured as a result of assault. SWAT officers are at an increased risk for injury or death. Yet, tactical teams continue to favor

physical de-escalation tactics while negotiators emphasize emotional de-escalation tactics. This makes multi-disciplinary team trainings essential to foster positive relationships between the teams prior to call-outs (Vecchi et al., 2002).

### **Effectiveness of Trained Negotiators**

*“[T]here is a modicum of data regarding the utility of specific negotiation approaches themselves...[however] investigative efforts to prescriptively apply the most efficacious negotiation strategies based on empirically grounded decision-making have yet to be conducted.” – Vecchi et al. (2005) p. 549*

Although there is limited empirical research on crisis negotiations as a whole, the extant literature clearly indicates that specialized training of law enforcement officers leads to better outcomes of crisis negotiations. Bristow (1977) examined variables that potentially decreased the likelihood of hostages being injured during a five-year period. Results showed that that the only factor that diminished the likelihood of harm to the hostages was the use of a trained negotiator. Greenstone (1995b) demonstrated that even when the perceived critical component of “a will to live” is missing in a crisis situation, trained negotiators were able to instill practical and realistic hope with non-lethal resolutions. Van Hasselt et al. (2005a) looked at five domestic violence case examples to ascertain the effectiveness of trained negotiators. Four of the five cases were negotiated with the fifth being non-negotiable due to the negotiators not being able to establish communication with the perpetrator.

Actual negotiations are generally not available to researchers due to various political and legal reasons (i.e., liability). Consequently, researchers have utilized



simulated negotiations (similar to role-plays utilized in training curricula) to (a) study phenomena specific to crisis negotiations and (b) to determine the efficacy of crisis negotiation training (Beune, Giebels, & Sanders, 2009; Beune, Giebels, & Taylor, 2010; Beune, Giebels, Adair, Fennis, & Van Der Zee, 2011; Taylor & Donald, 2004; Taylor & Donald, 2007). Beune et al. (2009) examined the influence of disparate verbal tactics and utilized a simulation of theft suspects to assess cultural differences of being kind (i.e. employing active listening skills and offering rewards) v. rational persuasion (i.e. utilizing problem solving) in a suspect's willingness to give a statement, quality of relationship, and admission of guilt. After 52 simulated police interviews, only active listening was positively related to willingness to give a statement and quality of relationship regardless of culture.

Beune, et al. (2011) explored the notion of “strategic sequences”, which are defined as “set of behaviors that are aggregated into a sequential manifestation of components of influencing behavior” (p. 935), specifically relating them to important cultural considerations. They found that employing rational (i.e. firm statements with concessions) compared to relational (i.e. firm yet friendly) messages changed the impact of the negotiation when taking into account whether the perpetrator comes from a high context culture (where more emphasis is placed on an indirect and context-oriented style of communication) or low context culture (where a more direct and content-oriented style of communication is used).

**Training validation.** Two empirical studies were found that evaluated the validity and efficacy of training programs. In the first investigation, Van Hassel et al. (2005b) examined the validity of a role play procedure used in the FBI's negotiation

training curriculum tool for developing negotiation skills. The study recruited two groups of agents from the FBI: expert negotiators who were trained members of the Crisis Negotiation Team and non-expert agents with no formal crisis negotiation training. Active listening skill use was measured to determine if the use of active listening skills could discriminate the expert negotiators from the non-expert agents during role play scenarios. Results showed that expert negotiators had significantly higher use of active listening skills overall, and specifically differed from their non-expert agent peers by their increased use of paraphrasing, emotional labeling, and reflection/mirroring. This study demonstrated not only the validity of the role play test as an assessment tool for training crisis negotiators but as a measure to discriminate trained negotiators from untrained law enforcement peers. A second study by Van Hasselt et al. (2006) explored the effectiveness of the FBI's National Crisis Negotiation Course (NCNC) which is used to train crisis negotiators across the country. The study incorporated the role play test validated by Van Hasselt et al., (2005b) to determine pre-post training differences on levels of active listening skills demonstrated in role play scenarios. Results indicated that after the course, there was a significant increase in three of four active listening skills measured (paraphrasing, emotional labeling, reflection/mirroring) and a significant decrease in problem-solving from pre- to post-test.

While these studies do not definitively conclude that trained negotiators will always find a peaceful resolution to a crisis situation, they do provide evidence for the value of a trained negotiator, and active listening skills as a whole, in crisis negotiations. Since active listening skills are often taught at the basic, intermediate, and advanced level of negotiator trainings, it is important to further add to the literature by exploring the

effects of specific active listening skills on perpetrator response style within a negotiation.

### **Purpose of the Study**

The purpose of this study was to explore the effects of specific active listening skills within a crisis negotiation by analyzing both negotiator use of active listening skills and perpetrator response style. The considered impact of this research was to offer support for a cultural shift in police departments nationwide to provide their officers with basic crisis negotiation training. Such trainings allow officers to expand their arsenal of tools in a way that decreases their need to rely on a tactical response when a verbal de-escalation may be warranted and sufficient. Further trainings are expected to minimize the risk of harm to both officer and subject.

### **Research Hypotheses**

1. An increase in the proportion of active listening skills in Phase One of the negotiation will be associated with a decrease proportion of negative perpetrator response style in Phase Two of the negotiation, relative to positive perpetrator response style.
2. An increase in the proportion of active listening skills in Phases One and Two of the negotiation will be associated with an increase proportion of positive perpetrator response style in Phases Three and Four of the negotiation, relative to negative perpetrator response style.
3. An increase in the proportion of problem-solving utilized during Phase One of the negotiation will be associated with an increase proportion of negative perpetrator

response style in Phases Two, Three, and Four of the negotiation, relative to positive perpetrator response style.

4. An increase in the proportion of Emotional Labeling, Paraphrasing and Summarizing, and Open-Ended Questions utilized during Phases One and Two of the negotiation will be associated with an increase proportion of positive perpetrator response style in Phases Three and Four of the negotiation, relative to negative perpetrator response style.

## CHAPTER III: Methodology

### Design

The study employed a passive observational design. It utilized simulated negotiations, as is consistent with the literature (Beune et al., 2009; Beune et al., 2010; Beune et al., 2011; Taylor & Donald, 2004; Taylor & Donald, 2007; Van Hasselt & Romano, 2004), conducted in the context of monthly Crisis Response Team (CRT) trainings with local police departments in South Florida. The study aimed to explore the effects of active listening skills taught in the FBI's National Crisis Negotiation Course (Van Hasselt et al., 2006) on perpetrator response style—accumulation of specific behaviors that have been grouped into positive, negative, and neutral response style groups—within the context of crisis negotiations.

### Participants

Twelve simulated crisis negotiations (e.g., barricaded suicidal subject) were collected and analyzed for the purpose of this study. Within each simulated crisis negotiation (i.e., “case”), the negotiator (participant) attempted to employ various active listening techniques (described below) to establish empathy, rapport, and ultimately achieve a non-lethal resolution with the perpetrator (enacted by the confederate). Negotiators from participating local police departments' CRTs served as the negotiator in the simulated negotiations. A single negotiator (participant) participated in a single negotiation. The following demographics were collected on the participants: age (*mean* = 38.7 years; *ranging* 26-60 years old), gender (75% were male), years as a law enforcement officer (*mean* = 14.4 years; *ranging* 2.5-38 years), and years on the department's CRT (*mean* 3.5 years; *ranging* 6 months-9 years). All participating CRT

negotiators consented to involvement prior to entering the study (see Appendix B). In addition to recruitment for this study, Institutional Review Board (IRB) approval was obtained.

## **Measures**

Demographic data for all participants were collected using a six-item Demographic Questionnaire that asked for name/initials, age, gender, police department, years of experience as a police officer, and years of experience on CRT. Demographic data for all confederates were collected using a five-item questionnaire that asked for age, race, gender, years of clinical training in a doctoral program, and duration role playing with the Nova Players (described below). All simulated negotiations were recorded via a hand-held recording device through either a Throw-Phone—a communication device that is “thrown” into the location where a subject is barricaded to allow for communication when the subject is not available by land-line—or a mobile phone, that was held by the perpetrator during the negotiation.

In this investigation, only the first 20 minutes of each recorded simulated negotiation was coded using a behavioral coding system (DataPal 1.0). The 20-minute recording was then manually divided into four Phases for analysis of the key variables. Phase One was from 0-5 minutes, Phase Two was from 5:01-10 minutes, Phase Three was from 10:01-15 minutes, and Phase Four was from 15:01-20 minutes. During some negotiations, the confederate would hang-up on the negotiator and the negotiator would take a minute or two before calling again. In these instances, raters were trained to “pause out” of the coding when the confederate would hang-up and “pause back in” when the negotiator would call again. This was done to ensure the 20 minutes of coded data

contained actual negotiation time. Key variables were divided into three categories: (a) negotiator active listening variables (6 variables), (b) other negotiator tactics (4 variables), and (c) perpetrator response style variables (3 variables).

The inter-rater agreement was calculated for each simulated negotiation and showed a minimum of 70% agreement between every variable within the negotiation (Mudford, Zeleny, Fisher, Klum, & Owen, 2011). Table 3.1 below lists the inter-rater agreement for each variable across the simulated negotiations (cases 1-12). Inter-rater agreement was calculated using a program called DataPalReli 1.0 that is a program which computes exact inter-rater agreement percentages between coded cases through DataPal.

**Active listening skills.** Active listening includes essential communication skills taught to negotiators nationwide at the FBI's National Crisis Negotiation Course in an effort to increase their ability to verbally de-escalate a crisis situation. The definitions listed below have been adapted from Sommers-Flanagan and Sommers-Flanagan (2012) and Van Hasselt et al. (2006).

***Paraphrasing and Summarizing*** are a rephrase of content stated by the perpetrator. Paraphrasing is rephrasing a single sentence or topic, while a summary is rephrasing several topics covered. For example, "*So it sounds like a lot is going on with your mother recently passing away, your girlfriend leaving you, and your boss getting on your case at your job.*"

***Mirroring*** is a non-directive reflection and is simply a restatement of the perpetrator's own words. For example, the perpetrator states, "*I'm just so sick and tired*" and the negotiator responds "*sick and tired.*"

**Emotional Labeling** is an interpretive reflection of feeling, and is a statement made by the negotiator that indicates the feeling(s) the negotiator believes are underlying the perpetrator's thoughts or actions. For example, *"You seem distraught!"*

**"I" messages** can either be a non-threatening way to communicate how the perpetrator is making the negotiator feel, or a way to refocus the perpetrator when they are verbally attacking the negotiator. For example, *"I'm worried that you feel I'm only here to do a job."*

**Open-Ended Questions** are queries that require more than a single-word response, and directly elicit information from the perpetrator. For example, *"Tell me more about that..."*

**Minimal Encouragers** are sounds made by the negotiator to let the perpetrator know that he/she is still there and listening, while not interfering with the flow of conversation. For example, *"uh-huh."*

**Negotiator Tactics.** Adapted from Sommers-Flanagan and Sommers-Flanagan (2012), Vecchi et al. (2005) and Van Hasselt et al., (2006), these are specific tactics employed by negotiators in order to influence perpetrator behavior change. In addition, other common negotiator responses that were coded, but are not considered active listening skills, are defined below.

