



WICNA Newsletter

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Summer 2015



NCNA

National Council of Negotiation Associations



Annual Board Meeting and Convention

August 17-21, 2015

The Grand Hall at Westlake Gardens

400 N. High School Rd.

Indianapolis, IN. 46241

(855) 625-3836

Events@Grandhallindy.com



WISCONSIN CRISIS
NEGOTIATORS ASSOCIATION

**Award submissions are being accepted for the
Fall Conference.**

**See the WICNA website for award criteria and
nomination forms**

Fall Training Conference 2015

October 21st–23rd, 2015

Hotel Marshfield

2700 S Central Ave, Marshfield, WI
54449

715) 387-2700

[Www.Hotelmarshfield.com](http://www.Hotelmarshfield.com)

State room rate available.

Overflow will be at the

Marshfield Holiday Inn

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An often-overlooked resource on barricaded-suspect calls

Submitted by: Charles Remsberg / Police One.com

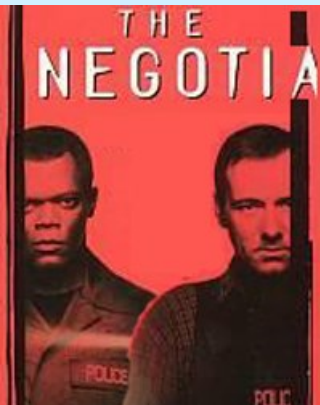
Dealing with a barricaded subject in an apartment complex? Don't ignore a "huge, huge resource that's often overlooked" — the maintenance person for the building.

"He shouldn't be dismissed as just a 'lookie-loo' to get out of the way," Sgt. Phil Galer, a SWAT team leader with the Pittsburg (Calif.) PD, emphasized recently at the annual training conference of the Assn. of SWAT Personnel-Wisconsin.

"In reality, he can be a great problem solver. He has keys, he knows where utilities can be controlled, he's familiar with the layouts of units." Such instant expertise can help you quickly cut through what might otherwise be time-consuming obstacles.

Galer debriefed the 300 conference attendees on a tense confrontation last year in which a young gangbanger took his mother hostage and threatened to detonate explosives and shoot her, before he himself was brought down by simultaneous fire by two snipers. Galer said, "We got hold of the maintenance guy and kept him right on our hips" during protracted and complex efforts to evacuate other residents, rescue the mother safely, and resolve the standoff.

<http://www.policeone.com/standoff/tips/4101872-An-often-overlooked-resource-on-barricaded-suspect-calls/>
August 03, 2011



The Negotiator - The Real-Life Story Behind the Movie

By Pat Doering www.NTOA.ORG The Tactical Edge magazine / winter 2015

Many of you have seen or at least heard of the movie *The Negotiator*, starring Kevin Spacey and Samuel L. Jackson. What you may not know is that the movie was inspired by a true incident that happened in the city of St. Louis in 1988. I was unaware of this until I met another negotiator at a conference and told him that I was from the St. Louis area. He made me aware of the connection between the movie and the city, which piqued my curiosity and drove me to research the case.

After three years of research, which included reviewing media reports and other material directly related to the case, as well as hours of interviews with people involved, including hostage-taker and former St. Louis Police Officer Tony Daniele, I was able to develop a case study on the incident. More than 26 years later, I believe there are still lessons to be learned.

On Sept. 3, 1988, Daniele, who had been a St. Louis city police officer for more than 18 years, entered the 15th floor of the law offices of Hullverson and Frank. A day earlier, Daniele had been sentenced to eight years in federal prison following a trial relating to the misappropriation of St. Louis Police and Fire pension funds which he was convicted on earlier that year. A federal investigation had discovered that certain pension board members, as well as several firms that managed the funds, were taking illegal kickbacks. Five individuals pled guilty to charges including extortion, conspiracy and obstruction of justice. Daniele was the only defendant who went to trial. He was found guilty of 15 counts of fraud, extortion and conspiracy. When he entered the law offices, Daniele had not slept in days and was obviously in a crisis state. The stress of the trial, followed by his conviction, was his breaking point. Reports vary as to what happened initially in the law office, but at some point Daniele pointed a pistol at John Frank, who was an attorney in the office. Frank and served on the police pension board with Daniele and was also a St. Louis police commissioner. The other people in the office fled the scene and began calling 9-1-1.

