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Chapter 18

Understanding the Communication Dynamics Inherent to Police Hostage and Crisis Negotiation

Amy R. Grubb

This chapter synthesizes the current literature in relation to the communication dynamics that are inherent to police hostage and crisis negotiation (hereafter, “negotiation”). While negotiation as an entity has existed as a police tool since the 1970s (Schlossberg 1974), hostage and crisis negotiators (hereafter “negotiators”) are constantly having to adapt and evolve in line with the ever-changing terrain of crisis scenarios that are encountered. Police negotiators are essentially expert communicators who utilise various communicative tools and techniques to de-escalate and resolve hostage or crisis scenarios.

The research literature reveals a variety of communication dynamics that are deemed to be effective when applied within crisis negotiation contexts, including both linguistic and behavioral patterns within the dialogue used by negotiators when communicating with subjects. These communication dynamics fall into three domains. Firstly, linguistic analysis (using linguistic/language style matching [LSM] and conversation analysis [CA]) of live crisis negotiation scenario dialogue has revealed linguistic patterns within verbal communication that facilitate the resolution of incidents,

suggesting that the language utilized by negotiators can specifically play a role in whether incidents are resolved successfully or not. Secondly, a repertoire of effective verbal communication tactics or strategies has been developed, that allows negotiators to select the most appropriate communicative tool from their metaphorical toolbox at any given time. And thirdly, academics/practitioners have developed models of negotiation based on the behavioral styles of verbal communication that are associated with successful de-escalation of crisis situations that can be used to guide operational negotiator practice. The current book chapter will describe these three different approaches and critically evaluate the usefulness of each approach to operational negotiator practice, while considering the ongoing evolution of negotiation in modern society.

The Evolution of Police Hostage and Crisis Negotiation

Negotiation is one tactical option that is available to police incident commanders when responding to critical incidents (including varying forms of hostage-taking or crisis incidents). Negotiation is an important aspect of relational and family life (Abrahams 1996; Greenhalgh and Chapman 1998; Wilmot and Hocker 2018) and equally forms a core part of modern-day policing, with negotiators serving a vital role in the resolution of critical incidents. The role of the negotiator is incredibly important, with their input often playing a role in whether individuals live or die. The concept of negotiation as a specialist police discipline and method for responding to critical incidents has existed since the 1970s, with the New York Police Department (NYPD) setting up the first specialized negotiation unit (Schlossberg 1974). This development was catalysed by several high-profile international hostage-taking events that were handled poorly by law enforcement and resulted in the

deaths of multiple hostages (i.e., the Munich Massacre at the 1972 Olympic Games, see Grubb 2010).

The Munich Massacre, in particular, highlighted the distinct lack of protocol or procedure to deal with hostage-taking situations in a controlled way that resulted in limited death/harm to hostages. In the wake of this tragedy, international law enforcement agencies began to criticize the lack of effective crisis management techniques for hostage situations and began to explore new techniques which could be employed within such situations (Soskis and Van Zandt 1986). The implementation of a “negotiate first” policy when dealing with hostage-taking situations and perpetrators barricaded without hostages (Bolz 1979) led to the development of specialized hostage negotiation teams that include a designated negotiator, tactical assault team (TAC), command structure, and support personnel (Fuselier 1981). Here, the primary aim is for peaceful resolution, and the guiding operational principle is to minimize or eliminate the loss of life (McMains and Mullins 2001).

Such teams now exist on an international scale, with the majority of larger police forces/departments containing a hostage and crisis negotiation team/unit in some guise. While the initial impetus for negotiator teams was to counteract terrorist hostage-taking events, negotiators have now become absorbed into the police response to a variety of critical incidents (see Grubb, Brown, Hall, and Bowen 2019) and are used widely by incident commanders to de-escalate and resolve incidents peacefully without the need to resort to force/tactical intervention (Grubb 2010). Negotiation as an entity has been widely praised as “one of law enforcement’s most effective tools” (Regini 2002, 1), and the concept of “containment and negotiation” has been described as “one of the most effective, inexpensive and lifesaving innovations in modern police work” (Hare 1997, 152), with

both anecdotal and empirical evidence attesting to the efficacy of negotiation as a police tool (Flood 2003; McMains and Mullins 2001; Rogan, Hammer, and Van Zandt 1997).

Communication Dynamics Inherent to Successful Police Negotiation

The discipline of police negotiation has evolved dramatically since its conception in the early 1970s, with various models, tools, and techniques being developed by negotiators themselves, psychologists, communication scholars, and academicians to inform the way negotiators operate in theater (Grubb 2010; Grubb, Brown, Hall, and Bowen 2020). By extrapolating findings from the broader organizational communication literature (Coleman, Marcus, and Deutsch 2014; Putnam and Roloff 1992), communication theory as a means of understanding conflict resolution processes can also extend to the world of police negotiation. Communication accommodation theory (CAT), for example, has been applied to a variety of applied contexts (Soliz and Giles 2014), including that of law enforcement (Giles, Willemyns, Gallois, and Anderson 2007) and police-civilian interactions (Giles 2002; Gnisci, Giles, and Soliz 2016). Broadly speaking, findings suggest that police officers who are willing to accommodate their behavior by listening and demonstrating perspective taking promote feelings of public trust (Tyler and Huo 2002) which then leads to increased civilian's willingness to cooperate with law enforcement (Giles et al. 2007). The concept of interpersonal accommodation viewed via the theoretical lens of CAT, therefore, has relevance to the efficacy of the interaction between the two interlocutors (negotiator/law-enforcement – subject/civilian) within a crisis negotiation scenario. Indeed, some of the more recent LSM research within this arena has followed in the footsteps of CAT by promoting sympathetically aligned principles.

