

*The San Diego Police Department*  
**EMERGENCY NEGOTIATION TEAM**  
**OPERATIONS MANUAL**

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# **SAN DIEGO POLICE DEPARTMENT EMERGENCY NEGOTIATION TEAM**

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## **GOAL STATEMENT**

The goal of the San Diego Police Department's Emergency Negotiation Team is to provide the Incident Commander with negotiators who have been specifically trained and equipped to diffuse critical incidents involving suspects who are suicidal, barricaded, hostage-taking, or engaged in terrorist activities. Negotiators seek to accomplish this task by persuasion and thus minimizing the need for the use of force; yet, they also continually provide the field and tactical (SWAT) commanders with intelligence should a tactical solution be required.

# EMERGENCY NEGOTIATION TEAM

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## SUBJECT: GENERAL PHILOSOPHY

### 1.2 GENERAL PHILOSOPHY

#### 1.2.1 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 potentially violent confrontations, a group of carefully selected and highly trained officers has been formed to provide the San Diego Police Department with an Emergency Negotiation Team (ENT). The unit was named the “*Emergency Negotiation Team*” rather than the more traditional “*Hostage Negotiation Team*” because there are many situations other than hostage incidents for which a negotiator would be beneficial.

The use of negotiation during times when armed suspects are suicidal, 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 non-negotiable, 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.

#### 1.2.2 POLICY STATEMENT

Although this manual was developed to outline the policies for emergency negotiators, it is realized that no plan can be universally applied to every unique situation. Therefore, this manual contains only guidelines for negotiators, which are generally applicable.

**It is entirely possible that those actually involved in a negotiation could depart from any of the material contained herein, and would do so correctly if the decision was based upon sound reason and good judgment.**

### 1.2.3 OBJECTIVES

In keeping with the primary mission of the Department to protect 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 member reports to the incident commander. The ENT team 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:

- \* To initiate communications with the suspect(s)
- \* To establish a rapport and gain the confidence of the suspect(s)
- \* **(Deleted – records of security)**
- \* To persuade the suspect(s) to release hostage(s) and/or relinquish weapons
- \* To persuade the suspect(s) to surrender,

Or:

- \* **(Deleted – records of security)**

Or:

- \* **(Deleted – records of security)**

# EMERGENCY NEGOTIATION TEAM

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## SUBJECT: GENERAL OPERATING PROCEDURES

Although there are many philosophies regarding the handling of critical incidents involving suicidal, barricaded, hostage-taking or terrorist suspects(s), the San Diego Police Department recognizes the general principals listed below as standard operating procedures:

- \* Members of the ENT shall obey all state and local traffic regulations when responding to a call-out.
- \* The ENT team leader will determine the location of the ENT command post with the assistance of the senior tactical (SWAT) officer present.

### Considerations:

1. The ENT command post should preferably be in the same general area as the incident, but not co-located with either the incident command or tactical (SWAT) command posts.
  2. Must provide a safe environment (out of the line of fire) **(Deleted – records of security)**
  3. Must afford privacy to negotiators.
  4. Access to telephone line(s) is desirable.
- \* The suspect(s) should be contained before formal negotiations begin.
  - \* Face-to-face negotiations with armed suspect(s) are highly discouraged; the ranking ENT supervisor must approve any such decision with concurrence by the Incident Commander.
  - \* The optimal method of communicating with the suspect(s) has traditionally been done through the use of a hardline telephone. In today's world of rapidly evolving communications technology, when that is not practical, alternative methods of communication such as the use of a bullhorn, cellular phone, voice-to-voice, social networking sites, email, and text messaging may be considered.
  - \* The suspect(s) should be isolated as quickly as possible. This includes (but is not limited to) the following:
    - A. **(Deleted – records of security)**

**B. (Deleted – records of security)**

- \* During the course of the incident, negotiators will maintain a chronological log of events. Whenever possible, the negotiation should be recorded for evidentiary and training purposes.
- \* Only trained police negotiators should communicate directly with the suspect(s). **(Deleted – records of security)**. The use of non-police negotiators is normally discouraged and should only be done with the approval of the ENT team leader.
- \* The negotiator is never the ultimate decision maker.
- \* Negotiators should attempt to obtain a clear definition of the personal demands and grievances of the suspect(s).
- \* **(Deleted – records of security)**
- \* The ENT Commanding Officer and Incident Commander must approve all exchanges
- \* **(Deleted – records of security)**
- \* **(Deleted – records of security)**
- \* **(Deleted – records of security)**
- \* **(Deleted – records of security)**
- \* **(Deleted – records of security)**
- \* 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). The decision to continue or discontinue negotiations is the responsibility of the Incident Commander.

