

The background of the cover features several stylized, light green leaf motifs scattered across a pale yellow-green gradient. These motifs are simple, elongated shapes with small leaflets at the ends of short stems.

# **DYNAMIC PROCESSES OF CRISIS NEGOTIATION**

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**Theory, Research, and Practice**

**Randall G. Rogan,  
Mitchell R. Hammer, Clinton R. Van Zandt**

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# Dynamic Processes of Crisis Negotiation

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*Theory, Research, and Practice*

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*Edited by*  
Randall G. Rogan,  
Mitchell R. Hammer, and  
Clinton R. Van Zandt

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In order to keep this title in print and available to the academic community, this edition was produced using digital reprint technology in a relatively short print run. This would not have been attainable using traditional methods. Although the cover has been changed from its original appearance, the text remains the same and all materials and methods used still conform to the highest book-making standards.

This book is dedicated to the many men and women crisis negotiators who, each and every day, use their negotiation skills to defuse often violent hostage, barricade, suicide, and kidnap situations. We hope the information in this book can aid the important work of these individuals. Additionally, a portion of the royalties from the sales of this book will be donated to the National Law Enforcement Officers Memorial in Washington, D.C.

This book is also dedicated to Mr. Raymond C. Rogan, who died of cancer February 9, 1996. He was a supportive, kind, gentle, loving man who truly cared about his family, friends, and community.

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# 1

## **Dynamic Processes of Crisis Negotiation: An Overview**

*Randall G. Rogan, Mitchell R. Hammer,  
and Clinton R. Van Zandt*

### **INTRODUCTION**

The recent tragedies of failed negotiations with Randy Weaver on Ruby Ridge, Idaho and David Koresh in Waco, Texas highlight the potential volatility and uncertainty of crisis negotiation, and demonstrate the challenge law enforcement officials face as they attempt to resolve these situations. In specific response to the Waco incident, both the Department of the Treasury (Treasury, 1993) and the Department of Justice (Dennis, 1993; Heymann, 1993; Justice, 1993; Justice: Recommendations of Experts, 1993) issued separate reports advocating, among other recommendations, increased behavioral science research of crisis negotiations. As Heymann (1993) concludes, it is important to have and be able to use a behavioral science component that can advise the tactical and negotiation groups about what to anticipate" (p. 6). The objective of this book, therefore, is to add to the social scientific body of knowledge concerning the interactive dynamics of crisis negotiations.

### **THE UNDERLYING VISION OF THIS BOOK**

Before beginning the daunting task of editing a book on crisis negotiation, we were able, over a number of years, to successfully blend together our different talents and backgrounds in pursuit of greater understanding and more effective practice of crisis negotiation. During the past few years, we all expressed our dismay at the lack of integration of theory, research, and practice in this emerging field. At times we lamented the apparent lack of "openness" of law enforcement to academic researchers/trainers. At other times, we were critical of the apparent lack of interest among academics in such real-world concerns as crisis negotiation.

What resulted from our long discussions was a sense that hostage negotiation is rapidly emerging as a field of behavioral science application, poised to move

beyond largely anecdotal accounts of effective and ineffective negotiation strategies toward increasing efforts at systematically incorporating alternative disciplinary perspectives and employing more rigorous methodological approaches for analyzing the dynamics of crisis negotiation. Our sincere hope is that this book can play a small part in beginning the process of systematically applying behavioral science concepts and research results to the nascent field of crisis negotiation.

Based on this vision, we designed this book to provide a forum for a variety of promising viewpoints focusing on crisis negotiation which incorporate both academic and practitioner concerns. This has not been an easy task. To achieve this objective, we draw upon an internationally recognized group of authors; individuals who, we believe, represent the best of both the academic and law enforcement practitioner worlds. Each of the authors is committed to rigorous behavioral science insight applied to real-world negotiation situations. This book, then, is not designed as a "how to" manual for law enforcement practitioners in hostage negotiation. This book is also not designed as a theoretical treatise for academics whose interest in crisis negotiation does not connect to the daily experiences of crisis negotiators. This book *is* designed to provide some promising conceptual frameworks (and indirectly, motivation) for academics interested in working with law enforcement on research concerning the dynamics of crisis negotiation. This book is *also* written for crisis negotiation trainers and leaders in the law enforcement community who are searching for insight beyond anecdotal stories and recognize the need for talented and committed researchers and trainers to lend their expertise in furthering theory, research, and practice in crisis negotiation.