Negotiation has, in fact, emerged as an interdisciplinary field “with psychologists, linguists, and law enforcement professionals working together to understand and optimise crisis negotiation practice” (Sikveland, Kevoe-Feldman, and Stokoe 2019, 3). Negotiators are essentially expert communicators who are trained to utilize various communicative tools and techniques to de-escalate and resolve critical incidents. As such, it is commonsensical to assume that language use and context is likely to play a role in the outcome of negotiator-subject dyadic interactions and dialogue. The extant research literature reveals a variety of communication dynamics that are deemed to be effective when applied within hostage/crisis negotiation contexts, including both linguistic and behavioral patterns within the dialogue used by negotiators when communicating with subjects and the identification of communication patterns and predictors of success within negotiator-subject dyadic interactions.

Linguistic Patterns within Verbal Communication that Facilitate Negotiation Success

There is a steadily increasing body of work and associated corpus of literature that has focused on understanding negotiation practice from a linguistic perspective, whereby the type and style of language utilized by negotiators and subjects has been analysed in order to identify what works/is effective when trying to resolve hostage or crisis incidents (Giebels and Taylor 2009, 2010; Rogan 2011; Rogan and Hammer 1995; Taylor 2002a, b; Taylor and Donald 2003; Taylor and Thomas 2008). Generic studies focusing on the concept of synchronicity between verbal and non-verbal cues have found that greater convergence in both of these aspects of communication results in the development of a greater level of rapport and effective bonding between interlocutors which then leads to greater communication coordination and perception of shared meanings (Garrod and

Pickering 2004). Similarly, when looking at dyadic interaction specifically, convergence of vocabulary results in a reduction in perceived interpersonal differences, enhanced perceived attractiveness, enhanced communication coordination, coordination of perceived shared meaning, and a greater sense of liking and social approval (Garrod and Pickering 2004). Considering that one of the key directives of negotiation is to develop rapport with the subject and to build trust and credibility to enable the negotiator to exert influence over the subject (as directed by the Behavioral Change Stairway Model (BCSM); developed by the Crisis Negotiation Unit [CNU] of the Federal Bureau of Investigations [FBI]) (Vecchi, Van Hasselt, and Romano 2005), the concept of verbal synchronicity has relevance to the dialogue utilized within hostage/crisis negotiation contexts.

In line with this concept, Taylor and Thomas's (2008) study utilized transcripts of audio-recorded live crisis negotiation scenarios and demonstrated that greater levels of verbal synchronicity (in the form of LSM) were associated with successfully negotiated outcomes compared to unsuccessful outcomes. They concluded that "in comparison to unsuccessful negotiations, the dialogue of successful negotiations involved greater coordination of turn taking, reciprocation of positive affect, a focus on the present rather than the past, and a focus on alternatives rather than on competition." Unsuccessful negotiations, however, were characterized by dramatic fluctuations in LSM and an inability "to maintain the constant levels of rapport and coordination that occurred in successful negotiations" (Taylor and Thomas 2008, 263). When viewing these findings through the lens of CAT, successful negotiations demonstrated greater levels of linguistic/paralinguistic *convergence* between the interlocutors and unsuccessful negotiations demonstrated greater levels of linguistic/paralinguistic *divergence* (Giles and Ogay 2007).

Similar work conducted by Randall Rogan in the USA, also explored the concept of LSM within crisis negotiation scenarios, with a specific emphasis on how LSM is operationalized within suicidal versus surrender outcome cases. Rogan's (2011) findings demonstrated that there were differences in the LSM observed within surrender versus suicide outcomes. However, he reported a higher aggregate level of LSM within suicide outcomes than surrender outcomes, a finding which is somewhat contradictory to Taylor and Thomas's (2008) findings, whereby successfully negotiated cases (i.e., aligned to the "surrender" outcome in Rogan's work) demonstrated higher levels of conversational LSM. Rogan suggests that this finding may be the result of an attempt by negotiators to strive to connect/establish rapport with the suicidal subject (Mohandie 2010), and perhaps this occurs at an increasing level due to an increased perceived suicidal risk on the part of the negotiator. Rogan's findings also demonstrated differences in the patterns of LSM displayed over time segments for the suicide versus surrender outcome cases, with distinct patterns being observed in terms of LSM over time. Surrender cases showed a steady increase in LSM over the initial three time segments and then a consistent decrease in LSM through to the final (sixth) time segment (i.e., a positive curvilinear trend), whereas suicide cases were characterised by a negative linear correlation up to segment three and then fluctuation in LSM in the final time segments.

While fluctuation or instability in terms of LSM was associated with unsuccessful outcomes consistently across both Rogan's (2011) and Taylor and Thomas's (2008) work, the findings suggest that the concept of LSM as applied to hostage/crisis negotiation is nuanced, and it may not be as simplistic as suggesting that LSM needs to remain high at all points during a negotiation to predict successful outcome.

There are only a small number of additional studies that have focused on negotiation from a linguistic perspective and utilized real cases of negotiator-subject

dialogue. These studies include Rubin's (2016) master's thesis on the use of tag questions in crisis negotiations. A tag question is a "syntactic device which serves to hedge the strength of the speech act in which it occurs" (Holmes 1986, 2). An example of a tag question is "It's hard when they aren't there with you, isn't it?". Rubin's work identified that tag questions (specifically facilitative and softening tag questions) can act as valuable discursive tools within crisis negotiations, where both the subject and negotiator perceive the negotiator to be the most powerful interlocutor; however, tag questions were less effective in instances where the subject perceived themselves to be more powerful than the negotiator. Such findings suggest that the use of specific linguistic tactics/strategies are context dependent, to some extent, with *certain* verbal strategies facilitating negotiation success in *certain* circumstances, implying that it is not as clear cut as a "one size fits all approach".