# EMERGENCY NEGOTIATION TEAM

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## ORGANIZATIONAL CHART

### ASSISTANT CHIEF

Investigations

### CAPTAIN

Investigations I

### ADMINISTRATION

Sergeant

### COMMANDING OFFICER

(Lieutenant)

### FBI ENT Coordinator

(Supervising Special Agent)

### EXECUTIVE OFFICER

(Lieutenant)

#### Team 1

(1) Detective Sergeant  
(5) Detectives  
(3) FBI Special Agents  
(4) NCIS Special Agents  
(1) USBP Agent  
(1) Chaplain  
(1) SWAT Liaison  
(2) CHP

#### Team 2

(1) Detective Sergeant  
(5) Detectives  
(3) FBI Special Agents  
(4) NCIS Special Agents  
(1) Chaplain  
(1) SWAT Liaison  
(2) CHP

#### Team 3

(1) Detective Sergeant  
(5) Detectives  
(4) FBI Special Agents  
(3) NCIS Special Agent  
(1) Chaplain  
(1) SWAT Liaison  
(2) CHP

### Organizational Composition of the team

The Emergency Negotiation Team consists of trained negotiators from the San Diego Police Department (SDPD), the Federal Bureau of Investigation (FBI), the Naval Criminal Investigative Service (NCIS) and the California Highway Patrol (CHP). The team members will be assigned duties as needed by the ENT team leader at the critical incident. The team members regardless of agency will fall under the direction and responsibility of the ENT team leader. The various team members bring a wide variety of resources for the team to draw upon in resolving the critical incident.

## **EMERGENCY NEGOTIATION TEAM**

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### **SUBJECT: COMMANDING OFFICER: DUTIES AND RESPONSIBILITIES**

#### **2.1 COMMANDING OFFICER (Lieutenant)**

The ENT Commanding Officer will have the overall responsibility to direct the unit on a daily basis.

##### **2.1.1 AT INCIDENTS**

- A. The ENT Commanding Officer responsibilities:
  - 1. Respond to ENT call-outs
  - 2. Be in overall command of the ENT portion of the incident.
  - 3. Reports to the Incident Commander
- B. Additionally, the ENT Commanding Officer shall:
  - 1. Be briefed by the Incident Commander
  - 2. Serve as a resource to the Incident Commander and Tactical (SWAT) Commander
  - 3. Continually provide the Incident Commander with progress reports during the incident, including the tactics being used by the negotiators
  - 4. Relay intelligence information between the ENT team leader and the Incident and Tactical (SWAT) Commanders
  - 5. Brief ranking officers on the progress and tactics used by ENT personnel
  - 6. Request the services of the Department psychologist when needed
  - 7. On protracted negotiations - prepare a secondary team to respond to the scene. Generally, this is done when the incident extends more than 10-12 hours.



### 2.1.2 GENERAL RESPONSIBILITIES

- A. To be "on call" and be immediately available (not taking more than 60 minutes to report to an incident located anywhere within our jurisdiction) when assigned as the on-call Commanding Officer.
- B. To abstain from the use of alcohol, or anything that might impair his/her judgment or their ability to function as an ENT Team Leader while serving in an "on-call" status.

Note: If an individual is taking a prescribed medication which would, or might, affect his/her ability to function as an ENT Team Leader, he/she **must** arrange for a replacement.

- C. The Commanding Officer shall periodically review all policies and procedures of the unit and is responsible to ensure that the unit goals and objectives are met.
- D. Responsibilities:
  - 1. The unit is appropriately staffed and functioning at a high state of readiness with properly trained personnel and state-of-the-art equipment.
  - 2. All Department commanding officers and administrators are kept informed of ENT training, personnel status and incidents of note via the chain-of-command.
  - 3. ENT budget requests are properly prepared and submitted.
  - 4. All ENT overtime is properly supervised, recorded and tracked.
  - 5. All ENT records and files are properly maintained and updated.
  - 6. All equipment assigned to ENT is properly inventoried and maintained.
  - 7. Inspections of ENT operations are periodically conducted to:
    - a. verify compliance with procedures and policies
    - b. determine training and equipment needs
  - 8. A meaningful liaison is maintained with other agencies to keep informed about new or advanced techniques and equipment.

9. Any disciplinary package regarding the conduct of an ENT member is presented to the subject officer's Commanding Officer for action.
10. Approving authority for all training requests (including non-ENT members) for negotiations schools; coordinates all approved requests with Training Division.
11. Contact for all media inquiries.
12. Writes "thank you" letters to citizens who have provided a service or been inconvenienced during an ENT mission.