## HISTORICAL BACKGROUND

A common approach used by law enforcement personnel in handling hostage-taking events prior to 1972 focused on two courses of action: demand the hostage taker to surrender or engage the police tactical (SWAT) team in a planned assault. The highly publicized hostage-taking situation that occurred during the Munich Olympics in 1972 and the resultant deaths of Israeli athlete-hostages at the hands of terrorists made law enforcement professionals take a second look at these standard hostage-taking police procedures (Head, 1988; Pierson, 1980).

Since 1973, scholars and practitioners alike have written on various aspects of hostage-taking situations (e.g., DiVasto, Lanceley, & Gruys, 1992; Fuselier, 1986; Fuselier, Van Zandt, & Lanceley, 1991; Lanceley, Ruple, & Moss, 1985; Noesner & Dolan, 1992; Schlossberg, 1979). The majority of this literature has attempted to identify the various psychological traits of hostage takers or the psychological orientations of hostages (e.g., the "Stockholm Syndrome"). Work from this perspective has been particularly useful in increasing understanding concerning the potential psychological *effects* high-stress hostage-taking events have on both negotiators and hostages. This has resulted, for instance, in more

effective postincident counseling of negotiators and hostages. Yet, much is still unknown about the actual communicative dynamics of crisis negotiation.

Recently, a group of researchers has begun exploring the communicative features of crisis negotiations (Donohue & Ramesh, 1992; Donohue, Ramesh, & Borchgrevink, 1991; Donohue, Ramesh, Kaufman, & Smith, 1991; Donohue, Rogan, Ramesh, & Borchgrevink, 1990; Hammer & Weaver, 1994; Rogan, 1990; Rogan & Hammer, 1994, 1995). In contrast to the psychological trait approach, these researchers view hostage negotiations in terms of the communicative dynamics created between hostage taker and negotiator, wherein hostage takers act to create an extortionate transaction with the police (Muir, 1977). This communication-oriented approach to studying crisis negotiation is founded on an interactive assessment of the situation as it unfolds and is created through the discourse of the negotiator and the hostage taker. As such, this model represents a powerful and responsive alternative for evaluating the dynamic interplay of perpetrator and negotiator message behavior, potentially resulting in more successfully negotiated incidents.

Unfortunately, there does not presently exist an organized compilation of contemporary theory, research, and practical information on crisis negotiations. Most existing references are generally anecdotal in nature, devoid of significant social and behavioral science research. The majority of books written on crisis negotiations have typically been couched within the larger framework of international political terrorism. While terrorism often involves hostage taking, domestic hostage incidents occur with far greater regularity and have not been adequately examined. Further, books written specifically on domestic hostage-taking are, for the most part, ten years old. Finally, no book has yet been written that integrates both the psychological *and* communication approaches to examining crisis negotiations. This edited reference addresses these limitations by including chapters in which the authors discuss both the psychological and communicative processes of negotiation. Equally important is the fact that several law enforcement negotiators offer their thoughts and insights about the implications of the topics discussed in the chapters. It is this blend of theory, research, and practical discussion that makes this book unique in the field of crisis (hostage) negotiation.

## **INFORMATIONAL AND TRAINING NEEDS OF CRISIS NEGOTIATORS**

Until recently, very little was actually known about the specific information and training needs of crisis (hostage) negotiators. Most books and training seminars were either personal accounts of individual negotiation cases or descriptions of the tactical logistics employed in both successful and unsuccessful incidents. Over the years, an increasing number of authors and negotiation trainers began integrating psychologically grounded theories and concepts into their core of knowledge and presentations. This top-down identification and dissemination of

critical knowledge has continued for well over twenty-five years. And it has proven successful.