**Face-Saving Justification and Minimization** are precursors to the ending of a crisis and consist of rationalizations, justification, and mitigations of a perpetrators actions. For example, *"You didn't kill anybody yet; You haven't done anything wrong."*



**Normalizing** is a feeling validation and is a statement made by the negotiator that supports, affirms, approves of, or validates feelings articulated by the perpetrator. For example, “*It seems completely normal that you feel that way!*”

**Problem-Solving** is also known as “advice” and is a recommendation given to the perpetrator by the negotiator. It can include recommendations on how to act, think, or feel. For example, “*Why don’t we try putting the gun down?*”

**Closed-ended questions.** Queries that can be answered with a single-word response, and directly elicit information from the perpetrator. For example, “*Do you want to talk to me?*”

**Perpetrator response style variables.** (Adapted from McClain, Callaghan, Madrigal, Unwin, and Castoreno’s [2006] Crisis Communication Rating Scale.) To simplify the behavioral coding system established with this rating scale, codes that had a subjectively positive connotation were adapted to be positive responses. Likewise, codes that had a subjectively negative connotation were adapted to be negative responses. Any perpetrator response code that did not meet either positive or negative response style were considered to be a default code of neutral response.

**Positive response** is a word, statement, or other audible cue from the perpetrator that indicates the negotiator has aligned with, built rapport with, or otherwise prosocially influenced the perpetrator. For example, “*You’re right.*”

**Negative response** is a word, statement, or other audible cue from the perpetrator that indicates the negotiator has **not** aligned with, built rapport with, or otherwise prosocially influenced the perpetrator. For example, “*Screw you; I’m going to kill everyone in here.*”

*Neutral response* is a response by the perpetrator that does not meet the definition for either positive or negative response. For example, “*I guess, but...*”.

## **Procedures**

The procedures were divided into three parts: (1) confederate training and procedures, (2) coder procedures for training, and (3) study procedures integrating experimenter, coder, and participant roles.

**Confederate training and procedures.** Confederates who served as role players (perpetrators) were members of the Nova Players. Nova Players were doctoral students in Clinical Psychology at Nova Southeastern University involved with the Police Psychology Research Program and were trained in scenario-based role plays of hostage/barricaded subject situations. Four doctoral students were trained in this investigations’ scenario-based role play of a suicidal barricaded subject (see Appendix C). Each of the four confederates conducted three simulated negotiation scenarios with three different negotiators (participants) using a random block design. Training for confederates was accomplished by the following steps: (a) the prospective confederates conducted the role-play in front of an expert in crisis-negotiations for evaluation, (b) the expert rated each prospective confederate based on the extent to which their enactment was realistic (1=highly unrealistic; 7=highly realistic) with higher ratings ( $\geq 6$  on the 7-point scale; adapted from Vagias, 2006) considered acceptable for participation in the study, and (c) the Primary Investigator (PI) practiced the scenario with those confederates who received acceptable ratings prior to data collection. Demographic data were collected on the confederates after reaching an acceptable score in their enactment with the expert and prior to beginning simulated negotiations.

**Coding procedures.** Three graduate students at Nova Southeastern University were trained to code the recordings. Training was carried out as follows: (a) the PI obtained a recording for training purposes only, (b) each rater was trained on the Behavioral Coding System (see Appendix D) by the PI, (c) each rater coded the training scenario, (d) the agreement in coding between the raters was calculated. Raters were considered ready to code the simulated negotiations from the actual student when inter-rater agreement reached a minimum of 80% among all variables, where a kappa statistic range between .61 and .80 is considered substantial and .81-1.00 is considered almost perfect (Landis & Koch, 1977). Raters who did not meet the 80% agreement threshold on the training scenario were retrained until 80% agreement was achieved. The simulated negotiation recordings were then coded by using the behavioral coding system. For study data, inter-rater agreement was calculated by having a different trained rater independently code all of the cases with a minimum of 70% accuracy between the two raters. Inter-rater agreement was monitored throughout the data collection portion of this study to ensure minimization of rater-drift. In the event a case was coded with less than 70% agreement between the two raters, the two raters met and collaborated with the PI to reach a consensus regarding confusion in operational definitions before re-coding the case. While all cases were capped at 20 minutes, some were paused at various points during data coding to account for time when neither participant nor confederate were speaking (e.g., time between the confederate hanging up the phone and the participant calling back). As a result, Phase times varied in these cases to correspond to the appropriate amount of “paused time”.

**Study procedures.** Prior to the start of the role play portion of the monthly multi-agency CRT, CRT members who were negotiating in training were asked if they would agree to participate in the study. Informed consent, approved by IRB, was reviewed with the participant by the PI. The police negotiator and confederate were in separate areas of the training facility and were not visible to one another or within earshot of one another. The confederate re-familiarized him/herself with the scenario (see Appendix E), before meeting with the officer whose role was to collect initial intelligence concerning the scenario. The confederate was instructed to provide only the information listed as *Intelligence for Law Enforcement* (Appendix F) to the officer. After receiving this information and conferring with his/her team, the negotiator initiated contact via throw-phone (or mobile phone), at which time data collection was initiated. The negotiator was aware that in order for the study to generalize to real-world scenarios, the negotiator must treat the role play as a real-life situation and was to rely on their own training and the help of their coaches in the negotiation. The confederate answered the phone call, in character, and began disclosing information as deemed fit given the scenario and the rapport with the negotiator.

The confederate was encouraged to treat the role-play as a real-life situation and remain in character, letting the negotiation happen as authentically as possible. The confederate was encouraged to behave in a way that was consistent with real-world scenarios, such as questioning, laughing with, cursing at, hanging-up on, or threatening the negotiator, when appropriate in the role play. In addition, the confederates were provided the *Key Phrases* (see Appendix G) outlined in the scenario to help them more accurately portray the scenario. The confederate was to use the scenario as the guideline

for their role play and to not disclose their *Hook* (i.e., pertinent information to the reason for the crisis; see Appendix H) until they felt the negotiator had established sufficient rapport to warrant that information. Confederates were encouraged to provide a strong negative response to *Triggers* (i.e., topics that exacerbate the crisis; see Appendix I) outlined in the scenario. A confederate chose to end the negotiation either as a lethal or non-lethal (surrender) resolution depending on the natural progression of the negotiation. An important consideration for this study was that while it may be natural for a negotiator to switch-out with another negotiator if warranted during a scenario (e.g., due to a perpetrator becoming more volatile when speaking to someone of a certain gender), negotiators who participated in this study were asked to remain on the phone for the duration of the negotiation.

Once the simulated negotiation had concluded, the confederate turned off the recording device (if they are using a hand-held device) and the PI then met with the negotiator to administer the 6-item questionnaire (see Appendix J) to the negotiator before beginning another negotiation. To maintain fidelity of this study, feedback was not provided to the negotiator or the team so that the scenario would not be compromised for future participants. All recordings were saved on a password-protected external hard-drive.

### **Data Analyses**

The data analytic strategy to address H1 employed a Pearson correlation to evaluate the linear association between the proportion of active listening skills in Phase One<sup>i</sup> with the proportion of negative perpetrator responses in Phase Two<sup>ii</sup>. To address H2, a Pearson correlation was employed to evaluate the linear association between the

proportion of active listening skills in the first half of the negotiation (Phases One and Two)<sup>iii</sup> with the proportion of positive perpetrator responses in the second half of the negotiation (Phases Three and Four)<sup>iv</sup>. The data analysis strategy to address H3 employed a Pearson correlation to evaluate the proportion of problem-solving in Phase One<sup>v</sup> with the proportion of negative perpetrator responses during the remainder of the negotiation (Phases Two, Three, and Four)<sup>vi</sup>. To address H4, four Pearson correlations were calculated to evaluate associations between the following pairs of variables: (a) the proportion emotional labeling, paraphrasing/summarizing, and open-ended questions in the first half of the negotiation (Phases One and Two)<sup>vii</sup> with the proportion of positive perpetrator responses during the second half of the negotiation (Phases Three and Four)<sup>viii</sup>, (b) the proportion of emotional labeling in the first half of the negotiation<sup>ix</sup> with the proportion of positive perpetrator responses in the second half of the negotiation, (c) the proportion of paraphrasing/summarizing in the first half of the negotiation<sup>x</sup> with the proportion of positive perpetrator responses in the second half of the negotiation, and (d) the proportion of open-ended questions in the first half of the negotiation<sup>xi</sup> with the proportion of positive perpetrator responses in the second half of the negotiation.

In addition, scatterplots were constructed for visual examination of all correlations described above and inter-rater agreement percentage was calculated for all simulated negotiations (Table 3.1)<sup>xii</sup>. All analyses were performed using IBM SPSS Statistics 24 (IBM Corp. Released 2016. IBM SPSS Statistics for Windows, Version 24.0. Armonk, NY: IBM Corp). Type I error was set at  $\alpha=.05$  for all analyses.

Table 3.1  
*DataPalReli 1.0 Interrater Agreement Percentage*

	Coded Variables													
	p	m	e	n	i	o	c	v	u	j	0	1	2	
Simulated Negotiation	1	99.17	97.50	100	100	99.17	95.83	94.17	95.00	95.00	96.67	88.33	91.67	92.50
	2	99.17	95.00	100	99.17	99.17	96.67	90.00	94.17	95.00	98.33	89.17	92.50	95.83
	3	95.42	96.95	99.24	96.18	98.47	95.42	88.55	93.13	88.55	96.95	83.21	90.08	95.42
	4	94.17	95.83	97.50	99.17	97.50	95.83	89.17	90.83	95.83	91.67	80.00	92.50	80.00
	5	95.83	99.17	99.17	99.17	99.17	96.67	91.67	93.33	95.83	97.50	87.50	84.17	84.17
	6	99.10	99.10	100	100	100	94.59	90.99	88.29	86.49	97.30	89.19	82.88	81.98
	7	96.67	99.17	98.33	100	100	90.83	81.67	94.17	85.83	95.00	86.67	87.50	89.17
	8	96.67	100	98.33	99.17	99.17	87.50	80.00	95.00	92.50	93.33	80.00	71.67	73.33
	9	92.50	99.17	97.50	100	100	95.00	90.83	94.17	89.17	95.83	82.50	93.33	70.83
	10	96.69	99.17	96.69	99.17	99.17	98.35	89.26	88.43	98.35	95.87	86.78	83.47	79.34
	11	99.18	100	100	98.36	100	94.26	91.80	90.16	99.18	97.54	89.34	88.52	81.15
	12	99.17	100	100	98.33	100	98.33	95.83	95.83	98.33	95.00	89.17	89.17	83.33

## CHAPTER IV: Results

### Descriptive Statistics

The following demographic characteristics were obtained for the confederates: age (*mean*= 26.3 years; *SD*= 3.94; *ranging* 23-31 years old), gender (75% female), years in doctoral program (*mean*= 2.5; *SD*= 1.00; *ranging* 2-4 years), and years as a Nova Player (*mean*=2; *SD*=0.41; *ranging* 1.5-2.5 years). The following demographic characteristics were obtained for the participants: age (*mean*= 38.7 years; *SD*= 11.31; *ranging* 26-60 years old), gender (75% male), years as a law enforcement officer (*mean*= 14.4; *SD*= 10.65; *ranging* 2.5-38 years), and years on the Crisis Response/Hostage Rescue team as a negotiator (*mean*= 3.5; *SD*= 2.76; *ranging* 0.5-9 years). It is worth noting that there was a single participant that did not wish to provide demographic information.

