

2019



EMERGENCY NEGOTIATION TEAM MANUAL

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1 MISSION STATEMENT

The goal of the Escondido Police Department Emergency Negotiation Team (ENT) is to provide the Incident Commander with negotiators who have been trained to diffuse critical incidents involving barricaded, suicidal, and/or hostage-taking suspect(s), or any other incident in which a trained negotiator would be beneficial. Negotiators seek to accomplish this task by persuasion and without the use of force; yet, they also continually provide the Incident Commander(s), Tactical Operations Group (TOG) Commander, ENT Commander, and SWAT Commander with intelligence in order to determine appropriate resolutions. This centralized organizational concept is based upon the belief that a successful resolution requires a coordinated response between the Incident Commander, ENT, and SWAT.

1.1 Background

Law enforcement agencies are periodically confronted by armed suspects who, even after being contained by responding officers, fail to surrender and/or take hostage(s). In order to deal more effectively with these types of situations and to reduce the threat of a violent confrontation, a group of carefully selected and highly trained officers have been formed into an ENT.

The use of negotiation during times when armed suspects are either barricaded or have taken hostages is widely recognized as the most successful method of resolving the incident. In most cases, the longer suspects refrain from injuring or killing hostages, the better the chance for a peaceful resolution. It is also recognized that some circumstances are nonnegotiable, and the only realistic solution would lie with a tactical response.

Nothing in this manual shall be construed to preclude the use of necessary force by members of this department when acting in their official capacity in protecting the lives and/or safety of citizens and/or department personnel from death or serious injury. The decision rests solely with the Incident Commander based upon input and recommendations they have received from both the ENT and SWAT team leaders, and the Incident Commander.

For purposes of this document, the title Incident Commander shall refer to the lieutenant in overall command of the incident. ENT and SWAT Commanders work in collaboration with the Incident Commander. In the absence of the ENT Commander, an ENT Sergeant or person designated as a Team Leader may assume this position.

1.2 Policy Statement

Although this manual was developed to outline the policies for emergency negotiations, it is realized that no plan can be universally applied to every unique situation. Negotiations and tactical operations are often tense, uncertain, and rapidly evolving. Therefore, this manual should be used only as a general guide for negotiators. It is entirely possible that those actually involved

in a negotiation could depart from any of the material contained within this manual, and would do so correctly if the decision was based upon reason, good judgement, and best practices.

1.3 Objectives

In keeping with the primary mission of the Escondido Police Department (the protection of life and property), the ENT is a resource to the Incident Commander, which offers trained negotiators in situations where dialogue might avert a violent confrontation resulting in death or great bodily injury.

Teams are committed to the objectives as described below, and work in cooperation with all other tactical and support units. In all situations, the ranking ENT Leader reports to the Incident Commander. The ENT Leader, however, will be responsible to determine what procedure and/or strategy should be employed to accomplish the mission.

Once a suspect has been contained, the objectives of the ENT are:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

2 GENERAL OPERATING PROCEDURES

Although there are many philosophies regarding the handling of critical incidents involving barricaded suspect(s), the Escondido Police Department recognizes the general principles listed below as standard operating procedures:

- a. When responding to a call-out, members of the ENT shall obey all state and local traffic regulations.
- b. The location of the ENT Command Post will be determined by the ENT Leaders with the assistance of a SWAT Team Leader (When feasible, it should be situated in the same general area as the incident, but out of the line of fire).
- c. Negotiators must be afforded the maximum possible privacy in order to concentrate on successful communications.

■ [REDACTED]

- e. Face-to-face negotiations with armed suspect(s) are highly discouraged; any such decision must be approved by the ENT Commander with concurrence by the SWAT Commander and Incident Commander.
- f. The optimal method of communicating with the suspect(s) is by telephone; the use of a bullhorn should only be used as a last resort.
- g. Whenever possible, the negotiation should be audio and/or video-recorded for training and/or evidentiary purposes.