### **2.1.3 COLLATERAL DUTIES**

The ENT commanding officer shall also:

1. Select the interview panel for prospective ENT members when needed to maintain adequate staffing.
2. Coordinate multi-agency training, conferences, seminars, etcetera where SDPD is the lead agency in hosting the event.
3. Tri-annually, at the beginning of each shift, a roster listing every P.D. ENT member must be sent to the supervising payroll specialist indicating who is eligible for the special pay entitled to this position as detailed in the MOU. (See attachments)
4. Prepare tri-annual evaluations on all ENT sergeants.

## **EMERGENCY NEGOTIATION TEAM**

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### **SUBJECT: EXECUTIVE OFFICER: DUTIES AND RESPONSIBILITIES**

#### **2.2 EXECUTIVE OFFICER (Lieutenant)**

The ENT executive officer will assist the Commanding Officer in the administration and operation of the unit on a daily basis or at any incident the unit is needed.

In the absence of the Commanding Officer, the Executive Officer will assume the role and responsibilities of the Commanding Officer's position.

##### **2.2.1 AT INCIDENTS**

- A. The ENT executive officers responsibilities:
  - 1. Respond to ENT call-outs as needed.
  - 2. Assist the ENT Commanding Officer with ENT operations during an incident.
  - 3. Be responsible for administrative functions and control of the ENT Operations Center during an incident

##### **2.2.2 GENERAL RESPONSIBILITIES**

- A. To be "on call" and be immediately available (not taking more than 60 minutes to report to an incident located anywhere within our jurisdiction) when assigned to the on-call Commanding Officer position.
- B. To abstain from the use of alcohol, or anything that might impair his/her judgment or their ability function as an ENT Team Leader while serving in an "on-call" status.

Note: If an individual is taking a prescribed medication which would, or might affect, his / her ability to function as an ENT Team Leader, he/she **must** arrange for a replacement.

- C. General administrative duties for the ENT Unit as requested by the Commanding Officer

- D. Schedule and coordinate training for ENT and ensure that the team members attend advance training on an annual basis to maintain their levels of competency. Responsible for the tracking and scheduling of ENT personnel to the POST Basic Hostage, update training and other related courses
- E. Liaison with the Crisis Intervention Unit and the Critical Incident Management Unit during ENT callouts
- F. Assist the ENT Administrative Sergeant with the mandated inspectional process of the unit's equipment to insure its operational effectiveness

## EMERGENCY NEGOTIATION TEAM

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### SUBJECT: TEAM LEADERS: DUTIES AND RESPONSIBILITIES

#### 2.3 TEAM LEADERS (Sergeants)

##### 2.3.1 GENERAL

- A. To be "on call" and be immediately available (not taking more than 60 minutes to report to an incident located anywhere within our jurisdiction) when assigned as the on-call Team Leader.
- B. To abstain from the use of alcohol, or anything, that might impair his/her judgment or their ability function as an ENT Team Leader while serving in an "on-call" status.

Note: If an individual is taking a prescribed medication which would, or might, affect his / her ability to function as an ENT Team Leader, he/she **must** arrange for a replacement.

##### 2.3.2 AT INCIDENTS

- A. The Team Leader will direct, supervise and evaluate all of the personnel on his/her team.
- B. The Team Leader must make a concerted effort to remain at one specific location (preferably at the ENT command post) to ensure optimal command and control.
- C. At the incidents, the Team Leader shall:
  - 1. Immediately notify members of his/her team and the ENT Commanding Officer of an ENT call-out.
  - 2. Receive a briefing and mission from the Incident Commander.
  - 3. Confer with the senior tactical (SWAT) officer present to select the negotiation command post site.

Note: If approved by the ENT supervisor, an ENT member who arrives at the scene prior to the ENT Team Leader may be delegated to begin this process.

4. Assign the following duties to responding ENT members:
  - a. primary negotiator
  - b. secondary negotiator
  - c. intelligence officer(s)
  - d. scribe / security
  - e. equipment operator (optional)
  - f. communications (optional)
5. **(Deleted – records of security)**
6. Supervise the overall negotiation effort including (but not limited to) the type of strategy to be used during negotiations
7. Keep the ENT Commanding Officer informed of the following:
  - a. initial strategy and any changes in strategy
  - b. each time communications begin or are terminated with the suspect(s)
  - c. **(Deleted – records of security)**
  - d. periodic status reports
8. Advise the ENT Commanding Officer when the services of the Department psychologist might be needed
9. Monitor the primary negotiator's stress, emotional and fatigue level and makes personnel changes when needed.
10. Monitor the performance of all team members
11. Select the debriefing site and facilitate the debriefing session
12. Prepare the ENT after-action report (Appendix II) and forward copies to Commanding Officer and the Administrative Sergeant within five working days of the incident.