### Study Results

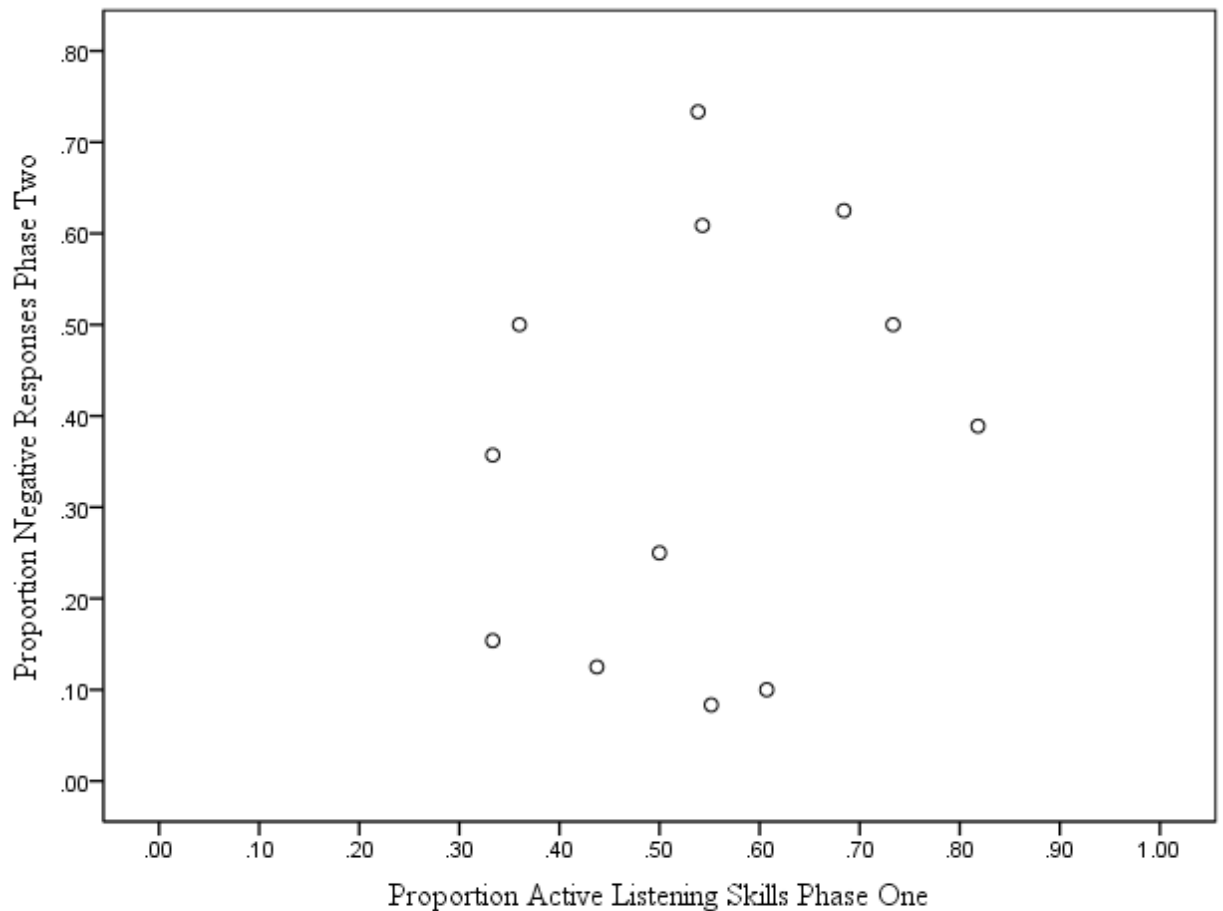
It was hypothesized that an increase in the proportion of active listening skills in Phase One of the negotiation would be associated with a decrease in the proportion of negative perpetrator responses in the subsequent phase (H1). A non-significant Pearson correlation was found that did not trend in the hypothesized direction ( $r = .255, p = .424$ ) (Table 3.2 and Figure 3.1).



Table 3.2

*H1: Comparing Active Listening Skills in Phase One with Negative Responses in Phase Two*

Proportion of Active Listening Skills in Phase One	Proportion of Negative Perpetrator Responses in Phase Two	
	Pearson Correlation	0.255
Sig (2-tail)	0.424	
N	12	



*Figure 3.1 Negative perpetrator responses in Phase Two as a function of negotiator active listening skills in Phase One (H1).*

It was hypothesized that an increase in the proportion of active listening skills in the first half of the negotiation (Phases One and Two) would be associated with an increase in the proportion of positive perpetrator responses in the second half of the negotiation (Phases Three and Four; H2). A non-significant Pearson correlation was found ( $r = .124, p = .701$ ) that trended in the hypothesized direction upon visual inspection of the data (Table 3.3 and Figure 3.2).

Table 3.3

*H2: Comparing Active Listening Skills in the First Half with Positive Responses in the Second Half*

Proportion of Active Listening Skills in First Half	Proportion of Positive Perpetrator Responses in Second Half	
	Pearson Correlation	0.124
Sig (2-tail)	0.701	
N	12	

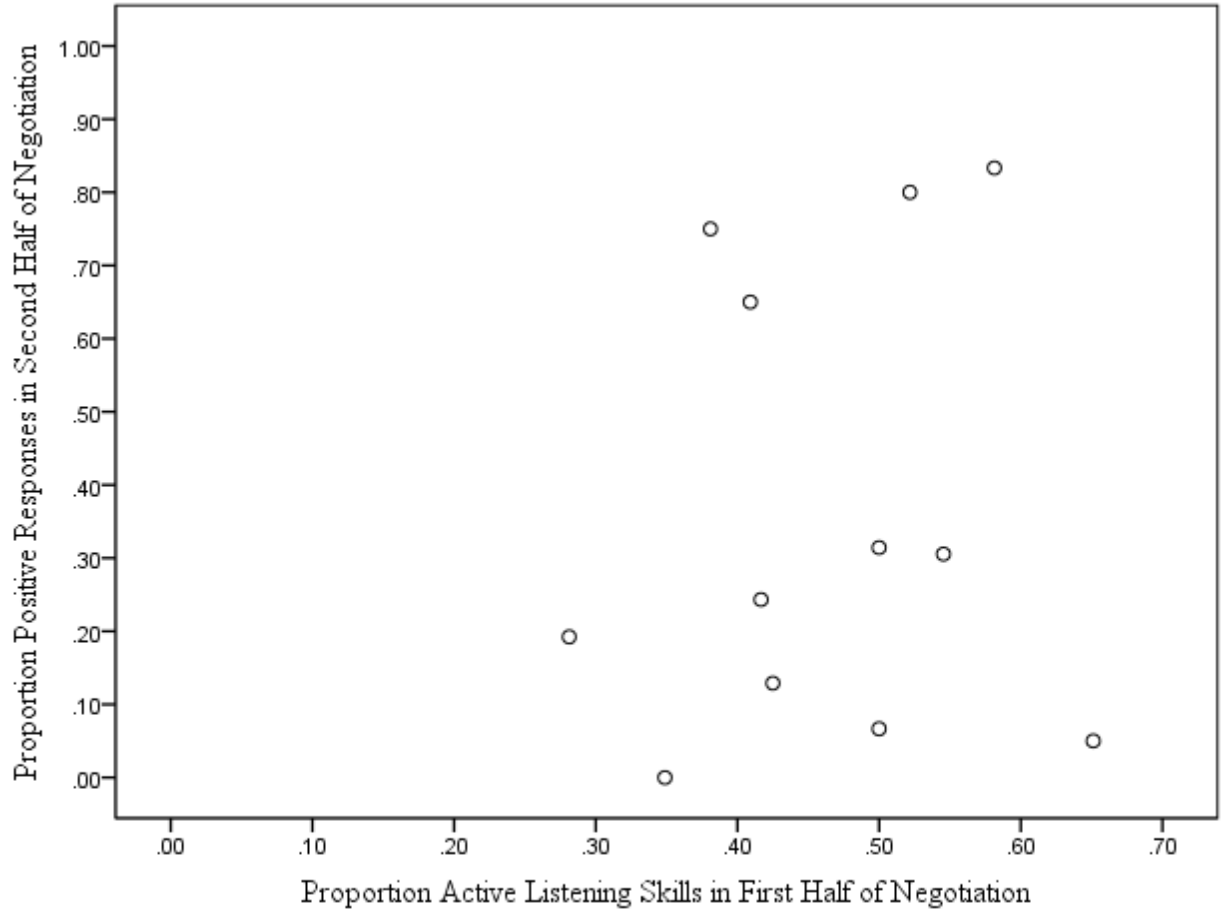


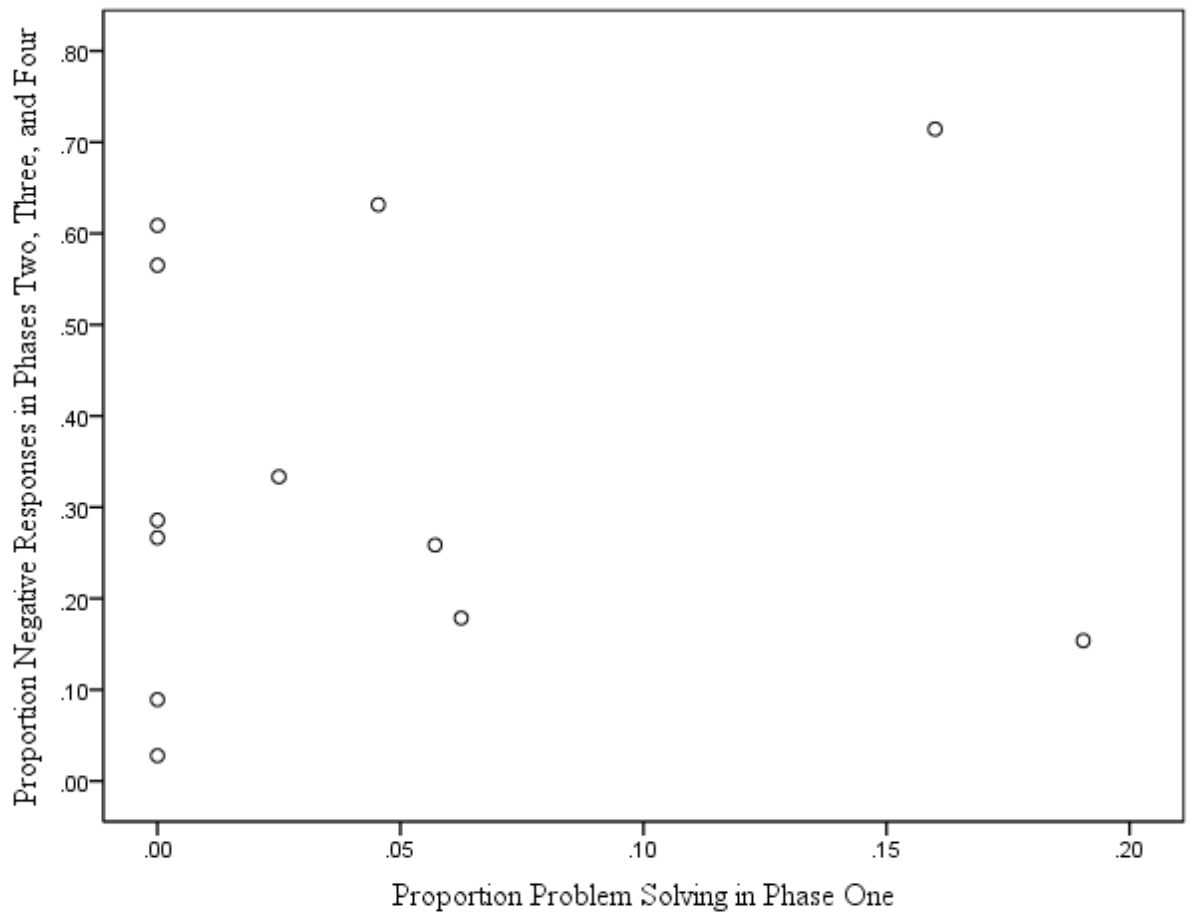
Figure 3.2 Positive perpetrator responses in the second half of the negotiation as a function of negotiator active listening skills in the first half of the negotiation (H2).