■ [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- i. During the course of the incident, the Scribe will maintain a chronological log of the entire incident.
- j. Generally, only trained professional negotiators should communicate directly with the suspect(s). The use of family members, employers, boyfriends/girlfriends, etc. to directly speak with the suspect(s) is discouraged.

■ [REDACTED]

- l. Negotiators should attempt to obtain a clear definition of the personal demands and grievances of the suspect(s).

[REDACTED]
[REDACTED]
[REDACTED]

- n. [REDACTED]
[REDACTED]

- [REDACTED]
- [REDACTED]
- o. All actions or anticipated responses by the Incident Commander will be communicated to the ENT Commander.
 - p. [REDACTED]
 - q. [REDACTED]
 - r. No one, regardless of rank or position, retains authority if taken hostage.
 - s. Even when no apparent progress toward a resolution is evident, negotiators should continue their attempt to make contact and establish a rapport with the suspect(s).

[REDACTED]

[REDACTED]

3 DUTIES AND RESPONSIBILITIES

3.1 ENT Commander (Lieutenant)

The Incident Commander will have the overall responsibility of the incident. The ENT Commander will direct the unit on day-to-day matters. The ENT Commander or their designee will assume responsibility of the team on all call-outs.

3.1.1 At Incident Scene

The ENT Commander or their designee shall respond to all ENT call-outs and assume the following responsibilities:

- a. Report to and receive briefing from the Incident Commander
- b. Serve as a resource to the Incident Commander and SWAT Team Leader(s)
- c. Continually provide the Incident Commander with situation updates (position papers) and/or briefs during the incident, including the tactics being used by the Negotiators
- d. Brief ranking officers on the progress and tactics used by ENT personnel
- e. Relay information between the SWAT Commander and the Incident Commander
- f. In the absence of the ENT Commander, an ENT Leader will assume these responsibilities

3.1.2 General Responsibilities

The ENT Commander shall review all policies and procedures of the unit and will ensure that the following goals and objectives are met:

- a. Ensure that the unit is at a high state of readiness with properly trained personnel and state-of-the-art equipment
- b. Maintain high morale and motivation in the unit
- c. Ensure that meaningful training programs are conducted
- d. Keep all department commanders and administrators informed of ENT training, personnel status, and incidents of note via the chain of command
- e. Prepare and administer the ENT budget
- f. Supervise the tracking of overtime
- g. Ensure that all ENT records and files are properly maintained and updated
- h. Ensure that all equipment assigned to ENT is properly inventoried and maintained
- i. Conduct inspections of ENT operations to verify compliance with procedures and policies, evaluate personnel, and to determine training and equipment needs
- j. Maintain a meaningful liaison with other agencies to keep informed about new or advanced techniques and equipment

3.2 ENT Leaders (Sergeants)

3.2.1 General Responsibilities

The ENT Leaders will direct, supervise, and evaluate all of the personnel on their team. Specifically, the Team Leader is responsible for the following tasks:

3.2.1.1 *At Incident Scene*

- a. Upon notification of an ENT callout, the ENT Leader shall activate a negotiating team.
- b. Confer with the SWAT Sergeant present to select the negotiation command post site. Team members who arrive at the scene prior to the sergeant should begin this process.
- c. Designate ENT assignments.
- d. Isolate the suspect(s) telephone service with Incident Commander's approval.
- e. Supervise the overall negotiation effort including, but not limited to, the type of strategy to be used during the negotiation, positioning of personnel, and selection of personnel
- f. Serve as liaison to the ENT Commander by immediately notifying them of the following:
 - 1) Each time communications begin or are terminated with the suspect(s), hostages, and/or victims
 - 2) Position papers, progress reports, and tactically-sensitive intelligence
 - 3) Select a debriefing site and facilitate the debriefing session.
 - 4) Prepare the ENT after-action report and forward a copy to the ENT Commander for filing.