Yet, with the growing number of front-line crisis negotiators who have received both basic and advanced crisis negotiation training, there is a comparable increase in a desire for knowledge beyond what they currently possess. More pointedly, negotiators are identifying specific nontactical needs for which they would like more information. This is the finding of our recently reported Crisis Negotiation Survey (CNS) (Hammer, Van Zandt, & Rogan, 1994; Rogan, Hammer, & Van Zandt, 1994).

In collaboration with Dr. William Donohue, of Michigan State University, and a cadre of FBI agents from the Critical Incident Response Group of the FBI Academy at Quantico, Virginia, we (the authors) developed the Crisis Negotiation Survey (CNS). The survey was designed to tap into team demographics, team selection and training, the use of mental health professionals in negotiation, and training and information needs, the latter being of principal concern to this book. The survey has been administered on three separate occasions to 242 negotiation team leaders from throughout the United States. The first administration occurred during the Thirteenth Annual Hostage Negotiation Seminar held in Baltimore, Maryland in February 1992. The results from this first administration were published in the *FBI Law Enforcement Bulletin* (Hammer et al., 1994). The CNS was also administered to an additional 142 hostage negotiation team leaders attending hostage negotiation seminars in Sacramento, California and Little Rock, Arkansas during the latter half of 1992. A report of these results was published in *The Police Chief* (Rogan et al., 1994).

Taken together, the surveys indicate that negotiating teams from around the United States desire greater knowledge about nontactical approaches for resolving crisis situations. More specifically, the findings indicate (in order of prioritized ranking) that negotiators desire increased knowledge and information about: (1) negotiator communication skills and resolution strategies, (2) hostage taker emotionality and anxiety, (3) rapport (relationship) building strategies, (4) psychological profiling, and (5) cultural diversity as it affects negotiation. Clearly, as demonstrated from these survey results, there exists a practitioner-defined need for more integrated insight into the both the psychological and communicative dynamics of crisis negotiation. It is with these identified needs in mind that we have recruited authors to write about the specific topics presented in this book.

## PLAN OF THIS BOOK

We begin this volume with a chapter by Mitchell Hammer and Randall Rogan in which they review two dominant crisis negotiation approaches: the bargaining model and the expressive model. The authors then present their more elaborated, communication-based model for negotiating crisis situations. Their model identifies three fundamental negotiation concerns (i.e., instrumental, relational, and

identity issues) common to all conflict situations, but with specific focus on crisis negotiations. Hammer and Rogan describe how verbal communication behaviors can provide clues to the perpetrator's orientation toward these three issues and the resultant implications for a negotiator's interaction with the hostage taker.

Emotion and emotional expression is the focus of Randall Rogan's work in Chapter 3. This chapter reviews the predominant theoretical conceptualizations of emotion as derived from researchers working in the disciplines of psychology, neurology, biology, sociology, and communication. Each perspective of emotion is critiqued in terms of its framing of what constitutes an emotional experience. For crisis negotiators, Rogan argues that the way we define emotion determines the types of behaviors (i.e., cues) we attend to for determining a person's emotional state. Rogan then examines the literature on emotional expression. While nonverbal behaviors (i.e., vocalics, facial expressions, and physiological features) represent the predominant foci of most researchers, Rogan argues for increased attention to verbal communication. Rogan concludes that while verbal communication tends to be underrepresented in emotion research, there exists much room for increased knowledge and understanding, specifically for crisis negotiators.

Dealing with negotiator posttraumatic stress is the focus of Nancy Bohl's work in Chapter 4. Writing from a psychological perspective, Bohl begins with a review of several key sources of stress for negotiators. She then persuasively argues for the importance of postincident debriefing as an integral part of helping negotiators deal with their stress. Toward this end, she advances a nine-phase model of crisis debriefing that she has developed specifically for her work with negotiators. She concludes that crisis debriefing along the lines of her nine-phase model helps negotiators deal with their negative emotions following an incident, thus enabling them to return to their duties with renewed confidence and commitment.