It was hypothesized that an increase in the proportion of problem-solving during Phase One of the negotiation would be associated with an increase in the proportion of negative perpetrator responses in the remaining phases (H3). A non-significant Pearson correlation was found ( $r = .128, p = .692$ ) that appeared random upon visual inspection of the data, which does not trend in the hypothesized direction (Table 3.4 and Figure 3.3).

Table 3.4

*H3: Comparing Problem Solving in Phase One with Negative Responses in the Remainder of the Negotiation*

Proportion of Problem Solving in Phase One	Proportion of Positive Perpetrator Responses in Remainder of Negotiation	
	Pearson Correlation	0.128
Sig (2-tail)	0.692	
N	12	



*Figure 3.3 Negative perpetrator responses throughout the remainder of the negotiation as a function of problem solving by the negotiator in Phase One (H3).*

Lastly, it was hypothesized that an increase in the proportion of specific active listening skills—emotional labeling, paraphrasing/summarizing, and open-ended questions—during the first half of the negotiation (Phases One and Two) would be associated with an increase in the proportion of positive responses in the second half of the negotiation (Phases Three and Four combined; H4a). A non-significant Pearson correlation was found ( $r = .117, p = .717$ ) that trended in the hypothesized direction upon visual inspection of the data (Table 3.5 and Figure 3.4). Assessing each specific active listening skill separately, non-significant Pearson correlations were found with the following results of visual inspection: (a) emotional labeling ( $r = -.477, p = .145$ ; H4b) not trending in the hypothesized direction (Table 3.5 and Figure 3.5), (b) paraphrasing/summarizing ( $r = .189, p = .557$ ; H4c) trending in the hypothesized direction (Table 3.5 and Figure 3.6), and (c) open-ended questions ( $r = .250, p = .433$ ; H4d) trending in the hypothesized direction (Table 3.5 and Figure 3.7).

Table 3.5

*H4: Comparing Emotional Labeling, Paraphrasing/Summarizing, and Open-Ended Questions (EPO) in First Half with Positive Responses in Second Half*

		Proportion of Positive Perpetrator Responses in Second Half
Proportion of EPO in First Half (H4a)	Pearson Correlation	0.117
	Sig (2-tail)	0.717
	N	12
		Proportion of Positive Perpetrator Responses in Second Half
Proportion of	Pearson Correlation	-0.477

Emotional Labeling in First Half (H4b)	Sig (2-tail)	0.145
	N	12
Proportion of Positive Perpetrator Responses in Second Half		
Proportion of Paraphrasing/ Summarizing in First Half (H4c)	Pearson Correlation	0.189
	Sig (2-tail)	0.557
	N	12
Proportion of Positive Perpetrator Responses in Second Half		
Proportion of Open-Ended Questions in First Half (H4d)	Pearson Correlation	0.25
	Sig (2-tail)	0.433
	N	12

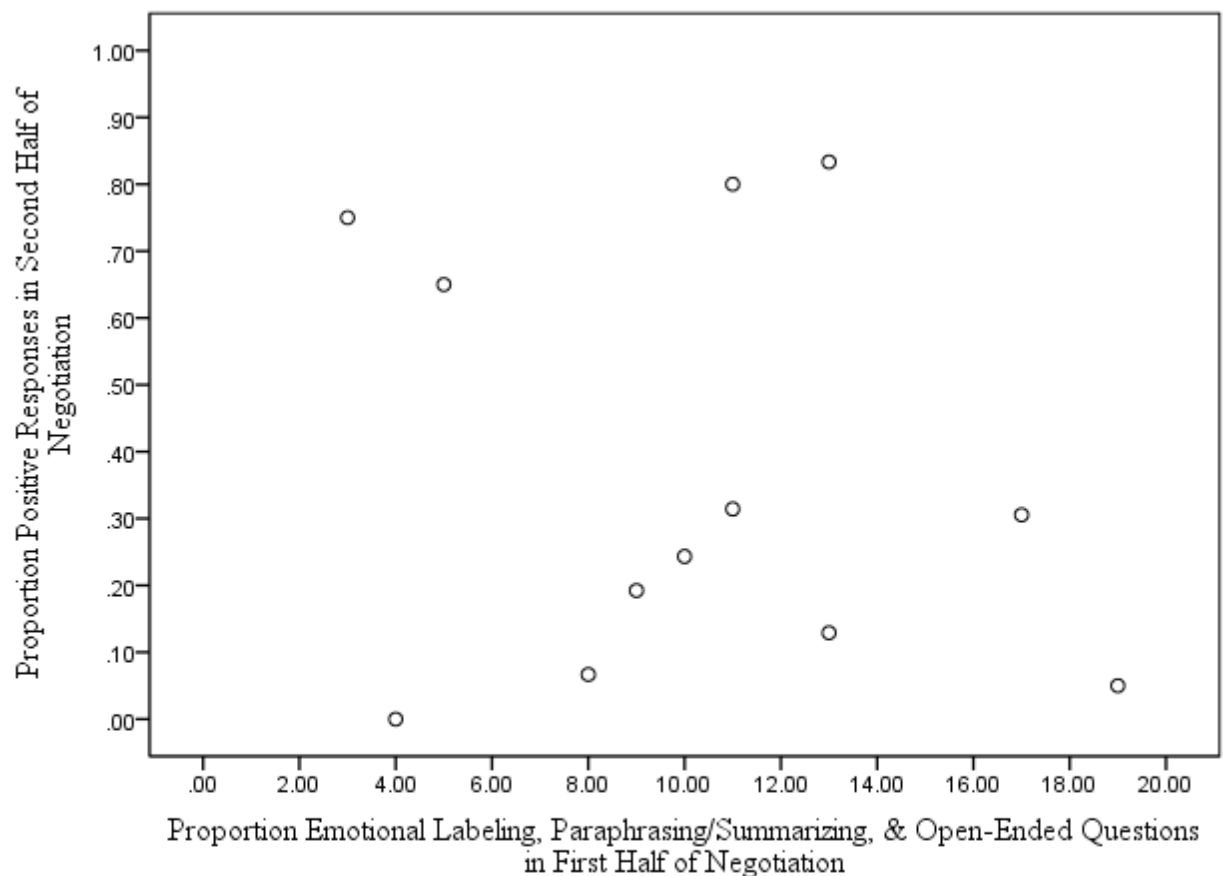
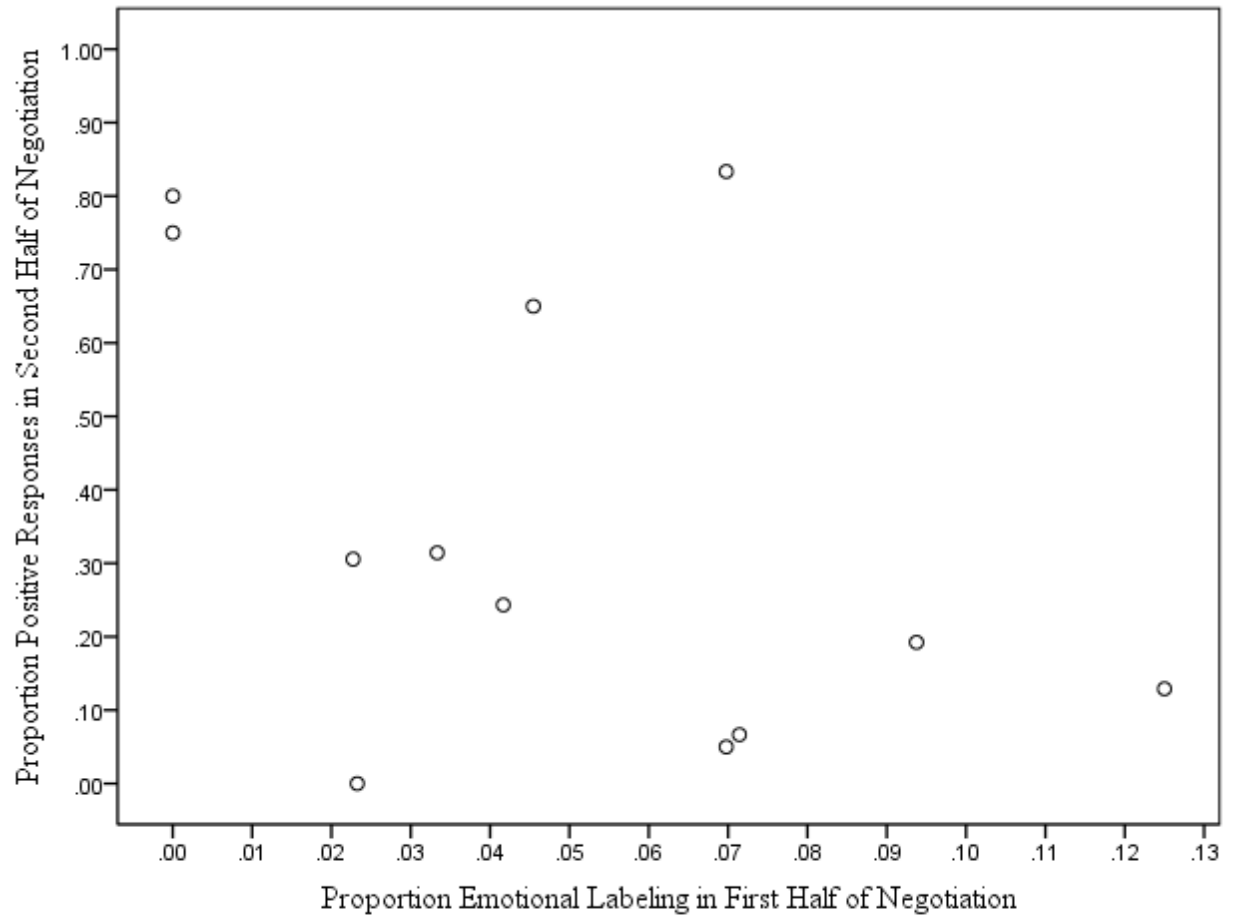


Figure 3.4 Positive perpetrator responses in the second half of the negotiation as a function of negotiator use of emotional labeling, paraphrasing/summarizing, and open-ended questions in the first half of the negotiation (H4a).