More recently, academics have explored negotiation using a CA approach, with work by Garcia (2017), Sikveland et al. (2019), and Stokoe and Sikveland (2019) starting to provide illuminating insights into the importance of language within crisis negotiation contexts. "CA is a generic approach to the analysis of social interaction that was first developed in the study of ordinary conversation but which has since been applied to a wide spectrum of other forms of talk-in-interaction" (Goodwin and Heritage 1990, 284). CA is based in an ethnomethodological tradition and refers to the study of talk-in-interaction, or talk as the site of social action (Braun and Clark 2013). CA is used to analyse naturally occurring spontaneous talk and adopts a highly structured method whereby each turn of talk is analysed sequentially at a micro-level. The process operates on the basis that "each turn of talk is responsive to prior turns, that is, that any specific piece of talk cannot be understood without reference to the construction and delivery of talk which precedes it" (Braun and Clark 2013, 196). Application of the CA approach is thought to fill some of

the gaps within the extant literature by focusing on naturally occurring data (i.e., transcripts of live negotiator deployments) and exploring the interactional procedures involved in crisis negotiations (Garcia 2017) via nuanced analysis of the spontaneous unfolding of talk occurring between the subject and the negotiator.

Work by Sikveland et al. (2019) has identified the relevance of appropriately delivered communicative challenges by negotiators to resistant responses provided by subjects during crisis negotiations involving suicidal subjects. Their findings demonstrate that negotiators (and emergency 911 dispatchers) can successfully overcome subject resistance by challenging the reasoning within the interlocutor's resistant responses, which results in positive shifts within the suicidal subject's behavior. The authors highlight the importance of the challenges presented by negotiators as being "based on the reality, terms and reasoning put forward by the PiCs [Person(s) in Crisis] themselves" (Sikveland et al. 2019), with the negative examples reviewed within their sample demonstrating how "less logically and interactionally founded arguments were treated as refutable by the PiC" (15) and therefore did not have the desired effect of creating a positive turning point within the negotiation. Sikveland et al.'s (2019) findings contradict the previously supported notion that negotiators should avoid challenging the PiC (James 2007; Vecchi et al. 2005), and instead suggest that the use of challenging can be both appropriate and beneficial within crisis negotiations, as long it is performed productively by building on both the logic and reasoning presented by the PiC themselves.

Stokoe and Sikveland's (2019) study also provides insight into a previously uncharted territory within the negotiation process, in the form of the communicative strategies utilized by the secondary negotiator within the negotiator cell, that is, the team of negotiators that are involved in communication with the subject. A full cell typically consists of a team leader and four negotiators, but most incidents do not require the

deployment of a full cell (National Policing Improvement Agency 2011) and typically involve two negotiators working in a primary and secondary (supporting) negotiator capacity. Stokoe and Sikveland's (2019) findings identified successful suggestions that resulted in progress being achieved by the primary negotiator, and unsuccessful language activity used by the secondary negotiator which resulted in a disruption of flow of the negotiation and alignment between the primary negotiator and PiC. These findings highlight the importance of the secondary negotiator's role and the potential impact of their actions/language/behavior on the negotiation outcome, a concept that has not been academically explored to date. The suggestion is, therefore, that in contrast to the previously-held notion of the secondary negotiator playing a (primarily) support role to the primary negotiator (McMains and Mullins 2014; Schlossberg 1980), their actions can in fact have an impact on whether a negotiation progresses successfully or not.

Stokoe and Sikveland's (2019) findings imply that while secondary negotiator suggestions can appear in two formats: 1) interventions made where the primary negotiator is the main recipient; and 2) suggested candidate turns (i.e., suggestions about the way a statement should be delivered or any next actions that should be taken) for the primary negotiator to animate/pass on to the PiC), it is the latter of these two formats that is riskier in terms of successful outcomes. The way the primary and secondary negotiators work together, and the language used throughout the negotiation process in conjunction with the way the suggested interventions are interpreted by the primary negotiator and then animated to the PiC has an impact on the progressivity of the negotiation. As such, the findings suggest that although secondary negotiators typically do not have direct communication with the PiC, their role is more influential than previously thought. Stokoe and Sikveland's (2019) study provides an almost microscopic analysis of the language utilized within crisis negotiations, adopting an empirical socio-linguistic approach to the

understanding of effective negotiation practice. This work provides a new (and welcomed) direction for developing a deeper understanding of how negotiators can be trained to use language more effectively, with the findings already being used to train negotiators both in the UK and internationally.

The aforementioned research provides insight into the relevance of linguistics to the potential success of crisis negotiations and highlights the importance of not only *what* negotiators say during a negotiation, but *how* they say it. The adoption of LSM and CA approaches into the negotiation research literature, allows negotiation practices to be analysed on both an empirical basis (using real-life recorded negotiation dialogue), and on a microscopic basis whereby the nuances of language patterns can be identified. These findings have applications for practice by informing the training of negotiators, however, it is worth considering how easily such complex linguistic findings can be converted into user-friendly heuristics when negotiators are confronted by a pressurised environmental context *in theater*.