In Chapter 5, Deanna Womack and Kathleen Walsh discuss the critically important process of relational development between negotiator and perpetrator. They begin with a review of interpersonal relational development processes and crisis negotiation phases. Their premise is that the unique competitive nature of crisis negotiations modifies the trajectory of the relational development process characteristic of other types of interactions. To address these concerns, the authors present and review Donohue's (1992) two-dimensional model of relational development in negotiation. The dynamic interplay of relational interdependence and relational affiliation serves as the axis along which communicator's behaviors can be categorized as Moving Toward, Moving Against, Moving With, or Moving Away. While Womack and Walsh support Donohue's model, they argue that a more elaborate model needs to account for deceptive communication. As such, they present a three-dimensional model of relational development by adding a deception dimension to Donohue's original two dimensions. The result is a theoretic model that begins to explain both honest and deceptive

behaviors.

Similarly focusing on relational development, Michael Holmes in Chapter 6 reviews static and dynamic perspectives of crisis negotiation. Criticizing static orientations as too rigid and "cookbookish," Holmes proposes a dynamic view of crisis negotiation that focuses on the internal and external influences on negotiation. According to Holmes, a dynamic perspective explores not only process similarities among negotiations, but perhaps more importantly, the dissimilarities emerging from forces impinging on the negotiation, and that ultimately challenge negotiators to see beyond a rules-based approach to negotiation. Building on existing phase models of negotiation, he presents his own model, which incorporates external influences, structural elements, and negotiation interaction.

In Chapter 7, Peter Sarna offers his perspective of negotiation processes based on the chapters by Hammer and Rogan, Womack and Walsh, and Holmes. His years of experience as both a negotiator and commander enables him to offer a practitioner's perspective on the essential issues and dimensions of crisis negotiation, focusing specifically on relational development and the stages/phases through which a negotiation unfolds. He points out that models are of significant value in understanding the complex process of crisis negotiation by providing negotiators and other members of the crisis management team with an understanding of the behavioral dynamics likely to be found in crisis negotiations, thereby aiding in the development of effective management strategies. Yet, he warns of the problems of inaccurate and incomplete models and their consequences for crisis negotiations. Models that are of little practical utility may not only frustrate negotiators, but more importantly, lead them to make ill-advised and potentially disastrous decisions.

In Chapter 8, Mitchell Hammer discusses the cross-cultural communication dimensions of crisis negotiation. He presents a persuasive argument that crisis incidents which involve significant cultural differences between the negotiator and the hostage taker are becoming more commonplace throughout U.S. society. He then presents a useful model for identifying those aspects of cultural differences that most influence conflict escalation and deescalation in crisis situations. He concludes by offering three key recommendations for helping law enforcement negotiators effectively negotiate across the cultural divide.

Continuing with the theme of intercultural issues, in Chapter 9, Gary Weaver discusses the psychological and cultural dimensions of hostage negotiation. He begins by highlighting the importance of understanding individual perceptions of reality as the basis for developing psychological profiles of hostage takers. Yet, Weaver argues that while individuals possess idiosyncratic views of the world, these perceptions are broadly defined by the individual's culture. As such, he contends that negotiators must develop cultural profiles to more effectively determine appropriate negotiation strategies relevant to an individual's cultural frame of reference. He goes on to demonstrate the critical importance of integrating psychological and cultural elements into the negotiation process by reviewing several basic negotiation guidelines with special attention devoted to the

potential cultural variations and implications of current standard negotiation procedures.

In Chapter 10, Milton Bennett writes about communicating with cults. He equates this challenge to intercultural communication, wherein honed intercultural communication skills and interpersonal empathy are critical to effective interaction. According to Bennett, the one common experience of all cult members is conversion, or as he more aptly labels it, "the culting process." In fact, understanding the process by which cult-like groups recruit, convert, and retain members is central to attempting communication with spokespersons and members of such groups. Drawing from his years of studying cults, Bennett identifies four distinct stages of the culting process. Regardless of the specific beliefs of an individual group, the culting process is always characterized by three specific qualities: control, coercion, and conversion. These qualities are the common threads that bind all cult-like groups and provide negotiators with insight useful in their attempts to communicate with cult leaders.