*Figure 3.5 Positive perpetrator responses in the second half of the negotiation as a function of negotiator use of emotional labeling in the first half of the negotiation (H4b).*

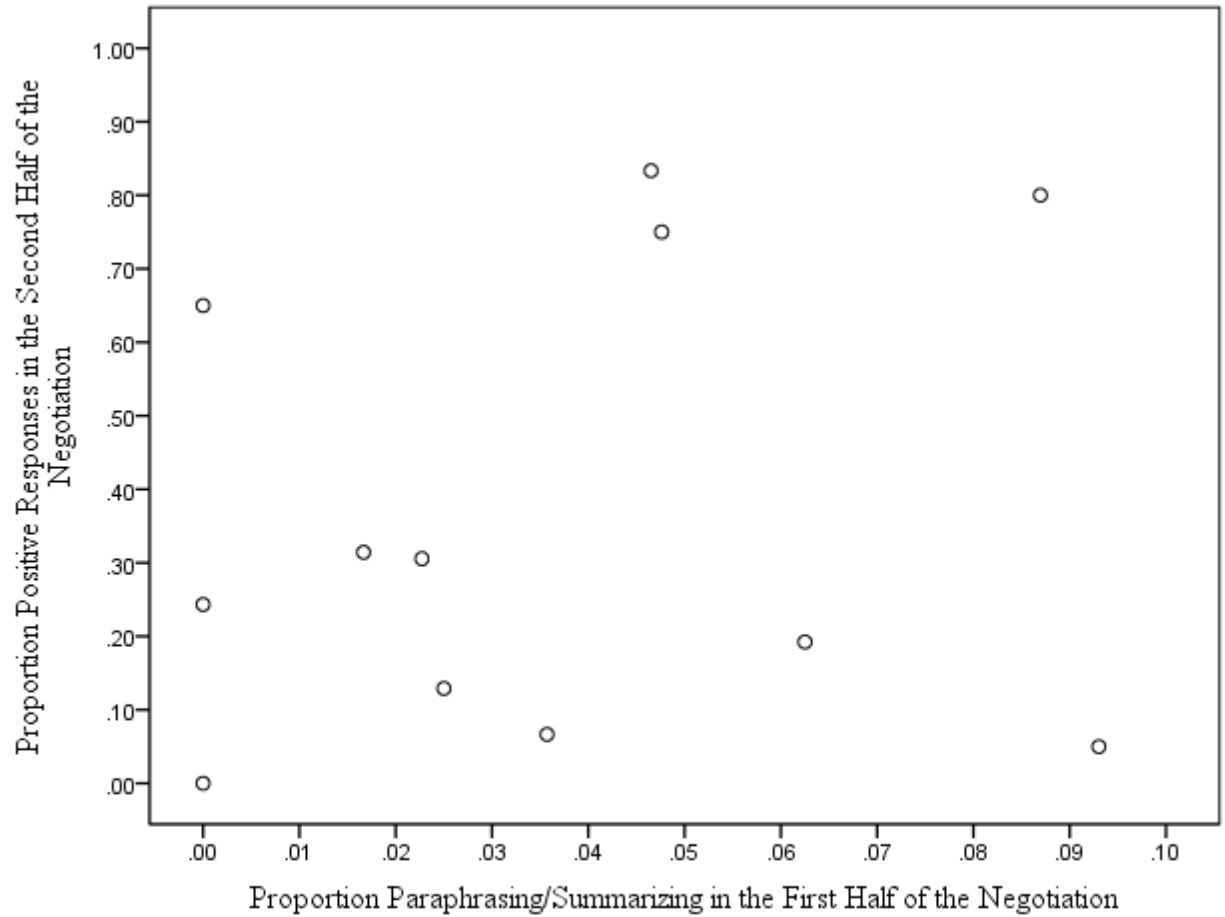


Figure 3.6 Positive perpetrator responses in the second half of the negotiation as a function of negotiator paraphrasing/summarizing used in the first half of the negotiation (H4c).



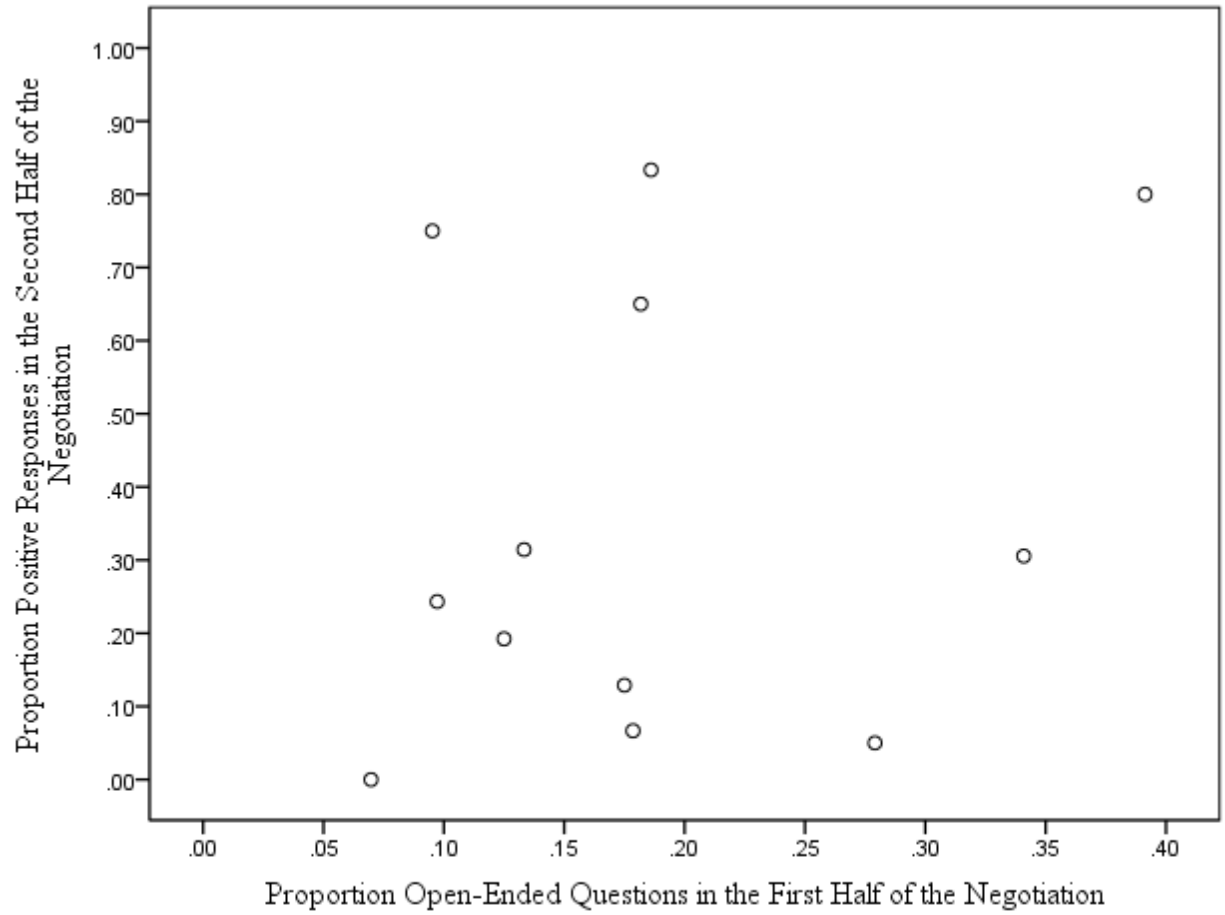


Figure 3.7 Positive perpetrator responses in the second half of the negotiation as a function of negotiator use of open-ended questions in the first half of the negotiation (H4d).

## CHAPTER V: Discussion

### Reviewing the Hypotheses and Limitations

The purpose of this pilot study was to build upon the limited literature regarding the benefit of utilizing active listening skills within crisis negotiations (Beune et al., 2009; Beune et al., 2010; Van Hasselt et al., 2005b; Van Hasselt et al., 2006; and Vecchi et al., 2005). This pilot study aimed to examine a temporal impact of active listening skills on a perpetrators response style by creating artificial phases within simulated negotiations. Role-play scenarios are considered an effective format for the “extensive behavior rehearsal necessary for new negotiators to gain proficiency in [active listening]” (Van Hasselt & Romano, 2004; p. 16). While this pilot study found no statistically significant support for any of the hypotheses, this study did provide “proof of concept”—that we can examine the process of crisis negotiations through behavioral coding of active listening skills and perpetrator response styles—and can be analyzed for its limitations to provide more guidance towards improved future versions of this study. Behavioral coding of negotiations is not a new concept, but is typically described in the existing literature as “speaking turns” (Beune et al., 2010; p. 911) and is analyzed using a proximity coefficient to demonstrate the interconnectedness of behaviors (Giebels & Taylor, 2009). This study attempted to expand upon the coding of “speaking turns” by focusing on specific behaviors (i.e., active listening and perpetrator response styles) and analyzing them within a temporal framework. It is believed that the insignificant findings may be in large part due to the immensely small sample size, especially when taking into account then number of variables and covariates that were explored. However, it is still important to discuss the trends that were observed within this small sample size as a

stepping stone towards a more robust study of the effectiveness of active listening skills within the context of crisis negotiations.

The first hypothesis posited that an increase in active listening skills during the first phase of a negotiation would correlate with a decrease in negative perpetrator responding in the second phase. This hypothesis developed from the Behavioral Change Stairway Model theory that active listening skills help break down a person's defensive posture, which in turn, would allow them to build rapport with and respond more positively to the negotiator (Vecchi et al., 2005). The theory is further supported by Beune et al. (2009) who demonstrated only active listening skills, compared to other influencing tactics utilized by law enforcement, were positively related to behavior change. This hypothesis was not only unsupported by a significant correlation, but visual observation of the data showed, an albeit non-significant, opposite effect. Some limitations of the study may have contributed to this unexpected result. One limitation may have been the operational definition of negative perpetrator response style. It is possible that the definition itself may be coding objectively negative vocalization that are actually beneficial within the context of the negotiation because the perpetrator is able to express themselves, which may be cathartic. Another such limitation is the small number of observations of active listening skills across each phase (and across each negotiation). In addition, the phases themselves are potentially a limitation in this study because they were arbitrarily assigned 5 minute intervals.

The second hypothesis proposed an increase in positive perpetrator responses in the second half of the negotiation as active listening skills increased in the first half. This hypothesis attempted to ascertain the impact of artificially created phases by expanding

upon the first hypothesis (from association between Phase One and Phase Two to association between first and second half of the negotiation). This hypothesis had a non-significant correlation, however, visual inspection of the data showed that the data trended towards supporting this hypothesis. This is an important trend as it suggests that the abovementioned limitations of insufficient observations of active listening skills and the arbitrary phases could be obstructing significant correlations.

The third hypothesis proposed an increase in problem solving during the first phase would be detrimental to the rest of the negotiation, resulting in increased negative perpetrator responding. This hypothesis attempted to establish the importance of a negotiator adapting from a traditional “cop” role of being authoritative and directive, which is taught in the National Crisis Negotiator Course (NCNC). Research conducted by Van Hasselt et al. (2005b) and Van Hasselt et al. (2006) demonstrated the emphasis on reducing use of problem-solving and directive language and that training was, in fact, successful at modifying proficient negotiators use of problem-solving and directive “expert” language (Van Hasselt et al., 2005b). However, the data did not support the benefit of this extensive training. The data did not support the hypothesis, however, while it had minor non-significant trend toward support, visual inspection appeared to show a random effect. This result may again be due to limitations in the study, including the arbitrary nature of the phases, limited frequency counts, and operational definitions of positive and negative perpetrator responses.

The final hypothesis proposed a positive impact of specific active listening skills that are touted in the literature to be most beneficial in training on communication and behavior change: emotional labeling, paraphrasing and summarizing, and open-ended

questions (Sommers-Flanagan & Sommers-Flanagan, 2012; Van Hasselt et al., 2006). Again, the data trended toward support upon visual inspection, however no significant correlations were found. The strongest association appears to be between open-ended questions and positive perpetrator response style. The same limitations related to arbitrary phases and small number of observations of active listening skills are believed to have impacted the results.