Effective Verbal Communication Strategies, Stratagems and Tactics Used Within Negotiation

The second approach focuses on the identification of verbal communication patterns and predictors of success within negotiator-subject dyadic interactions. Many of these strategies/stratagems have been identified on the basis of speaking to and/or observing negotiators *in situ* and others have been identified as the result of direct empirical/academic enquiry. Exemplars of these patterns include:

1. general communication strategies in hostage negotiation (Greenstone 2005; McMains and Mullins 1996; Miller 2005; Slatkin 2010);

2. Miller's (2005) verbal communication tactics;
3. Slatkin's (2002; 2010) stratagems;
4. Giebels' (2002 as cited in Giebels and Noelanders 2004) "table of ten" social influence strategies;
5. Cialdini's (2007) weapons of influence;
6. the use of active listening skills (ALS) (Lanceley 1999);
7. the specific negotiation strategies identified within Grubb's (2016) D.I.A.M.O.N.D. model of hostage and crisis negotiation (Grubb et al. 2020).

Various authors have put forward generic recommendations for communicating with hostage takers (Greenstone 2005; McMains and Mullins 1996; Miller 2005; Slatkin 2010), which include strategies such as:

1. minimizing background distractions;
2. opening dialogue with an introduction and statement of purpose;
3. asking what the hostage taker likes to be called (to build rapport);
4. speaking slowly and calmly;
5. adapting dialogue to the hostage taker's vocabulary and cognitive level;
6. encouraging venting, but de-escalating ranting;
7. asking for clarification;
8. focusing the conversation on the hostage taker, not the hostages;
9. being supportive and encouraging about the outcome;
10. avoiding unproductive verbal strategies (such as arguing with the hostage taker).

Slatkin (2002, 250) identifies a number of verbal stratagems which are conceptualised as "the calculated and practiced techniques, means and methods of advancing the dialogue" towards successful resolution of the hostage/crisis situation. A stratagem is typically perceived as a tactic that can be used to gain an upper hand within a

given scenario and may involve the use of deception; whereas a strategy tends to refer to a conventional plan of action used to obtain an overall aim. While tricks, schemes and deceptions would appear not to have a place within crisis negotiations, Slatkin (2010, 55) suggests that “stratagems can have a legitimate place in crisis negotiations as subtle verbal techniques employed by a N[egotiator] to advance the negotiations and promote a resolution to the dangerous crisis at hand”.

Slatkin (2002) refers explicitly to six stratagems that constitute verbal manoeuvres that can be taught to negotiators and developed to become an effective part of their repertoire. The first stratagem is referred to as “structuring a success”, by which the negotiator attempts to acquiesce to a hostage taker’s demand early on within the negotiation, particularly when the demand is inconsequential (i.e., provision of cigarettes). By doing this, it communicates to the subject that negotiations work and he/she can achieve some of the things he/she wants, and equally establishes a debt which the negotiator can leverage/capitalise on later in the negotiation. The second stratagem involves creating the “illusion of choice” by generating a question that seems to offer a choice between two options, but the end result is essentially the same and benefits the negotiator equally (i.e., “Do you want to come out now or in five minutes?”). This stratagem works on the basis that subjects are more likely to acquiesce when they perceive that they are in control and are choosing the eventual outcome. The third stratagem, called “the yes set,” involves asking subjects a set of simple questions that are likely to be answered as “yes” before asking a critical question, with the momentum predicting that the answer to the critical question (i.e., can you release one of the hostages) is also likely to be in the affirmative. The fourth stratagem “ventilating” promotes the subject’s voicing of grievances and allows the subject to discharge emotional tension (i.e., ventilate) and de-escalate any intense emotions, moving them closer towards a rational position of problem-solving. The fifth

stratagem “deflecting” enables negotiators to acknowledge demands (and therefore the subject) but deflect the demand by re-directing the request in a way that partially meets the subject’s needs but does not allow for acquiescence of a demand that may not be beneficial to the negotiator. The last stratagem “using imagery” involves the negotiator painting a mental image to enhance the emotional meaning for the subject, while also implanting a suggested desired action. The use of such imagery may subliminally or subconsciously encourage the subject to enact the suggested behavior. Slatkin has since expanded this list to include a total of 26 influence stratagems that can be utilized by negotiators to promote successful resolution of incidents (see Slatkin 2010).

The Table of Ten (ToT: Giebels 2002 as cited in; Giebels and Noelanders 2004) was developed on the basis of interviews with European negotiators (and later empirically validated by analysis of dialogue taken from Dutch and Belgian crisis negotiation incidents). The ToT represents a framework of social influence tactics that can be used by negotiators to positively influence a subject’s behavior (or to dissuade a subject from continuing with their current course of behavior). The ToT differentiates between relational tactics (i.e., which are related to the sender and his/her relationship with the other party) and content tactics (i.e., which are related to the content of the message and the information being conveyed to the other party). These relational/content tactics are underpinned by various principles of influence that have previously been identified as playing a role in influencing behavior within a variety of contexts. As such, the ToT presents a set of theoretically-informed and psychologically-reinforced tactics that have been validated within both negotiation and non-negotiation contexts, further attesting to their credibility. The ToT strategies are listed in Table 18.1, with 1-3 being categorized as “relational” strategies and 4-10 being categorised as “content” strategies. Giebels, Ufkes, and van Erp (2014) present more detailed examples of how each of these interpersonal

influencing strategies can be used within a negotiation context (e.g., the strategy of *being credible* can be implemented by showing expertise or proving that you are reliable, thereby tapping into the principle of authority as a method of influencing behavior).