3.2.1.2 *Administrative Responsibilities*

- a. Supervise all personnel assigned to the team and is generally responsible for the performance and morale of their team members.
- b. Ensure that team members attend meetings, training sessions and quarterly conferences.
- c. Ensure that team members are adequately trained on the use of ENT equipment.
- d. Responsible for tracking and approval of overtime accumulated by team members, including adjusting training or meeting times to be "on-duty."
- e. Investigate any complaint, allegation of misconduct or incompetence committed by team members. Forward any finding to the Incident Commander for disposition.
- f. Serve as the liaison with other ENT units throughout the state and nation to encourage an open exchange of ideas regarding equipment, negotiating techniques and other pertinent information.

3.2.2 Collateral Duties

ENT Leaders will be expected to assume the collateral duties of Executive Officer, Training Officer, Budget/Special Projects Officer or Equipment Officer. These positions are appointed at the discretion of the Incident Commander.

3.2.2.1 Executive Officer

Selection: The Executive Officer will normally be the most senior ENT Leader. In addition to serving as a Team Leader, the Executive Officer is responsible for the following:

- a. Perform any ENT general administration duties as delegated by the ENT Commander.
- b. Assume command of the unit during the absence of the Commanding Officer.
- c. Chair the selection panel for prospective ENT members.
- d. Track overtime and report the month and year-to-date total to the ENT Commander.

3.2.2.2 Training Sergeant

The Training Officer(s) shall, in addition to their regular duties, perform the following functions:

- a. Approve all requests for the Basic, Advanced, Command and Update negotiation schools, whether originating from within ENT or outside the unit.
- b. Schedule new ENT members for a 40-hour POST approved or FBI Basic Negotiation class.
- c. Ensure team members receive a minimum of 40 hours of negotiations training per year.
- d. Prepare annual training plan, which will minimally consist of the following:
 - 1) Two TOG training days with SWAT
 - 2) Conferences in which guest speakers or informal training will be offered
 - 3) Monthly four-hour ENT team training and meeting covering various negotiations topics, best practices, case studies, scenarios, and/or guest speakers
- e. Ensures that monthly training objectives are met and training hours are documented on the annual training matrix.
- f. Ensure that every meeting or training includes the set-up and use of the various pieces of ENT equipment.
- g. Responsible for safety of all personnel during team training sessions
- h. Maintain a liaison with training coordinators from other agencies to develop joint training exercises.
- i. Maintain training records and other assigned files

3.2.2.3 Equipment

The Equipment Sergeant or their designee shall, in addition to their regular duties, perform the following functions:

- a. Maintain the current ENT equipment in a high state of readiness
- b. Arrange for the repair of damaged or inoperable equipment
- c. Arrange for the security of equipment which is not in use
- d. Research the product market and recommend to the ENT and SWAT commanders any equipment which is superior to that currently being used
- e. Coordinate with the Training Officer for briefings on the proper use of the equipment, which shall be part of every monthly training evolution
- f. Maintain all equipment and conduct an inventory and inspection of all items

3.3 Team Members

3.3.1 General Responsibilities

ENT members are responsible for the following:

- a. To be "on call" and be immediately available for all callouts.
- b. To notify the ENT Leader immediately if you cannot respond to the scene within the expected timeframe.
- c. To keep the Team Leader/Executive Officer informed of any change(s) in address, home phone number, work assignment, work phone number, and/or mobile number.
- d. To attend all incidents, meetings and/or training as directed.
- e. Ensure they receive a minimum of 40 hours of negotiations training per year.
- f. To notify a Team Leader (via email or text message) of any conflict in scheduling or extended leave (vacation, etc.).
- g. To acquire, maintain and have immediately available the following equipment when called:
 - 1) Department authorized weapon, handcuffs, and extra ammunition
 - 2) Department issued ballistic vest
 - 3) Department identification and police badge
 - 4) Department approved "Police" or "Negotiator" windbreaker/ENT Uniform
 - 5) Environmentally appropriate clothing
 - 6) Flashlight with batteries
 - 7) Checklists, negotiation guides, and negotiation forms
 - 8) Note taking material or technology