Other limitations of this study include difficulty in operationally defining perpetrator response style into positive, negative, and neutral. Coding concerns included remedying the difference between a response that was positive in content but negative in valence or vice versa. Some of this confusion was due to personality factors of confederates that presented themselves during the simulated role-plays even with a standardized scenario. Another coding concern was related to negotiators who engaged in multiple coded behaviors such as compound questions (e.g., “Is it really bad? And even if it is bad, are you sure it’s that big of a deal?”), beginning a question as open-ended and changing it to closed-ended (e.g., “How did you—did you tell your wife?”), and going on long tangents (e.g., telling a personal story, multiple pieces of advice given, etc.) These complicated the analyses as it was not always a 1:1 ratio of negotiator communication variable to perpetrator response variable coded. In addition, the confederates were encouraged to make the role-plays as organic as possible in an attempt to reflect real life. However, this likely weakened the experimental design of the study and introduced too many confounding variables. Likewise, the physical location of these role-plays was not consistently quiet or secluded. This may have again introduced unwanted confounding variables. Furthermore, observations made by this author during

data collection indicate that the informal nature of these simulated negotiations during monthly trainings may have led to lax behavior by both the role-player and negotiator. For example, it is not uncommon for departments to request the simulated negotiation be brief (i.e. 15-20 minutes) as to allow more negotiators to practice being the lead negotiator during the training. Knowing this, it was observed that some confederates would prematurely facilitate a non-lethal resolution to allow the negotiation to come to a “clean” ending during that time. While in some cases, the negotiation appeared to come to a natural conclusion at around the 20-minute mark (and would therefore reflect accurately the effect of active listening skills on the negotiation), other cases that were rushed to conclusion may not accurately reflect the impact of active listening skills on perpetrator response style during the negotiation.

### **Implications for Future Research**

As stated above, this pilot study intended to contribute to the current research in the use of active listening skills within the context of crisis negotiations. While the study had notable limitations, they can be useful in providing recommendations for future research endeavors aiming to examine the process of crisis negotiations as opposed to focusing solely on the outcome of crisis negotiations. As such, there are several recommendations for future research into the efficacy of active listening skills in crisis negotiations. First and foremost, a significantly larger sample size should be obtained for future research. A larger sample size would allow for more sophisticated statistical analyses to be conducted (i.e. GLMM; binomial logistic regressions) that may glean more powerful support for the use of active listening skills in crisis negotiations. It would be beneficial for future research to provide more standardization across confederate

responding by creating a bank of responses for confederates to use within the operationally defined “positive”, “negative”, and “neutral” perpetrator responses. Future research may also wish to assess the value of keeping a “neutral” category as opposed to coding perpetrator response as binary codes (i.e. “positive” or “negative”). Furthermore, future research may benefit from conceptualizing the dependent variables (perpetrator response style) on a Likert scale (e.g., mildly negative – completely negative; mildly positive – completely positive; Beune et al., 2009) to better capture the complexity of responses. Standardization of data collection tools and location may also be beneficial to avoid interruptions, dropped calls from loss of signal, and other unintended confounding variables.

### **Implications for Law Enforcement**

The preliminary findings of this study offer some support for the teaching of active listening skills to law enforcement officers as a verbal de-escalation tactic when encountering individuals in crisis. With the understanding that police departments have limited resources and time to dedicate to training, further research should seek to provide corroborating empirical support for the use of active listening skills within the context of crisis negotiations. Future research should emphasize not only the relationship between active listening skills and non-lethal resolutions, but the relationship between active listening skills on demonstrating empathy, building rapport, and influencing behavior change with someone in crisis. The existing literature demonstrates training is effective in increasing the use of active listening skills in negotiators (Van Hasselt et al., 2006), which is recognized to be an asset in influencing behavior change (Beune et al., 2009; Vecchi et al., 2005). Further research such as this can provide justification for resources

and time to be allocated to continued training of law enforcement in active listening skills, which may provide officers with an additional practiced tool in their arsenal that could reduce risk of bodily harm to themselves and others.



## References

- Augustin, D., & Fagan, T. (2011). Roles for mental health professionals in critical law enforcement incidents: An overview. *Psychological Services, 8*(3), 166-177. doi 10.1037/a0024104
- Bahn, C. (1980). Hostage taking—the takers, the taken, and the context: Discussion. *Annals of the New York Academy of Sciences, 347*(1), 151-156.
- Baruth, C. L. (1988). Routine mental health checkups and activities for law enforcement personnel involved in dealing with hostage and terrorist incidents by psychologist trainer-consultant. *Police psychology: Operational assistance, 9-20*.
- Beune, K., Giebels, E., & Sanders, K. (2009). Are you talking to me? Influencing behaviour and culture in police interviews. *Psychology, Crime & Law, 15*(7), 597-617.
- Beune, K. Giebels, E., & Taylor, P.J. (2010). Patterns of interaction patterns in police interviews: The role of cultural dependency. *Criminal Justice and Behavior, 37*(8), 904-925.
- Beune, K., Giebels, E., Adair, W., Fennis, B., & Van Der Zee, K. (2011). Strategic sequences in police interviews and the importance of order and cultural fit. *Criminal Justice and Behavior, 38*(9), 934-954.
- Biggs, J. R. (1987). Defusing hostage situations. *The Police Chief, 54*(5), 33-34.
- Birge, R. (2002). Conducting successful hostage negotiations. *Law & Order, 50*(3).

- Bolz Jr, F. A. (2001). Intelligence requirements in hostage situations. *Journal of Police Crisis Negotiations*, 1(1), 61-68.
- Booth, B., Vecchi, G. M., Finney, E. J., Van Hasselt, V. B., & Romano, S. J. (2009). Captive-Taking Incidents in the Context of Workplace Violence: Descriptive Analysis and Case Examples. *Victims and Offenders*, 4(1), 76-92.
- Booth, B., Vecchi, G. M., Angleman, A. J., Finney, E. J., Marker, C., Romano, S. J., & Van Hasselt, V. B. (2010). Captive-taking incidents in the context of domestic violence: A descriptive analysis. *Victims and offenders*, 5(2), 183-198.
- Borum, R. & Strentz, T. (1992). The borderline personality: Negotiation strategies. *FBI Law Enforcement Bulletin*, 61(8), 6-10.
- Botting, J. M., Lanceley, F. J., & Noesner, G. W. (1995). The FBI's Critical Incident Negotiation Team. *FBI Law Enforcement Bulletin*, 64, 12-12.
- Bracey, D.H. (1980). Forensic psychology and hostage negotiation: Introductory remarks. *Annals of New York Academy of Sciences*, 347, 109-111.
- Bristow, A. P., Copp Organization, Inc, & United States of America. (1977). Preliminary Research on Hostage Situations. *Law and Order*, 25(3), 74-77.
- Browning, S.L. (2011) Chapter 3: Crisis situations, communications, goals, and techniques. In Ireland, C. A., Fisher, M. J., & Vecchi, G. M. (Eds.). *Conflict and crisis communication: Principles and practice*. New York, NY: Routledge.
- Burke Jr, F. V. (1995). Lying during crisis negotiations: A costly means to expedient resolution. *Criminal Justice Ethics*, 14(1), 49-62.

- Butler, W.M., Leitenberg, H., & Fuselier, G.D. (1993). The use of mental health professional consultants to police hostage negotiation teams. *Behavioral Sciences & the Law*, 11(2), 213-221.
- Carlson, E. R., Copp Organization, Inc, & United States of America. (1977). Hostage Negotiation Situations. *Law and Order*, 25(7), 12-14.
- Divasto, P. V. (1996). Negotiating with foreign language-speaking subjects. *FBI Law Enforcement Bulletin*, 65, 11-15.
- Dolan, J. T., & Fuselier, G. D. (1989). A guide for first responders to hostage situations. *FBI Law Enforcement Bulletin*, 58(4), 12.
- Donohue, W. A., & Roberto, A. J. (1993). Relational development in hostage negotiation. *Human Communication Research*, 20, 175-198.
- Duffy, J.E., & Brantley, A.C. (1997). Militias: Initiating contact. *FBI Law Enforcement Bulletin*, 66(7), 22-26.
- Duffy, J.E. (1997). Focus on negotiations. *FBI Law Enforcement Bulletin*, 66(6)
- de Fabrique, N., Van Hasselt, V.B., Vecchi, G.M., & Romano, S.J. (2007). Common variables associated with the development of stockholm syndrome: Some case examples. *Victims & Offenders*, 2(1), 91-98. doi 10.1080/15564880601087266
- Feldman, T.B. (2004). The role of mental health consultants on hostage negotiation teams. *Psychiatric Times*, 21(14), 26.

- Fuselier, G.D., (1981). A practical overview of hostage negotiations (Part 1). *FBI Law Enforcement Bulletin*, 50(6), 2-6.
- Fuselier, G. D. (1986). What every negotiator would like his chief to know. *FBI Law Enforcement Bulletin*.
- Fuselier, G. D. (1988). Hostage negotiation consultant: Emerging role for the clinical psychologist. *Professional Psychology: Research and Practice*, 19(2), 175.
- Fuselier G.D. (1999). Placing the Stockholm Syndrome in perspective. *FBI Law Enforcement Bulletin*.
- Fuselier, G.D., Van Zandt, C.R., & Lanceley, F.J. (1991). Hostage/Barricade incidents: High-risk factors and the action criteria. *FBI Law Enforcement Bulletin*, 60(1). 6-12.
- Gahr, E. (1992). When talking is not cheap. Insight.
- Gentz, D. (1988). Two suggestions for improving performance of hostage negotiation teams. *Police Psychology: Operational Assistance*.
- Getty, V.S., & Elam, J.D. (1988). Identifying characteristics of hostage negotiators and using personality data to develop a selection model. *Police Psychology: Operational Assistance*, 159-171.
- Giebels, E., Noelanders, S., & Vervaeke, G. (2005). The hostage experience: Implications for negotiation strategies. *Clinical Psychology and Psychotherapy*, 12, 241-253.

- Giebels, E., and Taylor, P.J. (2009). Interaction patterns in crisis negotiations: Persuasive arguments and cultural differences. *Journal of Applied Psychology*, 94(1), 5-19.
- Gist, R. G., & Perry, J. D. (1985). Perspectives on negotiation in local jurisdictions: Part I. A different typology of situations. *FBI Law Enforcement Bulletin*, 54(11), 21-24.
- Greenstone, J. L. (1994). Crisis intervention skills training for police negotiators in the 21st century. *Journal of Police and Criminal Psychology*, 10(1), 57-61.
- Greenstone, J. L. (1995a). Hostage negotiations team training for small police departments. *Police psychology into the 21st century*, 279-296.
- Greenstone, J. L. (1995b). Police crisis negotiations with AIDS patients and HTLV III/HIV positive persons. *The Journal of Crisis Negotiations*.
- Greenstone, J. L. (1998). Tactical emergency medical support for hostage and crisis negotiations. *Police Chief*, 65, 38-41.
- Greenstone, J. L. (2007). The twenty-five most serious errors made by police hostage and crisis negotiators. *Journal of Police Crisis Negotiations*, 7(2), 107-116.
- Grubb, A. (2010). Modern day hostage (crisis) negotiation: The evolution of an art form within the policing arena. *Aggression and Violent Behavior*, 15(5), 341-348.
- Hammer, M.R., Van Zandt, C.R., & Rogan, R.G. (1994). Crisis/hostage negotiation team profile. *FBI Law Enforcement Bulletin*, 63.

- Hatcher, C., Mohandie, K., Turner, J., & Gelles, M. G. (1998). The role of the psychologist in crisis/hostage negotiations. *Behavioral Sciences & the Law*, 16(4), 455-472.
- IBM SPSS Statistics (24) [computer software]. Armonk, NY: IBM Corp.
- Kelln, B., & McMurtry, C. M. (2007). STEPS—structured tactical engagement process: a model for crisis negotiation. *Journal of Police Crisis Negotiations*, 7(2), 29-51.
- Knutson, J.N. (1980). The dynamics of the hostage taker: Some major variants. *Annals of New York Academy of Science*, 347.
- Lanceley, F.J. (1981). The antisocial personality as a hostage taker. *Journal of Police Science and Administration*, 9(1), 28-34.
- Lanceley, F.J. (2003). *On-Scene Guide for Crisis Negotiations, Second Edition*. Boca Raton, FL: CRC Press.
- Landis, J. R., & Koch, G. G. (1977). The measurement of observer agreement for categorical data. *Biometrics*, 33(1) 159-174.
- Madrigal, D.O., Bowman, D. R., & McClain, B.U. (2009). Introducing the four-phase model of hostage negotiation. *Journal of Police Crisis Negotiations*, 9(2), 119-133.
- Madrigal, D.O. (2010). A test of the four-phase model of hostage negotiation (Order No. 1477326). Available from ProQuest Dissertations & Theses Global. (577583137).