Table 18.1. *The Table of Ten* (Giebels 2002 as cited in Giebels and Noelanders 2004)

| Strategy | Underpinning Principle |
|---------------------------|------------------------|
| 1. Being kind | Sympathy |
| 2. Being equal | Similarity |
| 3. Being credible | Authority |
| 4. Emotional appeal | Self-image |
| 5. Intimidation | Deterrence/fear |
| 6. Imposing a restriction | Scarcity |
| 7. Direct pressure | Power of repetition |
| 8. Legitimizing | Legitimacy |
| 9. Exchanging | Reciprocity |
| 10. Rational persuasion | Cognitive consistency |

Work by Ellen Giebels and her colleagues has established the clinical utility of these strategies as applied within crisis negotiation contexts, with studies highlighting that different strategies appear to be more/less effective in different circumstances. Giebels and Noelanders (2004), for example, identified that both siege, and kidnap and extortion (K & E) cases were dominated by the use of *being kind*, *direct pressure* and *rational persuasion*; however, they also identified differences between the two categories of negotiation deployment, with K & E cases being characterised by greater use of aggressive strategies (such as *intimidation*) and sieges being characterised by greater use of *emotional appeals* and *being credible*.

Further research indicates that different strategies have greater application (and *ergo*, impact on peaceful outcome) at different stages within the negotiation process. Kamphuis, Giebels, and Noelanders (2006), for example, found that negotiators used the *being equal* strategy more often during the initial and problem-solving phases within the relatively more effective negotiations. They also identified that certain strategies were

more/less effective depending on whether the case was expressive (i.e., driven by emotional needs) or instrumental (i.e., driven by a desire to achieve certain goals/substantive demands), with *legitimizing* being associated with success in expressive cases, but negatively associated with success in instrumental cases. These findings indicate that the utilisation of these strategies (as selected by the negotiator from their “metaphorical toolbox”) is not as straightforward as it would initially appear. The negotiator needs to know *which* strategy to employ, at *which* time during each individually contextually framed negotiation scenario in order for the strategy to be effective in achieving the aim of positive behavioral influence and peaceful resolution.

Robert Cialdini’s work as an experimental social psychologist has highlighted six underpinning principles that are often used within various settings to influence behavior:

1. reciprocity (i.e., the principle of give and take; people are obligated to return favors, so if someone does something to help you, you are more likely to do something to help them in return);
2. commitment and consistency (i.e., people feel obliged to honour promises/justify decisions they have made; there is a desire to appear [and be] consistent with actions we have already taken);
3. social proof (i.e., people take cues from other people when they are not sure how to act; people will judge behavior as appropriate/correct when they see other people behaving in this way);
4. liking (i.e., people are more likely to trust/help people they like);
5. authority (i.e., people are more likely to obey/acquiesce to a person in authority);
and
6. scarcity (i.e., people desire things that are perceived as less available) (Cialdini 2007).

These principles have been applied to the discipline of police negotiation, whereby negotiators have been trained to use these “weapons of influence” to positively alter the subject’s behavior in a manner that encourages peaceful resolution of the incident. Anecdotally, negotiators have attested to the effective utilisation of these principles of influence, however, some of these weapons are more applicable/generalizable to crisis negotiation settings than others (Grubb 2016; Grubb et al. 2020) (i.e., the use of positive police actions/concessions (cigarettes) can be used to demonstrate *reciprocity*; the use of a demand made by an authority figure (police officer) can be used to demonstrate *authority*). For a full discussion of the applications of these techniques within police negotiations, see Mullins (2002). Although these principles have theoretically been applied to a police negotiation context, there is no published empirical literature that specifically validates the effective utilization of these weapons of influence, apart from the self-reported utilization of certain weapons within Grubb’s work cited above. Further research that empirically validates the use of these techniques within live negotiations dialogue would, therefore, be beneficial to the extant literature base.

The use of active listening skills (ALS) is by far the most well-documented technique within the police negotiation literature. Active listening is described as the “foundation of all negotiation” regardless of the type of negotiation scenario (Vecchi 2009, 12) and is conceptualized as a range of multipurpose tools that can be applied to a variety of communicative contexts, including that of hostage and crisis negotiations (Miller 2005; Royce 2005). Exemplar ALS techniques include the use of:

1. emotion labelling (i.e., identifying the perceived emotion being felt by the subject);
2. paraphrasing (i.e., rephrasing/summarising the subject’s statement in your own words);

3. reflecting or mirroring (i.e., repeating the subject's last [or key] word/phrase in the form of a question);
4. minimal encouragers (i.e., conversational speech fillers that demonstrate you are listening and encourage the subject to continue talking, such as “uh-huh”, “oh”, “and”, or “really”);
5. silences and pauses (i.e., silence can encourage the subject to talk by filling in the gaps or a pause can be used to emphasize a point you have made);
6. “I” messages (i.e., framing questions/statements in the form of “I” as opposed to “you” can help to avoid statements appearing accusatory for the subject and can help to personalize the negotiator to the subject. A common model is for the negotiator to use “I feel... when you... because”); and
7. open-ended questions (i.e., asking questions that require more than a yes/no answer which encourages the subject to talk/disclose (Miller 2005)).

ALS appear consistently throughout existing models of negotiation with the emphasis being on enabling the subject to feel heard by the negotiator which is more likely to encourage the development of rapport that can then be used to influence the subject's behavior in a positive manner (Vecchi 2009). In particular, ALS skills underpin the Behavioral Change Stairway Model (BCSM: Vecchi et al. 2005), and the later-adapted Behavioral Influence Stairway Model (BISM; Vecchi 2009), models which form the driving force for many hostage and crisis negotiation training curriculums internationally, and equally appears as a key underpinning mechanism within the D.I.A.M.O.N.D. model developed in England (Grubb 2016; Grubb et al. 2020). ALS have consistently been identified as a vital component within the successful resolution of critical incidents, with multiple authors advocating for the importance of ALS within negotiation contexts.