Responding officers quickly realized that they were dealing with a hostage situation and the city's hostage rescue team (HRT) was notified. Ironically, Daniele had been on the HRT since its inception in 1979, and had developed most of the training scenarios for the team. He also was one of the best marksmen in the department. He had recently been named to the President's top 100 which represented the 100 best pistol marksmen in the country. He also had extensive experience with explosives from the military and from his time on the HRT. The negotiators and HRT members were all friends, or at least acquaintances, of Daniele.

Based on his knowledge of SWAT tactics and how to circumvent them, Daniele brought Frank into the lobby area of the office, which had a view of all three elevators and plate glass windows covering the entrance of the building. Daniele duct taped the entry doors of the office to prevent anyone from breaching the area.

Daniele relayed three demands very early at the start of the incident:

1. That contact be made with the cemetery where his brother was buried to ensure that he would be buried next to him.
2. That a news conference would be held where he and his attorney could present evidence of his innocence in the pension fund case.
3. And that a bipartisan committee be created to investigate abuses in the promotional system within the police department.

According to the on-scene commander, Daniele also made the following statement: "I have nothing to lose, I am ready to go and if the hostage rescue team enters the room, they should be prepared with two body bags."

As always, the main concern of the negotiation team was the safe release of the hostage. But there was also the need for the incident to end peacefully, as Daniele was one of their own. The negotiation team set up its command post on the 14th floor, which prevented interference of anyone not directly involved in the negotiation.

As you might recall in the movie, Jackson's character, Danny Roman, specifically asks for negotiator Chris Sabian (Spacey) to handle the situation. In real life, Daniele also asked to speak to a specific negotiator. However, that officer had just recently retired. The lead negotiator was able to develop a rapport with Daniele, who knew the negotiator and believed he had a reputation of being an "honest" cop. The on-scene commander stated that they did not consider bringing in any outside negotiators to handle the incident. The FBI's St. Louis Division deployed its SWAT and negotiation teams to the incident, but they were used in an adviser role only and did not participate in the negotiation.

A major concern during the incident was for the health of the hostage, Frank, who had experienced two heart attacks in the three years prior to the incident. The negotiators used Frank's heart condition as a key talking point in the negotiation process. After several hours they were able to convince Daniele to allow delivery of medication. This was a major breakthrough, as it showed that Daniele cared for the wellbeing of his hostage. Shortly thereafter, Daniele released Frank. Initially, Frank was reluctant to leave as he felt that Daniele was going to commit suicide. The negotiators gave Frank a way to rid himself of guilt and regret by reminding him that he was a police commissioner for the St. Louis Police Department, then issuing him an order to leave the office. Frank reluctantly left the office and was debriefed around 1:30 a.m.

After releasing Frank, Daniele no longer had any bargaining tools. Several times, according to him, he contemplated ending his life. When I asked Daniele what had prevented him from committing suicide, he said there were two key points that the negotiator brought up: his family and the grief his death would cause them, and the fact that his HRT teammates would be the ones who would be the first to go in and would see him lying on the floor. He did not want to put his family or his teammates in that position, and in the end he chose not to take his own life.

5 a.m., Daniele engaged in his first self-initiated contact with the negotiator's. He told them he wanted to sleep and not be bothered for an hour. The negotiators had learned from Frank's debrief that Daniel had been drinking scotch, and his speech was becoming more slurred. Daniele hung up the phone, and fearing that Daniele was intending to take his own life, the negotiator attempted to call him back. After 45 minutes of no contact, a decision was made to make entry into the office and overpower Daniele.

Two HRT members approached the office door; one had a shield and the other had a knife tied to a broomstick that had been filed down to squeeze through the crack in the office door to cut the duct tape. At that time, Daniele had either fallen asleep or was passed out on a couch in the office. The officer started to cut the tape, and while doing so the knife hit up against the glass door, alerting Daniele and causing him to become irate. The officers immediately retreated back into the hallway and the negotiator attempted to calm Daniel down.

Around 10 a.m., Daniele indicated that he would surrender if two conditions were met: He wanted Frank to sign a "no prosecution slip," and he wanted assurance that there would be no government intervention as a result of this incident. Frank agreed to no prosecution, and the U.S. attorney directed an assistant U.S. attorney to meet with Daniele's lawyer about the second demand.