- McClain, B.U., Callaghan, G.M., Madrigal, D.O., Unwin, G.A., & Castoreno, M. (2006). Communication patterns in hostage negotiations. *Journal of Police Crisis Negotiations*, 6(1), 27-59. doi: 10.1300/J173v06n01\_03
- McMains, M.J., & Mullins, W.C. (2015). *Crisis Negotiations: Managing critical incidents and hostage situations in law enforcement and corrections, Fifth Edition*. New York, NY: Routledge.
- Mehrabian, A., & Epstein, N. (1972). A manual of emotional empathy. *Journal of Personality*, 40, 525-543.
- Miller, L. (2007). Negotiating with Mentally Disordered Hostage Takers: Guiding Principles and Practica Strategies. *Journal of Police Crisis Negotiations*, 7(1), 63-83.
- Mudford, O.C., Zeleny, J.R., Fisher, W.W., Klum, M.E., & Owen, T.M. (2011). Calibration of observational measurement of rate of responding. *Journal of Applied Behavioral Analysis*, 44(3), 571-586.
- Mullins, W. C. (2002). Advanced communication techniques for hostage negotiators. *Journal of Police Crisis Negotiations*, 2(1), 63-81.
- Mullins, W. C. (2003). The role of the first responder at a hostage situation. *Journal of Police Crisis Negotiations*, 3(1), 31-49.
- Noesner, G. W., & Webster, M. (1997a). Crisis negotiations as crisis intervention. *Crisis negotiations: A compendium*, 3-19.

- Noesner, G. W., & Webster, M. (1997b). Crisis intervention: Using active listening skills in negotiations. *FBI Law Enforcement Bulletin*, 66.
- Noesner, G. W. (1999). Negotiation concepts for commanders. *FBI Law Enforcement Bulletin*, 68, 6-14.
- Powitzky, R.J. (1979). Use and misuse of psychologists in a hostage situation. *Police Chief*, 46(6), 30.
- Regini, C., Napier, M.R., Adams, S.H., Bonello, E.M., Schafer, J.A., & Petrowski, T.D. (2002). Crisis Negotiation Teams. *FBI Law Enforcement Bulletin*, 71(11), 1-5.
- Schlossberg, H. (1979). Police response to hostage situations. In J.T. O'Brien. & M. Marcus (Eds.), *Crime and Justice in America: Critical Issues for the Future* (pp. 209-220). New York: Pergamon Press.
- Schlossberg, H. (1980). Values and organization in hostage and crisis negotiation teams. *Annals of the New York Academy of Sciences*, 347(1), 113-116.
- Sen, S. (1989). Handling hostage situations. *Police Journal*, 62(1), 49-55.
- Shea, L. (1988). Tactical communications training for conflict diffusion. In Reese, J. T., & Horn, J. M. (Eds.), *Police psychology: Operational assistance* (p. 379-390). Washington: US Department of Justice, Federal Bureau of Investigation.
- Slatkin, A.A. (2000). Role of the mental health consultant in hostage negotiations: Questions to ask during the incident phase. *Police Chief*, 67(7), 64-66.



- Sommers-Flanagan, J., & Sommers-Flanagan, R. (2012). *Clinical Interviewing: 2012-2013 Update*. John Wiley & Sons.
- Strentz, T. (1983). The inadequate personality as hostage taker. *Journal of Police Science and Administration*, 11(3), 363-368.
- Strentz, T. (1991). Indicators of volatile negotiations. *Law and Order*, 39(9), 135-139.
- Strentz, T. (1995). Negotiating with extremists. *The US Negotiator*.
- Taylor, P. J., & Donald, I. (2004). The structure of communication behavior in simulated and actual crisis negotiations. *Human Communication Research*, 30(4), 443-478.
- Taylor, P. J., & Donald, I. (2007). Testing the relationship between local cue-response patterns and the global structure of communication behaviour. *British Journal of Social Psychology*, 46(2), 273-298.
- Teller, J. L., Munetz, M. R., Gil, K. M., & Ritter, C. (2006). Crisis intervention team training for police officers responding to mental disturbance calls. *Psychiatric Services*, 57(2), 232-237.
- Vakili, S., Gonzalez, S., Allen, S.W., & Westwell, C. (2002). Measuring personality variables associated with successful hostage negotiators. *Unpublished manuscript*.
- Van Hasselt, V.B., Flood, J.J., Romano, S.J., Vecchi, G.M., de Farique, N., & Dalfonzo, V.A. (2005a). Hostage-taking in the context of domestic violence: Some case examples. *Journal of Family Violence*, 20(1), 21-27.

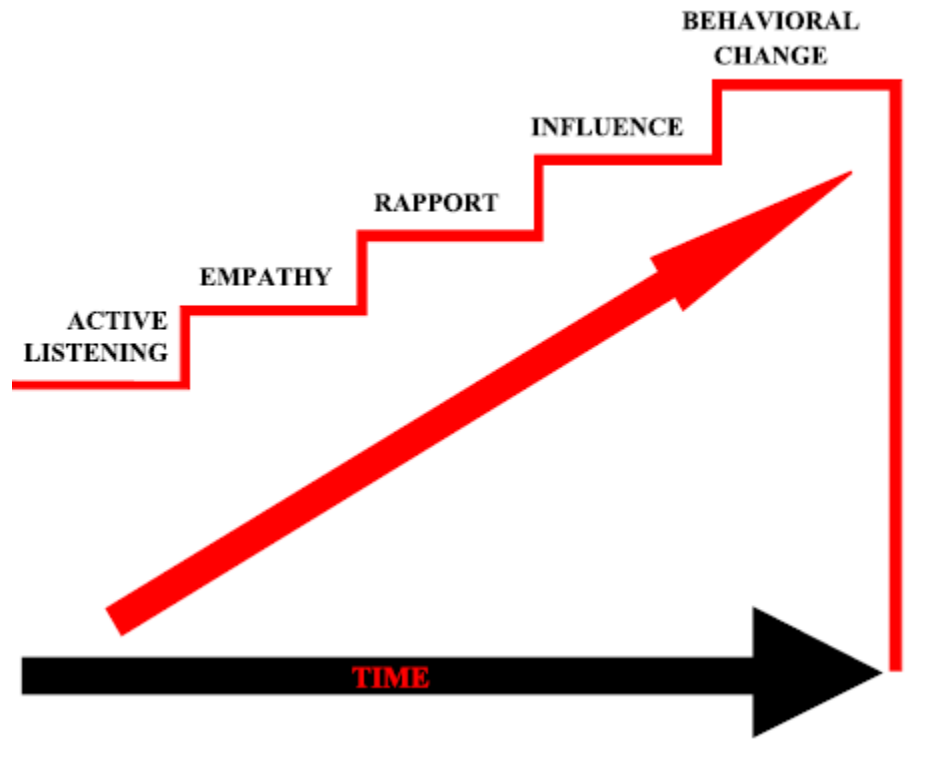
- Van Hasselt, V. B., Baker, M. T., Romano, S. J., Sellers, A. H., Noesner, G. W., & Smith, S. (2005b). Development and validation of a role-play test for assessing crisis (hostage) negotiation skills. *Criminal Justice and Behavior*, 32(3), 345-361.
- Van Hasselt, V.B., Baker, M.T., Romano, S.J., Schlessinger, K.M., Zucker, M., Dragone, R., & Perera, A.L. (2006). Crisis (Hostage) Negotiation Training A Preliminary Evaluation of Program Efficacy. *Criminal Justice and Behavior*, 33(1), 56-69.
- Van Zandt, C.R. (1991). Hostage situations: Separating negotiation and command duties. *FBI Law Enforcement Bulletin*, 60(5), 18-19.
- Vagias, W. M. (2006). Likert-type scale response anchors. *Clemson International Institute for Tourism & Research Development, Department of Parks, Recreation and Tourism Management. Clemson University.*
- Vecchi, G. M., Schafer, J.R., Jordan, L., Holcomb, J.W., Body, U., & Corrections, J.J. (2002). Hostage/barricade management. *FBI Law Enforcement Bulletin*, 71(5), 1-14.
- Vecchi, G.M., Van Hasselt, V.B., & Romano, S.J. (2005). Crisis (hostage) negotiation: Current strategies and issues in high-risk conflict resolution. *Aggression and Violent Behavior*, 10(5), 533-551.
- Walton, K.P. (1988). Crisis Management: A Command Post Perspective. *FBI Law Enforcement Bulletin*, 57(2), 20-24.
- Webster, M. (2003). Active listening and beyond: Compliance strategies in crisis negotiation. *Crisis negotiations: A compendium.*

Wicker, T. (1994). *A Time to Die: the Attica prison revolt*. University of Nebraska Press.

## Appendices

Appendix A: Behavioral Changes Stairway Model (Vecchi, Van Hasselt, & Romano, 2005)

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## Appendix B: Participant Consent Forms

### **Consent Form for Participation in the Research Study Entitled *Effect of Negotiator Active Listening Skills on Crisis (Hostage) Negotiations***

Funding Source: None.

IRB Protocol #: 2017-141

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#### **What is the study about?**

You are invited to participate in a research study on the use of active listening skills within a crisis (hostage) negotiation. The goal of this study is to explore the effects of specific active listening skills (taught at the FBI's National Crisis Negotiation Course) within a crisis negotiation by analyzing negotiator use of active listening skills and the subsequent perpetrator response style.

#### **Why are you asking me?**

We are inviting you to participate because you have been formally trained on the use of active listening skills during crisis (hostage) negotiations and are currently a member of your departments team that gets called out to these types of incidents.

### **What will I be doing if I agree to be in the study?**

You will be asked to conduct a simulated crisis negotiation as usual in training where you (the police negotiator) and the role player will be in separate areas of the training facility and will not be visible to one another. The role player will meet with the officer whose role is to collect initial intelligence concerning the scenario and provide certain information concerning the scenario. After receiving this information, you are to initiate contact via throw-phone or cell phone, at which time data collection begins. In order for the study to generalize to real-world scenarios, we ask that you treat the role play as a real-life situation and to rely on your own training and the help of your coaches in the negotiation. The role player is to answer the phone call, in character, and begin disclosing information as deemed fit given the scenario and the rapport with you. While typical trainings may warrant you to switch out negotiators during the course of the negotiation, for the sake of the study, we ask that you remain the sole negotiator. In addition, while a typical training would involve a debriefing following the scenario, in order to maintain the fidelity of this study, no debriefing will be conducted until all data is collected. When the negotiation has ended, you will be asked to fill out a brief 6 item demographic questionnaire.

### **Is there any audio or video recording?**

This research project will include audio recording of the negotiation. The audio recording will be available to be heard by the researcher, Karen N. Guskowski, personnel from the IRB, data coders involved with this research project, and the dissertation chair/co-investigator Dr. Vincent B. Van Hasselt. The recording will be transcribed by 1-3 coders who will be trained by the PI. All coders will listen to and code the audio recordings in a private environment or through earphones to guard your privacy. The recordings will be kept securely on a password protected external hard-drive with the PI or a password protected research laptop that is utilized by only the researchers and data coders. The recordings will be kept, per university policy, for 36 months following the completion of the study on the password protected external hard-drive by the PI. The recordings will be permanently deleted at that time from the external hard-drive. Because your voice will be potentially identifiable by anyone who hears the recording, your confidentiality for things you say on the recording cannot be guaranteed although the researchers will try to limit access to the tape as described in this paragraph.