In Chapter 11, Clinton Van Zandt offers a practitioner's response to Bennett's chapter. His unique experience in negotiating with cults provides a solid practical perspective to Bennett's description of the culting process. According to Van Zandt, an understanding of the dynamics of cults and the ability to communicate with their leaders and members is perhaps the most daunting challenge facing contemporary crisis negotiators. Drawing upon his experience as the FBI's former chief negotiator, Van Zandt discusses how an incomplete and inaccurate knowledge of cults, along with poor communication with a cult's spokesperson and among the crisis management team, can result in disastrous consequences. For him, Bennett's culting process is essential knowledge for all negotiators who are confronted with trying to predict a group's actions/reactions to a confrontational interaction with law enforcement.

We conclude with Chapter 12 by Anthony Hare, who reviews traditional negotiation training models and offers recommendations for improving future training practices. Hare critiques traditional negotiation training procedures, which he concludes are overly organized around a set of "do's and don'ts" guidelines. According to Hare, traditional training models reinforce these guidelines via highly structured and unrealistic role-play simulations. As an alternative, he argues for advanced training courses wherein negotiators are taught a contingency approach to incident management and in which all members of the team (negotiators and tactical) function collegially. Toward this end, Hare advocates the use of audio tapes from actual situations as the primary mechanism for teaching negotiators the subtle complexities of realistic crisis negotiation.



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## 2

# **Negotiation Models in Crisis Situations: The Value of a Communication-Based Approach**

*Mitchell R. Hammer and Randall G. Rogan*

### **INTRODUCTION**

Over the past twenty years, law enforcement professionals have increasingly relied on negotiation as an alternative to tactical assault for resolving terrorist, hostage, barricade, and suicide situations (Fuselier, Van Zandt, & Lanceley, 1991; Hammer & Weaver, 1994; Head, 1988; Pierson, 1980; Schlossberg, 1979; Soskis & Van Zandt, 1986). Based in large part on the initial work of Dr. Harvey Schlossberg and Frank Bolz of the New York City Police Department (who are generally credited with establishing the viability of negotiation as a primary nontactical option for resolving crisis situations; Hammer & Weaver, 1994), early scholars (e.g., Schlossberg, 1979; Miron & Goldstein, 1979) classified negotiation dynamics in terms of a two-part taxonomy composed of instrumental and expressive acts. Instrumental behaviors denote actions on the part of perpetrators and negotiators that facilitate some type of substantive outcome. In contrast, expressive acts refer to various forms of perpetrator and negotiator behavior that serve to communicate the power or significance of the individual and his/her emotional state. This two-part classification scheme has served as a general template through which negotiators determine the type of crisis negotiation situation they are facing and the subsequent strategies employed for obtaining a resolution (e.g., DiVasto, Lanceley, & Gruys, 1992; Fuselier, 1986; Lanceley, Ruple, & Moss, 1985; Noesner & Dolan, 1992; Van Zandt & Fuselier, 1989).

Generally, these two types of acts (instrumental and expressive) have been viewed as resting at opposite ends of the behavioral continuum, thereby creating a perception of two mutually exclusive types of incidents. To correct for this false dichotomy, we present a model that accounts for the concomitant presence of both instrumental and expressive acts as derived from fundamental axioms of human communication.

We begin this chapter with a review of two dominant negotiation approaches derived from the traditional dichotomous classification of instrumental and ex-

pressive acts. Following this, we argue that a communication-based negotiation approach, grounded in communication theory and which differs in significant ways from the traditional approaches, can significantly increase understanding of negotiation dynamics in crisis situations. A communication-based negotiation approach which simultaneously focuses on instrumental, relational, *and* identity (face) message behavior in crisis escalation and deescalation is then presented. The chapter concludes with an illustrative analysis of instrumental, relational, and identity message behavior in a suicide incident.

## THE BARGAINING NEGOTIATION APPROACH

The initial classification of instrumental and expressive acts has given rise to two dominant approaches to crisis negotiation. One negotiation framework that has been employed by crisis negotiators is the bargaining approach. This model conceptualizes crisis negotiation in terms of the instrumental issues present during negotiation. Instrumental issues, from this perspective, refer to those situationally related, substantive, objective wants or demands of each party (i.e., the commodity goals of each interactant; Roloff & Jordan, 1992). From this approach, negotiation is viewed in terms of efforts by each party to dictate or clarify the terms of an exchange or distribution of resources (Wall, 1985).