The negotiator told Daniele that the "no prosecution slip" was signed and that his lawyer had been in contact with the U.S. Attorney's Office. He informed Daniele that he would have to exit the room and surrender to officers in order to speak with his attorney.

At around 11a.m., Daniel surrendered to the lieutenant of the HRT who had known him for several years. Daniele was not charged federally, but the state prosecutor filed charges of kidnapping and unlawful use of a weapon.

Daniele received probation on those charges after Frank wrote a letter to the sitting judge asking for leniency. However, Daniele served a little more than two years in federal prison for the pension case. Additionally, it was determined that he was not financially liable in the civil suit that was brought on by the pension board.

In an interview, Daniele stated that his intent was to show the corruption that was occurring in the police department and to have a public forum to declare that he was innocent and did not steal any money from the pension fund. He also stated that he had planned to commit suicide. Luckily, the negotiator was able to build a rapport and convince Daniele that he would be able to come out of the incident without having to take his own life.

Daniele is still fighting to this day to clear his name in the pension fund case. He spoke with me in hopes that something could be learned from his ordeal that would be beneficial to law enforcement.

Frank made it a point to host a dinner every year on Memorial Day weekend at a restaurant that had to close during the incident. Frank died in 2000, but his two sons, John Jr. and Joe, provided a lot of background information, including television recordings and newspaper clippings on the case. They provided insight to their father and how the incident affected them and their family.

The on-scene commander stated that the situation was handled the same as any other hostage barricade; the fact that Daniele was a police officer did not change their procedures.

LEARNING POINTS: Even though more than two decades have passed since the incident, negotiation tactics largely remain the same. There are plenty of lessons to be learned.

1. Make sure your agency is prepared to deal with one of its own officers in a critical incident. From my experience, most agencies don't have a plan if such a situation arises. Will the team handle the incident itself, or call in another agency? Is your team prepared to have to go tactical on one of your own? HRT members said it would have been very difficult for them to do an assault on Daniele. These are questions that should be answered before an incident like this occurs.
2. Debrief your team, the hostages and hostage-taker. After 26 years, officers involved in this incident were still unaware of what actually occurred. The hostage-taker could also provide valuable information as to what he or she felt worked or did not work. This could be beneficial in future events.
3. Don't give in to the pressures to quickly end the incident. Luckily, in this situation, trying to make entry into the office didn't result in any injuries to Daniele or members of the HRT.
4. Seek out some of the veteran/retired negotiators from your department. They are a wealth of knowledge and have great stories to tell!

About the author: Lt. Pat Doering is an 18 year veteran of law enforcement, 16 of which have been with the Lake St. Louis Police Department. He has been a member of the St. Charles County Regional Crisis Negotiation Team for the past 10 years and has been assigned as the primary negotiator in numerous barricade incidents. Doering is a recent graduate of the FBI National Academy Class 248 and is currently assigned as the Support Services Commander. He is also the current President of the Missouri Association of Crisis Negotiators.



Hostage & Crisis Negotiators: Nonverbal Communication Basics

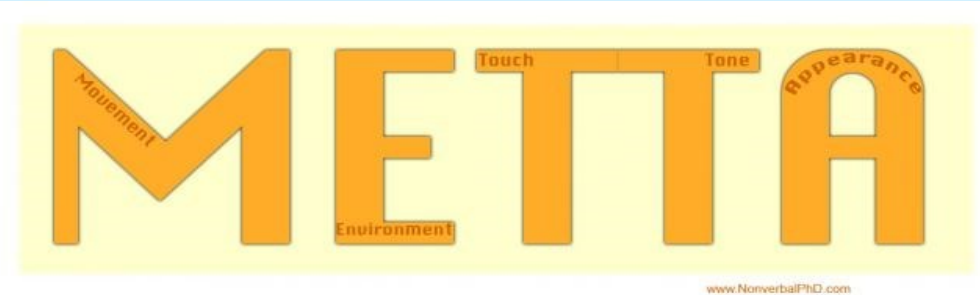
Learn the skills used by these expert negotiators and how it can help you.
Post published by [Jeff Thompson](#) on Aug 13, 2013 in [Beyond Words](#)

Law enforcement crisis and hostage negotiators are world-renowned for their ability to apply expert conflict resolution and communication skills in situations that are tense, (potentially) volatile, and where lives can be at risk.