The D.I.A.M.O.N.D. model (Grubb 2016; Grubb et al. 2020) also presents a number of specific self-reported negotiation strategies that can be adopted as necessary by negotiators when deployed to hostage/crisis incidents *in theater*, based on empirical research conducted with police negotiators in England. The following strategies were identified, and are listed in order of most to least frequently corroborated:

1. establish why the subject is in the situation;
2. honesty;
3. identification of hooks and triggers;
4. matching of the negotiator and subject;
5. adapt strategy in line with situation or subject;
6. use of concessions and positive police actions;
7. perseverance or persistence;
8. use of time as a tactic or “playing it long”;
9. disassociation from the police;
10. generate options available to subject and encourage problem-solving;
11. identify commonalities or common ground; and
12. encourage dialogue and allow subject to vent.

Models of Negotiation

Numerous models have been developed to aid our understanding of the negotiation process and subsequently used as training or operational support tools. While initially, bargaining (i.e., business) negotiation models (such as Fisher, Ury, and Patton’s (1991) “principled negotiation model”, Ury’s (1991) “getting past no model of negotiation”, and Donohue, Ramesh, Kaufmann, and Smith’s (1991) “crisis bargaining model of negotiation”) were

developed and applied to a crisis negotiation context, more context-specific models of negotiation have since been developed and form a more substantial role in terms of informing negotiator practice in today's society (for more detailed description/analysis of these models, see Grubb 2010, 2016, and Grubb et al. 2020). The context-specific models in existence vary in focus, scope and complexity and can broadly be categorized into 1) expressive models of negotiation, and 2) communicative or discourse models of negotiation (see Table 18.2).

The first category includes Call's (2003, 2008) interpretation of crisis negotiation; McMains and Mullins' (2001) stages of a crisis model; the STEPS model (Kelln and McMurtry 2007); the four-phase model of hostage negotiation (Madrigal, Bowman, and McClain 2009); the BCSM (Vecchi et al. 2005); and the BISM (Vecchi 2009). These models were developed with a contextual backdrop of the behavioral and emotional parameters involved in hostage or crisis scenarios, and, as such, tend to identify the need to address crisis (i.e., distributive) needs in addition to addressing normative (i.e., integrative) needs. The assertion is that crisis (i.e., typically relational) issues need to be addressed prior to attempting to deal with substantive needs or specific demands, suggesting that forming a relationship between the negotiator and subject is a precursor to being able to deal with more substantive issues and engage in rational problem-solving. The models also highlight the importance of de-escalating subject emotional arousal and moving subjects out of conflict or crisis emotional states in order to successfully resolve the incident. Broadly speaking, these models take a therapeutic approach, with the emphasis being on crisis intervention, de-escalating emotion, and building relationships between the two parties, as a means to successfully facilitating positive behavioral change within the subject.

Table 18.2. *Table Synopsising Existing Models of Hostage and Crisis Negotiation*

| Model | Key Principles | Country of origin |
|--|---|-------------------|
| EXPRESSIVE MODELS | | |
| Call's (2003, 2008) Interpretation of Crisis Negotiation | <ul style="list-style-type: none"> ● Takes a staging approach to crisis negotiations from a forensic psychology perspective. ● Outlines five procedural stages or strategic steps that need to be worked through in order to resolve incidents, while also emphasising certain communicative aspects that are pertinent to success (i.e., the use of active listening to develop a relationship between the negotiator and subject): 1) Intelligence gathering; 2) Introduction and relationship development; 3) Problem clarification and relationship development; 4) Problem-solving; and 5) Resolution. | USA |
| McMains and Mullins's (2001) Stages of a Crisis Model | <ul style="list-style-type: none"> ● Takes a staging approach to crisis negotiations from a law enforcement and corrections context. ● Identifies four central, distinct stages that characterise crisis incidents: 1) Pre-crisis; 2) Crisis or defusing; 3) Accommodation or negotiation; and 4) Resolution or surrender. ● This is an expressive model, that is stage-focused, whereby resolution of the incident centres around the management and de-escalation of emotions. ● Negotiation begins at the crisis stage, whereby the negotiator's role is to defuse the situation by reducing emotional excitement, arousal and distress, so that more appropriate, non-violent solutions can be considered and problem-solving can be engaged in during the accommodation stage. The resolution stage involves both parties committing to a specific course of action in order for surrender to occur. | USA |
| The Structured Tactical Engagement Process (STEPS) Model (Kelln and McMurtry 2007) | <ul style="list-style-type: none"> ● Provides a framework for understanding and influencing a barricaded subject's behavior to reach a peaceful resolution by utilising principles from the Transtheoretical Stages of Change Model (Prochaska and DiClemente 1986). ● Proposes that a crisis situation has to go through four stages in order to reach successful resolution: precontemplation (step 0), contemplation (step 1), preparation (step 2), and action (step 3); with the final stage resulting in behavioral change that leads to peaceful resolution of the crisis incident. ● A variety of skills or techniques can be utilized to help guide subjects through the stages (i.e., development of rapport, affirmation of need for peaceful resolution, problem-solving, instilling motivation and confidence in subject, and remaining supportive and directive during action or surrender phase). ● This model is theoretically informed as opposed to being based on empirical investigation or research. | Canada |