3.3.2 Negotiator Assignments

Members of ENT will be assigned to the following functions at an incident scene:

3.3.2.1 Primary Negotiator

The Primary Negotiator is the principal negotiator during an incident and is responsible for the following:

- a. Establish contact with the suspect(s), if not already initiated by other officers
- b. Maintain contact with the subject of the negotiation until relieved
- c. [REDACTED]
- d. Communicate needs, status updates, and opinions with ENT members as appropriate
- e. Strategizes and consults with other ENT members when not actively negotiating
- f. Complete an ENT Patrol Use Memo as appropriate

3.3.2.2 Secondary Negotiator

The duties of the Secondary Negotiator are to support the Primary Negotiator with a focus on the following:

- a. Work directly with the Primary Negotiator and offer assistance, tactics, and suggestions as appropriate
- b. Monitor all conversations between the Primary Negotiator and the suspect(s) and/or hostage(s)
- c. Report any tactically sensitive information to the ENT Leaders via the Scribe
- d. Keep the ENT Leaders informed of general progress of the negotiations

3.3.2.3 Intelligence Officers (Usually two or more negotiators)

The duties of the Intelligence Officers are to support the TOG with intelligence from mission pre-planning through completion. The Intelligence Officers(s) duties include:

- a. [REDACTED]
- b. Assist the ENT Leaders in removing and maintaining unauthorized personnel outside of the negotiating post and/or immediate negotiating area
- c. [REDACTED]
- d. [REDACTED]
- e. Assist in maintaining a record of events/information on flip (or wall) charts
- f. [REDACTED]
- g. Serve as a resource to the TOG by utilizing computer files and databases to gather background information on suspect(s), victims, and/or hostage(s)
- h. Report information to Team Leader or designee
- i. Responsible for distribution and regulation of all controlled documents and criminal offender record information

3.3.2.4 *Scribe*

The duties of the ENT Scribe are to memorialize the incident as it develops with a focus on the following tasks:

- a. Primary role to scribe the course of events during all ENT call-outs
- b. Keep notes of negotiations and significant events as they develop for immediate reference
- c. Assist with note taking on the boards for primary and Secondary Negotiators
- d. Actively monitors communications and negotiations
- e. Provide detailed minutes of monthly trainings and meetings

4 ENT CALL-OUT

The procedures for the use of ENT Negotiators is found in Department Instruction 4.13. When called upon, ENT members are expected to respond to the incident as requested.

4.1 Criteria for Call-Outs

Per Department Policy 4.13, the Incident Commander shall request the ENT when police are dealing with a hostage-taker, barricaded persons, high-risk suicide attempts, sniper or ambush situations, and/or any other situation deemed appropriate by the Watch Commander that requires crisis intervention skills. ENT is activated with most SWAT activations.

By definition, a hostage is any person seized or kidnapped by another or whose life or safety is threatened by the perpetrator; the intent being to evade arrest, escape, obtain the release of prisoners, obtain money or property, or attain any other purpose through the use of force.

By definition, a barricaded suspect is any person who, by his own admission, or who is in fact armed with a weapon, explosive or any other destructive or dangerous device, has restricted their own movements and/or fortifies a fixed location, and who violently, or by threat of violence, resists apprehension.

4.1.1 Procedure for Call-Outs

When the Incident Commander has determined that ENT personnel may be needed, the following procedure shall be used:

- a. Total decision-making authority and responsibility regarding whether or not to use ENT belongs to the Incident Commander (any officer, agent, sergeant, etc. in charge of police response to an incident).
- b. If the Incident Commander decides that ENT personnel are needed, they shall contact the ENT Commander via the radio or phone and request the ENT be activated.
- c. The ENT Commander will either notify the ENT Leaders of the call-out, or will activate the team on their own.
- d. If the ENT Commander does not activate ENT, the ENT Leaders will activate the team.
- e. Responding ENT personnel shall check in at the Command Post with the Incident Commander.
- f. The ENT Leaders will normally report to the Incident Commander (if present) in order to be briefed on the incident.
- g. The ENT Leader will confer with the SWAT Team Leader (or their designee) to determine an appropriate location for the ENT Command Post.