The negotiator's appearance matters.

Learning the skills that these professionals apply to their distinct negotiation setting is not only interesting but it can also help you. Although their work is very different from yours most likely, the tools they use to effectively communicate and resolve a situation is still applicable to you and your work. Nonverbal communication plays an important role during hostage and crisis situations involving law enforcement personnel. Nonverbal communication is not limited to solely "body language" but rather includes a variety of other elements. To raise awareness of the numerous nonverbal communication

elements that are possibly present during an interaction, I created the **METTA acronym** (movement, environment, touch, tone, and appearance) during my doctoral research on nonverbal communication and mediators.



Below, I have applied the **METTA** acronym to the hostage and crisis negotiation setting offering an introductory look at how nonverbal communication can impact the negotiations while also offering insight to the skills used by these professionals.

Movement. Congruent body movement that is matching the words being spoken helps display genuine empathy while also contributes to develop-

ing rapport and building trust. Even when communication signals are limited such as just talking via phone, it still plays an important role. Think about the next time you are on the phone and notice how often you nod your head, use hand gestures, and use paralanguage such as "mmm" to express agreement or understanding.

Environment. The environment is one of the first factors responding police personnel address when responding to a crisis or hostage situation. Securing the scene is vital to prevent injury and containing the situation by establishing a secure perimeter is the first priority according to crisis and hostage negotiation researcher Lawrence Miller, Ph.D. Securing the scene, beside for safety reasons, also removes distractions during the negotiation process.

Another aspect that is part of "environment" is time. Chronemics is the study of time. In crisis/hostage negotiations, time is important and it is recommended to not rush the process. Retired FBI chief negotiator of the famed Crisis Negotiation Unit, Gary Noesner, emphasizes the importance for a negotiator to not rush things as "buying time usually leads to better decision making by everyone involved." Also, an important trait for negotiators in regards to time is the ratio he or she spends listening compared to speaking. Expert crisis/hostage negotiators spend much more time listening than speaking.

Listening, among many important reasons, allows the other person to speak and share their perspective on what has led the particular situation from arising. This can contribute to reducing their actions stemming from their emotions and now acting from a cognitive perspective.

Touch. In the crisis/hostage negotiation setting, I refer to touch in regards to "leakage." The [Harvard Business School's Amy Cuddy](#) ([link is external](#)) did a brilliant TED talk showing how acting confident can increase thoughts of being confident yet her research demonstrates the reverse can be true too. Leakage, or unintentional body movement and actions can contribute to diminishing confidence. Further, certain posture positions, fidgeting and self-touching (think playing with your ring, your hair, or touching the back of your neck) can be a sign of anxiety and stress. Being calm, a necessary trait of crisis/hostage negotiators, can diminish with these actions. A negotiator's awareness of these actions can help them prevent or stop themselves from doing it. Also, noticing it in others can help the negotiator address it properly through specific actions such as checking in via asking an open-ended question.

Tone. A crisis/hostage negotiator's voice tone is an important tool that can help de-escalate the situation or contribute to the chaos. Retired FBI Special Agent and crisis negotiator, Chuck Regini, states, "Good crisis negotiators must have the ability to remain calm under emotionally demanding situations." While communicating with the person, your voice tone, when used strategically, can display this calmness and can help reduce the tension of the situation. A calm voice tone can also establish trust, rapport, and display genuine empathy. These three skills have consistently been demonstrated in research studies as being used by negotiators to contribute to peaceful resolutions.

Appearance. Being properly dressed for a crisis/hostage situation includes, aside of personnel being armed with the necessary tactile equipment, having distinctive clothing identifying the negotiator(s). Crisis/hostage negotiating is a team sport, and each person has a specific role. Aside of the immediate team, there are other personnel present and the last thing you want is a negotiator being mistaken for someone else and vice versa.