| | | |
|--|---|---------|
| The Four Phase Model of Hostage Negotiation (Madrigal et al. 2009) | <ul style="list-style-type: none"> ● Focuses on the communication of the negotiator as opposed to communication/psychological state of the subject. ● Developed on the basis of previous research and observations from actual hostage negotiations, as opposed to being directly informed by empirical data. ● Suggests there are four key phases that provide a framework for successful hostage negotiation: 1) Establishing initial dialogue – before active listening can be used to develop a rapport, the negotiator must first establish dialogue with the subject. This may involve superficial conversation or calming and de-escalatory statements; 2) Building rapport – negotiator uses active listening techniques, demonstrations of empathy and positive regard in order to build a personal relationship with the subject based on trust and free exchange of personal information; 3) Influencing – primary goal of the negotiator is to influence the subject to release hostages or victims and surrender peacefully; and 4) Surrender - primary goal of the negotiator is to provide the subject with instructions on how to go about the surrender process so that s/he can remain safe. | USA |
| The Behavioral Change Stairway Model (BCSM; Vecchi et al. 2005) | <ul style="list-style-type: none"> ● The negotiation process consists of five stages achieved sequentially and cumulatively: 1) Active listening skills; 2) Empathy; 3) Rapport; 4) Influence; and 5) Behavioral change. ● Emphasis is on establishing relationship between negotiator and subject so that the negotiator can positively influence subject’s behavior to resolve situation peacefully. | USA |
| The Behavioral Influence Stairway Model (BISM; Vecchi 2009) | <ul style="list-style-type: none"> ● The negotiation process consists of three stages achieved sequentially and cumulatively whist being supported by active listening skills: 1) Empathy; 2) Rapport; and 3) Influence. ● Active listening is conceptualised as a continuous underpinning process that occurs throughout the entirety of the negotiation in order to enhance the relationship development between negotiator and subject. | USA |
| The D.I.A.M.O.N.D. Model of Hostage and Crisis Negotiation (Grubb 2016; Grubb et al. 2020) | <ul style="list-style-type: none"> ● Combined procedural/staging and communicative model of negotiation and wider critical incident management process. ● Identifies three key stages within the negotiation process: 1) Initial Negotiator Deployment Tasks, 2) The Negotiation Process and Incident Resolution, and 3) Post-Incident Protocol. ● The D.I.A.M.O.N.D. acronym is used to highlight key procedural aspects within the model and streamline the overall theoretical model in a manner that promotes clinical utility for negotiators in theater: 1) <u>D</u>eployment; 2) <u>I</u>nformation and intelligence gathering; 3) <u>A</u>ssessment of risk and threat; 4) <u>M</u>ethods of communication; 5) <u>O</u>pen dialogue with subject; 6) <u>N</u>egotiator toolbox and repertoire, and 7) <u>D</u>ebriefing procedures. | England |

- Identifies two underpinning procedural mechanisms within the model: 1) Formal record keeping [written/electronic/audio], and 2) Defensible decision-making and accountability.
- Identifies one underpinning mechanism within Stage 2 of the model: Rapport building and development of the quasi-therapeutic alliance.
- Identifies 12 specific strategies that form part of the negotiator toolbox/repertoire and can be used by negotiators to resolve incidents.

DISCOURSE OR COMMUNICATIONAL MODELS

| | | |
|--|---|--|
| The S.A.F.E. Model (Hammer 2007) | <ul style="list-style-type: none"> ● Stipulates that three core interactive processes are essential for negotiation: 1) identifying the subject's emotional frame of reference (e.g., anger, sadness, jealousy) via communication; 2) matching the response style of the subject, and 3) attending to the negotiator's need for a peaceful resolution. ● Negotiators must identify the predominant frame that reflects the perspective of the subject's communication, with four potential frames used to guide communication between the two parties: 1) <u>S</u>ubstantive demands (i.e., bargaining and problem-solving); 2) <u>A</u>ttunement (i.e., trust or distrust toward the negotiator); 3) <u>F</u>ace (i.e., sensitivity to how s/he is perceived); and 4) <u>E</u>motion (i.e., emotional state). ● Negotiators should match their communication style to the most relevant frame represented by the subject by addressing their specific wants or needs. Once needs have been met, the negotiator will have more ability to exert influence over the subject, allowing the situation to be peacefully resolved. | USA |
| The Cylindrical Model of Crisis Communications (Taylor 2002a) | <ul style="list-style-type: none"> ● Proposes there are three general levels of interaction behavior during negotiations ranging from avoidance, to distributive, to integrative. Negotiators aim to move subjects through these levels progressively to move subjects away from non-active participation (avoidant) interaction through to a degree of cooperation which may be based on self-interest (distributive) through to eventual normative and cooperative communication (integrative) that will result in reconciliation of the parties' respective divergent interests. ● Proposes the existence of three different motivational emphases within negotiation behavior, and classifies these as instrumental, relational, and identity themes. The first theme refers to behavior which is linked to the subject's instrumental needs which can be described as tangible commodities or wants. The second theme refers to behavior which is linked to the relationship or affiliation between the negotiator and the subject; and the third theme refers to the negotiating parties' concern for self-preservation or "face". ● The last aspect of the model suggests that these interactions are further influenced by the intensity of the communication, with the increased use of intense behaviors having a detrimental effect on negotiation outcome. | England (utilising data from police departments in USA) |

The second category includes the S.A.F.E. model (Hammer 2007), and the cylindrical model of crisis communications (Taylor 2002a); both of which are grounded in communication theory and constructs. These models imply that linguistic cues can be used by negotiators and subjects to make sense of the interaction occurring between the two interlocutors. In the case of the S.A.F.E. model, linguistic cues can be used by negotiators to establish and identify the subject's emotional frame of reference and match their interaction accordingly; whereas the cylindrical model is a three-dimensional model that delineates communication behavior on three levels (i.e., the interaction, motivation, and behaviors of negotiators and subjects within the negotiation process) (Taylor 2002a). Both models focus on the communicative process that occurs between the negotiator and subject, with linguistics being used to identify how an interaction may change throughout the course of a negotiation and how negotiators can tailor their communicative approach and behavior in a manner that is most likely to promote successful resolution.