### **What are the dangers to me?**

Risks to you are minimal, meaning they are not thought to be greater than other risks you experience every day. Being recorded means that confidentiality cannot be promised. Engaging in these scenarios may also produce minimal anxiety or bring back unhappy memories. If this happens, Ms. Guskowski will try to help you. If you need further help, she will suggest someone you can see but you will have to pay for that yourself. If you have questions about the research, your research rights, or if you experience an injury because of the research, please contact Ms. Guskowski at (732) 979-3767. You may also contact the IRB at the numbers indicated above with questions about your research rights.

**Are there any benefits to me for taking part in this research study?**

There are no benefits to you for participating.

**Will I get paid for being in the study? Will it cost me anything?**

There are no costs to you or payments made for participating in this study.

**How will you keep my information private?**

The questionnaire will not ask you for your name and the only reference to your identity may come if you choose to introduce yourself by name at the start of the recorded negotiation. For data collection and analysis purposes, you will be de-identified to the best of our ability and provided a participant number for reference. As mentioned, the audio recordings will be permanently deleted 36 months after the study ends. All information obtained in this study is strictly confidential unless disclosure is required by law. The IRB, regulatory agencies, or Dr. Van Hasselt may review research records.

**What if I do not want to participate or I want to leave the study?**

You have the right to leave this study at any time or refuse to participate. If you do decide to leave or you decide not to participate, you will not experience any penalty or loss of training you are expecting to receive. If you choose to withdraw, any information collected about you **before** the date you leave the study will be kept in the research records for 36 months from the conclusion of the study and may be used as a part of the research.

**Other Considerations:**

If the researchers learn anything which might change your mind about being involved, you will be told of this information.

**Voluntary Consent by Participant:**

By signing below, you indicate that

- This study has been explained to you
- You have read this document or it has been read to you
- Your questions about this research study have been answered
- You have been told that you may ask the researchers any study related questions in the future or contact them in the event of a research-related injury
- You have been told that you may ask Institutional Review Board (IRB) personnel questions about your study rights
- You are entitled to a copy of this form after you have read and signed it
- You voluntarily agree to participate in the study entitled *Effect of Negotiator Active Listening Skills on Crisis (Hostage) Negotiations*

Participant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Participant's Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Person Obtaining Consent:

\_\_\_\_\_

Date: \_\_\_\_\_



## Appendix C: Study Protocol for Role Players (Perpetrators)

**Materials:** 1 negotiator  
1 perpetrator (role-played by Nova Player)  
1 scenario  
1 throw-phone (with audio recording capability)

**Location:** At in-service trainings for local PD's for CRT

**Time:** no time limit

### Role-Play Procedure:

1. Negotiator is to provide the throw-phone, in a separate room, to the perpetrator.
2. Perpetrator is to familiarize self with scenario and provide only the information listed as *Intelligence for Law Enforcement* to the officer that comes to collect intelligence on the scene.
3. Negotiator is to initiate contact via throw-phone, at which time **data collection begins**.
  - a. Negotiator is encouraged to treat the role-play as a real-life situation and is to rely on their own training and the help of their coaches in the negotiation.
4. Perpetrator is to answer the phone call, in character, and begin disclosing information as they deem fit given their scenario and their rapport with the negotiator.
  - a. Perpetrator is encouraged to treat the role-play as a real-life situation and is to try and remain in character, letting the negotiation happen as organically as possible.
    - i. They are encouraged to question, laugh with, curse at, hang-up on, or threaten the negotiator when appropriate in the role-play.
    - ii. They may use the *Key Phrases* outlined in the scenario to help them get into character.
  - b. They are to use the scenario as the guideline for their role-play and to not disclose their *Hook* until they feel it natural that negotiator has built enough rapport to warrant that information.
    - i. Perpetrator is encouraged to provide a strong negative response to *Triggers* outlined in the scenario.
  - c. Perpetrator is to end the negotiation either as a lethal or non-lethal (come-out) resolution depending on the natural progression of the negotiation.

### Active Listening Skill Variables

**(P) Paraphrasing and summarizing.** These types of active listening are rephrasing of content stated by the perpetrator. Paraphrasing would be rephrasing a single sentence or topic while a summary is rephrasing several topics covered.

I.E. *“so it sounds like a lot is going on with your mother recently passing away, your girlfriend leaving you, and your boss getting on your case at your job.”*

**(M) Mirroring.** This type of active listening skill is also known as a non-directive reflection and is simply a restatement of the perpetrator’s own words.

I.E. perpetrator states *“I’m just so sick and tired”* and the negotiator responds *“sick and tired.”*

**(E) Emotional labeling.** This type of active listening skill is also known as interpretive reflection of feeling and is a statement made by the negotiator that indicates what feeling or feelings the negotiator believes are underlying the perpetrator’s thoughts or actions.

I.E. *“you seem distraught!”*

**(Y) “I” messages.** This type of active listening skill can either be a non-threatening way to communicate how the perpetrator is making the negotiator feel or a way to refocus the perpetrator when they are verbally attacking the negotiator.

I.E. *“I’m worried that you feel I’m only here to do a job.”*

**(O) Open-ended questions.** This type of active listening skill is a query that requires more than a single-word response and directly elicits information from the perpetrator.

I.E. *“Tell me more about that...”*

**(U) Minimal encouragers.** This type of active listening skill is a sound made by the negotiator to let the perpetrator know the negotiator is still there and listening while not interfering with the flow of conversation.

I.E. *“uh-huh.”, “sure”, “wow”*

### Negotiator Tactic Variables

**(J) Face-saving justification/Minimization.** These variables are considered precursors to the ending of a crisis that consist of rationalizations, justification, and mitigations of a perpetrators actions.

I.E. *“you didn’t kill anybody yet, you haven’t done anything wrong!”*

**(N) Normalizing.** This type of active listening skill is also known as feeling validation and is a statement made by the negotiator that supports, affirms, approves of, or validates feelings articulated by the perpetrator.

I.E. *“it seems completely normal that you feel that way!”*

**(C) Closed-ended questions.** This type of active listening skill is a query that can be answered with a single-word response and directly elicits information from the perpetrator.

I.E. *“Do you want to talk to me?”*

**(V) Problem-solving.** This type of active listening skill is also known as advice and is a recommendation given to the perpetrator by the negotiator. It can include recommendations on how to act, think, or feel.

I.E. *“Why don’t we try putting the gun down.”*

### **Perpetrator Response Style Variables**

**(2) Positive response.** A word, statement, or other audible cue from the perpetrator that indicates the negotiator has aligned with, built rapport with, or otherwise pro-socially influenced the perpetrator.

I.E. *“You’re right.”*

**(1) Negative response.** A word, statement, or other audible cue from the perpetrator that indicates the negotiator has **not** aligned with, built rapport with, or otherwise pro-socially influenced the perpetrator.

I.E. *“Screw you; I’m going to kill everyone in here.”*

**(0) Neutral response.** A response by the perpetrator that does not meet the definition for either positive or negative response.

I.E. *“I guess, but...”*

## Appendix E: Standardized Scenario

### **Scenario:**

Michael/Michaela (40 years old, no children) was a successful banker who has been living an “upper-class” lifestyle. Unfortunately, several of his/her personal investment decisions have failed and he/she is facing financial ruin. He/She believes this will bring shame to his/her family, his/her husband/wife will leave him/her, and his/her possessions will be taken away. He/She feels hopeless and helpless. He/She believes that suicide is the only way out. A co-worker at the bank observes him/her with a gun in his/her office and called the police to intervene.

## Appendix F: Intelligence Provided for Law Enforcement

**Intelligence for Law Enforcement:** intelligence to be provided to law enforcement (negotiator) prior to simulated negotiation beginning.

“I need the police to get here ASAP! I was passing by Michael/Micaela’s office and saw him in tears with gun on his/her desk! Please come quickly! I’ve never seen him/her like this before, I don’t know if he is planning to hurt himself or us! I’m trying to get everyone out of the building as quickly and quietly as I can but please please hurry!”

## Appendix G: Key Phrases for Role Players (Perpetrators)

**Key Phrases:** to help role player (perpetrator) get into character and to potentially be used during negotiation.

“I’m ruined; my life is over.”

“My family will be so ashamed of me.”

“This is hopeless, I can’t go on.”

“Killing myself is the only answer.”

## Appendix H: Hook for Role Players (Perpetrators)

**Hook:** pertinent information to the reason for the crisis negotiation that is not to be disclosed unless role player (perpetrator) feels rapport is established.

“I’ve worked hard to provide a good life for my wife/husband and I...in an instant it’s all gone. The market turned so quickly and I lost everything.”

## Appendix I: Triggers for Role Players (Perpetrators)

**Triggers:** subjects of conversation that will cause the role player (perpetrator) to escalate emotionally.

Talking about material things and activities he/she enjoyed doing with his/her wife/husband.

**–and–**

Discussing stereotypical roles of a male, e.g. “I’m supposed to be the breadwinner!” (if male role-player)

**–or–**

Discussing stereotypical roles of females, e.g. “Now I’m just like every other woman needing to be supported by her man!” (if female role-player)



Appendix J: 6-item post-negotiation questionnaire for negotiator

(1) Name: \_\_\_\_\_

(2) Department: \_\_\_\_\_

(3) Age: \_\_\_\_\_

(4) Gender: Male [  ] or Female [  ]

(5) Years as a Law Enforcement Officer (LEO): \_\_\_\_\_

(6) Years on CRT/HRT/etc: \_\_\_\_\_

## Footnotes

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<sup>i</sup> Calculated by taking the summation of the frequencies for each active listening skill used in phase one and dividing it by the total frequency of negotiator communication variables in phase one.

<sup>ii</sup> Calculated by taking the summation of the frequencies of negative perpetrator response in phase two and dividing it by the total frequency of perpetrator responses in phase two.

<sup>iii</sup> Calculated by taking the summation of frequencies for each active listening skill used in phases one and two and dividing it by the total frequency of negotiator communication variables in phases one and two

<sup>iv</sup> Calculated by taking the summation of frequencies for positive perpetrator responses in phases three and four and dividing it by the total frequency of perpetrator responses in phases three and four.

<sup>v</sup> Calculated by taking the frequency for problem-solving in phase one and dividing it by the total frequency of negotiator communication variables in phase one.

<sup>vi</sup> Calculated by taking the summation of frequencies for negative perpetrator responses in phases two, three, and four and dividing it by the total frequency of perpetrator responses in phases two, three, and four.

<sup>vii</sup> Calculated by taking the summation of frequencies for emotional labeling, paraphrasing/summarizing, and open-ended questions in phases one and two and dividing it by the total frequency of negotiator communication variables in phases one and two.

<sup>viii</sup> Calculated by taking the summation of frequencies for emotional labeling, paraphrasing/summarizing, and open-ended questions in phases one and two and dividing it by the total frequency of perpetrator responses in phases three and four.

<sup>ix</sup> Calculated by taking the frequency of emotional labeling in phases one and two and dividing it by the total frequency of negotiator communication variables in phases one and two.

<sup>x</sup> Calculated by taking the frequency of paraphrasing/summarizing in phases one and two and dividing it by the total frequency of negotiator communication variables in phases one and two.

<sup>xi</sup> Calculated by taking the frequency of open-ended questions in phases one and two and dividing it by the total frequency of negotiator communication variables in phases one and two.

<sup>xii</sup> Calculated as an exact agreement percentage within a 10-second interval