This article has given a brief, introduction to nonverbal communication skills and elements that play a critical role in crisis and hostage situations. Each can also play an important role in your professional life too. Consider for example how nodding your head and displaying other nonverbal actions can signal you are listening; allowing people to speak can reduce a tense discussion; constant interruptions can break everyone's attention span; fidgeting with your wedding ring can reduce the effectiveness of your speech; your tone can let a co-worker know you genuinely care about their issue; and how your choice in clothing can complement the message you are trying to deliver.

You might not be a crisis/hostage negotiator, but there is much that can be learned from them with the result making you a better communicator.

CRISIS Negotiation SKILLS SHEET

Active Listening Skills

Emotional label

"You sound like..."
"It seems..." "I hear..."

Reflect/Mirror

Repeat the last few words

Paraphrase

"Let me get this right..."
"So what you're saying is..."

Open-ended Questions

What happened today?
Tell me more about _____

Summarize

Include emotional label,
use when you feel stuck

Minimal Encouragers

"mmm" "uh-huh" "I see"
"Really" "Yeah"

Effective Pauses

Use prior to speaking
Encourages the person
to continue speaking

"I" Messages

I feel _____ when you _____
because _____

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SLOW DOWN
The process

Positive
TONE
Assertive

Be
CALM
Your actions
are contagious

C.P.R.

Charisma

Ability to have a positive
influence & have subject
reappraise situation.
Need rapport first.

Professionalism

Be confident & prepared.
Know your skills & how to
properly use them.

Rapport

Use active listening, be
attentive, possess empathy.
Positive, non-judging,
respect.

Identify Emotions

Fear Sadness Anger Shame

Reduce threat,
uncertainty.
Police are there
to help.

Not alone, Help
is available.

Refocus subject
away from target.

Acknowledge
difficulty;
Counter feeling of
being cut-off.

Saving Face?

Mad

Angry
Furious
Outraged
Cheated
Annoyed

Hurt

Betrayed
Despair
Helpless
Abandoned
Pain/Suffering

Ashamed

Humiliated
Embarrassed
Isolated
Vulnerable
Trapped

Your

* Thoughts
* Body
Language
* Tone
are connected

Sad

Crushed
Defeated
Dejected
Down
Deflated

Afraid

Fear
Frightened
Threatened
Nervous
Worried

* Express concern for needs

* Talk through deadlines

* Be non-judging with
voice tone & words

* Avoid "no" "never"



The biggest communication problem is we do not listen to understand. We listen to reply.

www.goodmorningwishes.com



LISTENING IS AN ART THAT REQUIRES ATTENTION OVER TALENT, SPIRIT OVER EGO, OTHERS OVER SELF.

~dean jackson

I'M AFRAID TURNOUT ISN'T AS HIGH AS WE'D HOPED. THREE OF THEM MISHEARD THE DATE, FIVE GOT THE TIME WRONG AND EVERYONE FROM SALES WENT TO A HOTEL IN SCARBOROUGH BY MISTAKE!

LAW ENFORCEMENT Crisis & Hostage NEGOTIATION

Where?



53%
Private
Residence

21% Apt/condo
4% Mobile home
3% Hotel/motel

How Long?



35%
2-4 hrs

26% 0-2 hrs
19% 4-6 hrs
11% 6-9 hrs

Communication?



39%
Existing
Phone

31% Bullhorn
25% Voice from cover
22% Face to face

SUBJECT

91% Male
39% Married
60% White
20% Black
82% No injury
40% 35-40 yrs old
72% Weapon used
37% Handgun
30% Alcohol used
39% Has criminal history

96%
NON-HOSTAGE
situations

Hostage: A person being held involuntarily by another person as leverage to force fulfillment of demands on a 3rd party

Non-hostage: Emotionally driven situation with no substantive demands & the person does not need anything from the police

VICTIM

58% Female
50% White
34% No relationship
26% Family
25% Under 18yrs
80% No injury
14% injury
17% Victim positively influenced subject
45% Not mistreated

Resolution



56% Negotiation/surrender
20% Tactical/intervention
12% Combination
8% Escape
3% Police withdraw

3rd Party Used

17% of incidents

71% Incident
unplanned

Incidents with:



Injuries

97% None
2% Law enforcement
1% Bystanders

Death

99% None

Violence

30% Onset
11% During
62% Unknown

Violence Against

70% Unknown
18% Selected Hostage/victim
12% Law enforcement