The majority of the aforementioned models were developed in the USA and, as such, academics have questioned the cross-cultural applicability of these models to a non-US-centric context. The author's own doctoral work was instigated in response to this critique and led to the development of the Anglo-centric D.I.A.M.O.N.D. model of hostage and crisis negotiation (see Grubb 2016; Grubb et al. 2020). This model differs from previous ones by combining both procedural and communicative elements performed by negotiators (and their wider police critical incident management colleagues) in order to successfully resolve a critical incident. As such, the model provides a more nuanced analysis of the entire process involved in the effective management of a hostage or crisis incident, as opposed to focusing solely on the aspect of communication between the negotiator and subject which has historically dominated the literature. The author's

findings demonstrated that the process of negotiation takes place sequentially in three stages, with the core aspects being conceptualised using the D.I.A.M.O.N.D. mnemonic:

1. Deployment;
2. Information and intelligence gathering;
3. Assessment of risk and threat;
4. Methods of communication;
5. Open dialogue with subject;
6. Negotiator toolbox and repertoire; and
7. Debriefing procedures.

In addition to this, the model identifies a “negotiator toolbox and repertoire” containing a set of communicative styles and negotiation strategies that can be used to successfully de-escalate hostage or crisis incidents, and a number of underpinning mechanisms that represent “best practice” when responding to critical incidents (see Table 18.2). The author suggests that this model has clinical utility in various forms. Firstly, it provides a blueprint of procedural critical incident management which can be used to inform training and continuing professional development of new or existing negotiators, aided by the mnemonic D.I.A.M.O.N.D. acronym that helps to break the process down into manageable chronological tasks in theater. Secondly, the negotiator toolbox and repertoire category developed within the second stage of the model highlights a number of successful specific negotiation strategies that can be used to guide negotiator practice when attempting to de-escalate hostage or crisis incidents. Lastly, the model identifies a number of underpinning mechanisms that are vital to the negotiation process and can be used to inform negotiator training and guide negotiators in the field (Grubb et al. 2020).

Conclusions

It is clear that there is an ever-accumulating body of literature relating to the discipline of police negotiation and attempting to understand the underpinning communication dynamics that are inherent to its success. The varied approaches, as discussed above, present different perspectives and foci, with some adopting a micro-level approach to the language utilized by negotiators *in situ*, others taking a macro-level “model” approach to the staging, phases and processes involved in the management of critical incidents, and yet others identifying a set of techniques that can be selected from the negotiator’s “toolbox” and applied as necessary. Police trainers and negotiators alike can clearly learn from the application of theory and knowledge from varied disciplines, including the psychology of: effective communication, influence/persuasion, compliance-gaining, behavior change and psychotherapeutic interaction. While the literature base provides a picture of broadly “what works” in terms of negotiation success and best practices, there is still some distance to travel before a fully empirically validated set of guidance can be developed from a cross-cultural perspective.

The majority of the extant models (and verbal communication strategies) have been developed on the basis of anecdotal/practical experience (with a US-centric emphasis), as opposed to on the basis of empirical research *per se*, and further research is required to validate the identified models/strategies in theater (by cross-referencing the findings using live negotiation dialogue). The work conducted by Ellen Giebels and Paul Taylor attempts to derive a more empirical basis to effective communication within negotiation contexts and also provides insight into the dynamics that are relevant to negotiation within different cultures. Equally, the CA approach adopted by Elizabeth Stokoe and Rein Ove Sikveland is producing a micro-level understanding of the linguistics promoting success within

negotiations and in conjunction with the work being conducted by the author and colleagues, is helping to develop a picture of negotiation from an Anglo-centric perspective. These academic endeavors will continue to enhance the understanding around effective negotiation processes and communication techniques, thereby contributing to the ongoing development of evidence-based negotiation as a police discipline.

When considering the next steps required to drive forward the discipline and promote the practice of evidence-based police negotiation, there are a number of research activities that would serve to benefit the negotiator community. In particular, the author's own D.I.A.M.O.N.D. model would benefit from further empirical validation using live recorded negotiation dialogue as a means to cross-reference and further validate the strategies identified within the negotiator toolbox. In addition to this, it is important to start building knowledge in relation to police negotiation from a cross-cultural/international perspective. Empirical mixed-methodological research which compares police negotiation practice across different countries and cultures is warranted to establish whether countries need specific models/protocols for responding to hostage/crisis incidents. Additional aspects that form part of the future research agenda include development of evidence-based risk assessment protocols and use of risk modelling in relation to different types of incident. Such work is in the early stages within the UK, where the implementation of the National Negotiator Deployment Database (NNDD) has enabled opportunities for quantitative analysis to be performed using negotiator deployment data relating to subjects, incident characteristics, and negotiator actions/outcomes (see Grubb 2020). Addressing these gaps in the research literature will help to promote the idea of police negotiation as an evidence-based area of policing and will also provide a platform to enhance negotiator training and practice effectiveness, which will ultimately serve the purpose of saving more lives in the future.

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