5 COMMAND AND CONTROL

5.1 Command Responsibility

The Incident Commander is responsible for all police personnel at the scene of any major or unusual occurrence. The TOG is comprised of the ENT Commander and their team, and the SWAT Commander and their team. The TOG Commanders are subordinate and responsible to the Incident Commander.

ENT Leaders (Sergeants) receive operational missions from the ENT Commander, but retain functional command of the negotiation team and the strategy to be used during the incident.

ENT personnel shall take all orders and directives from the ENT Leader.

5.2 Assumption of Command

In accordance with Department Instruction 4.4, Law Enforcement Incident Command System, the following procedures for command assumption apply:

- a. An officer of superior rank may assume command from an existing Commander at any time during a critical incident.
- b. When an officer of superior rank arrives, that officer shall be briefed as soon as practical by the existing Incident Commander at the command post.
- c. Unless specifically relieved by a senior ranking officer who has explicitly announced assumption of command, the ENT Leader shall direct the negotiations including, but not limited to, the tactics to be used.
- d. The mere presence of a senior officer at the scene of a critical incident shall not indicate assumption of command.
- e. The senior officer shall remain in an advisory/ support capacity unless overall command is assumed. In such an advisory capacity, senior officers shall not issue orders or direct the activities of ENT personnel.

6 SELECTION OF NEW ENT MEMBERS

6.1 Announcement

When one or more vacancies exist in the ENT, a Department Announcement may be distributed for the purpose of soliciting ENT applications.

6.2 Procedure

- a. All applicants must submit a request for transfer per D.I. 1.11.
- b. A Selection Committee will be impaneled to interview applicants. The Committee shall be chaired by the ENT Commander and consist of at least one ENT Leader or former ENT Leader.
- c. Applicants who meet the screening criteria will be interviewed by the Selection Committee; candidates will be ranked in order of preference.
- d. The recommendations of the Selection Committee will be forwarded to ENT Commander who shall make the final selection(s).
- e. Individuals not selected will be notified when other vacancies become available.

6.3 Requirements

Applicants must possess a minimum of the following qualifications:

- a. Meet the general requirements for transfer per D.I. 1.11
- b. Have a "satisfactory" or higher evaluation during the last rating period
- c. Have outstanding interpersonal and communication skills
- d. Have the ability to remain poised and calm under pressure
- e. Have the ability to react or think quickly
- f. Have the ability to function as part of a team
- g. Have personal maturity, flexibility, good judgement and patience
- h. Be technically and tactically proficient

7 FORMS AND RESOURCES

7.1 FBI Crisis Negotiator Quick Guide

The FBI Crisis Negotiator Quick Guide is located [here](#).

7.2 TOG Mission Scout Forms and Checklists

The TOG mission scout forms and checklists are located [here](#).

7.3 Negotiator's Incident Summary Template

The Negotiator's Incident Summary Template is located [here](#).

7.4 Mission Roster Template

The ENT Mission Roster Template is located [here](#).

7.5 Position Paper

The ENT Position Paper form is located [here](#).

7.6 Debrief Form

The ENT Debrief Form is located [here](#).

7.7 After Action Report Template

The ENT After Action Report Template is located [here](#).

7.8 ECPA & Eavesdropping Warrants

Information regarding ECPA warrants is located [here](#).

7.9 Monthly Training Template

The ENT Monthly Training Template is located [here](#).

7.10 Patrol Use Memo

The ENT Patrol Use Memo is located 