The bargaining negotiation approach, derived from social exchange theory (Roloff, 1981; Thibaut & Kelly, 1959), has two basic premises: (1) conflicts involve people who are interdependent (i.e., each party cannot accomplish its own goals without agreement from the other), and (2) conflicts involve rewards and costs for each party (Folger, Poole, & Stutman, 1993). Social exchange theory posits that people's primary motivation in negotiation is self-interest, and their negotiation behavior involves the exchange of some object or commodity in return for other objects or commodities (Roloff, 1981). This framework assumes that parties generally know their options and their associated outcomes and make decisions regarding negotiation strategies based on a weighing of relative costs and benefits associated with each outcome. In this sense, social exchange theory posits a rational actor model of negotiation which characterizes effective negotiation as the result of rational discourse between contending parties (i.e., where each party focuses on instrumental, substantive issues and makes logical cost/benefit choices). The primary communication approach to achieve instrumental issue agreement involves bargaining, (i.e., the exchange of one set of resources for others) or what some authors characterize as problem solving (Bush & Folger, 1994) or constructive conflict management (Boardman & Horowitz, 1994).

One useful extension of this approach to hostage negotiation has been the delineation of substantive and nonsubstantive instrumental demands (FBI crisis [hostage] negotiation in-service training program, 1996). Substantive demands are situationally related and objective. For instance, a hostage taker caught in the act of robbing a bank may demand a getaway car. In contrast, nonsubstantive in-

strumental wants or demands are situationally unrelated and objective. To continue with the bank robbery example, this same hostage taker may also request delivery of pizza. While the demand for pizza is instrumental in nature, it clearly is not inherently related to the current situation (i.e., one does not need to rob a bank to obtain pizza).

The bargaining approach to negotiation essentially views the negotiation of substantive and nonsubstantive wants or demands in similar terms: agreement making through bargaining or problem solving, typically via *quid pro quo*. For instance, negotiators will bargain with hostage takers regarding nonsubstantive demands by suggesting that the negotiator will arrange for the delivery of pizza if the hostage taker will release one or two hostages. Thus, whether the instrumental issues are substantive or nonsubstantive, the instrumental negotiation approach emphasizes rational bargaining and problem solving interaction between negotiator and hostage taker. In a recent review of tactics and negotiating techniques for crisis incidents, advice given to negotiators for successfully dealing with perpetrators' demands include making the hostage taker work for everything he gets, get something in return for each concession given, use time to advantage, and do not give in to the perpetrator too much or too quickly (Greenstone, 1995, pp. 363–364). These types of negotiation behaviors clearly are situated within the instrumental negotiation approach.

The instrumental negotiation framework is a powerful model of negotiation, provided hostage takers are focused in their communication interaction on instrumental concerns, the instrumental issues are "negotiable," and perpetrators are willing to bargain in order to resolve the crisis. However, the types of crisis situations law enforcement usually encounter often fail in several ways to match the requirements of the instrumental negotiation approach. First, crisis negotiation situations are not typically like other, more common forms of instrumentally dominated bargaining (e.g., labor/management disputes; seller/buyer interactions) where the assumption is that the parties come to the bargaining table in good faith, with well thought out (i.e., rational) proposals, and are willing to engage one another in a bargaining process (Putnam & Poole, 1987). In hostage situations, as Rogan, Donohue, and Lyles (1990) point out: "if the interactants reach an impasse they cannot table the discussion until the following day and return at a more convenient time" (p. 79).

Second, because crisis situations involve high levels of anxiety and uncertainty, they are characterized by a pronounced level of emotional excitation precipitated by the hostage taker's motives and enhanced by police response (Rogan & Hammer, 1994; Van Zandt, 1993). This suggests that more objective bargaining may not be characteristic of actual negotiation dynamics.

Third, according to Soskis and Van Zandt (1986), the majority of hostage negotiation cases reviewed by the FBI occur as a result of the mental and/or emotional inability of hostage takers to cope with life's stressors. This produces a situation where more normative, rational actor bargaining is generally absent and in its place exists an explosive, dangerous, and volatile set of interaction dy-