### **2.3.3 ADMINISTRATIVE RESPONSIBILITIES**

- A. General: ENT Team leaders shall also be responsible for routine

administrative duties pertaining to his/her team

B. Responsibilities: ENT supervisors shall:

1. Supervise all personnel assigned to his / her the team
2. When on call, ensure that the Watch Commander has his / her current call-out information (phone number, pager number, etc.)
3. Ensure that team members attend mandatory training events such as team training sessions and quarterly conferences.
4. Ensure that team members are adequately trained on the use of ENT equipment.
5. Approve/disapprove requests for overtime submitted by team members and submit the yellow copy of the overtime request slips to the Administrative Sergeant for statistical records and filing.
6. Investigate any complaint, allegation of misconduct or incompetence committed by team members during the course of his or her duty as an ENT member, and forward the finding to the ENT Commanding Officer for disposition.
7. Provide input for ENT personnel during annual performance evaluations.

#### **2.3.4 COLLATERAL DUTIES**

All ENT Team Leaders are expected to perform the following collateral duties, including but not limited to:

A. General

1. Conduct background investigations on ENT candidates
2. Serve as the liaison with other ENT units throughout the state and nation to encourage an open exchange of ideas regarding equipment, negotiating techniques, etc.
3. Perform any ENT general administration duty as delegated by the ENT Commanding Officer or Executive Officer.

B. Training

1. Assist in the preparation of unit training events (e.g. scenario writing, making facility arrangements, procuring role players, etc.)
2. Be responsible for the safety of all personnel during training evolutions
3. Maintain a liaison with training coordinators from other agencies to develop joint training opportunities
4. Provide individualized training for Team members as needed
5. Perform any ENT general training duty as delegated by the ENT Commanding Officer or Executive Officer.
6. Ensure that their individual team members are regularly attending and maintaining their training requirements. Team Leaders will review the training and callout logs of their personnel annually.



## **EMERGENCY NEGOTIATION TEAM**

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### **SUBJECT: ADMINISTRATIVE SERGEANT DUTIES AND RESPONSIBILITIES**

#### **2.4 ADMINISTRATIVE SERGEANT**

The ENT unit consists of three Detective Sergeants who serve as Team Leaders, and a fourth Detective Sergeant who functions as an Administrative Sergeant. Any ENT Sergeant in good standing may be assigned to the position.

##### **2.4.1 GENERAL**

- A. The Administrative Sergeant may be utilized to provide vacation and emergency relief for ENT Team Leaders. If the Administrative Sergeant has more than two years tenure on ENT and experience as a Team Leader, he/she may also substitute for the Commanding Officer and/or Executive Officer as needed.
- B. The Administrative Sergeant also performs the following general functions:
  - 1. Generates both the monthly and annual duty schedules
  - 2. Ensures that Watch Commander has current and updated monthly call-out schedule by no later than 5 days prior to the beginning of the new month
  - 3. Ensures that the unit roster is current and distributed to unit members by the 5th day of each month
  - 4. Prepares correspondence for the ENT Commanding officer.
  - 5. Receives and files all ENT after-action reports
  - 6. Collects all overtime slips and submits a report at the end of each month to the ENT Commanding Officer.
  - 7. Prepares an end-of-the-month recap report
  - 8. Schedules and facilitates change-over and supervisors meetings as directed by the ENT Commanding Officer
  - 9. Maintains ENT correspondence and Incident report files

10. Coordinates with FBI Crisis Negotiations Unit personnel in Quantico and updates the Hostage Barricade System (HOBAS) with incident reports for statistical tracking.
11. Acts as a liaison with other area agency negotiations personnel to coordinate joint training opportunities and facilitate potential mutual aid interactions.
12. Coordinates with In-Service Training to ensure that Department personnel are familiar with ENT's current staffing and capabilities to include presentations for officers and supervisors. The ENT Administrative Sergeant can also provide specialized instruction upon request.
13. Will coordinate Crisis Response Team (CRT) training with regard to ENT. Will either teach the Department approved training portion for ENT, or will ensure that ENT personnel are on hand to conduct this training as necessary.

#### **2.4.2 TRAINING**

##### **A. Scheduling & Tracking Responsibilities**

1. Schedules new ENT members for Basic Negotiation class.
2. Tracks all members and ensures that they are meeting unit training requirements.
3. Reviews all requests for the Basic, Advanced, Command and Update negotiation schools whether originating from within ENT or outside the unit. Forwards approved requests to the ENT Commanding Officer for final approval

##### **B. Unit Training**

1. Works with the other ENT sergeants to schedule and provide meaningful training sessions
2. Receives and maintains training records. Will keep an attendance roster of

ENT sponsored training dates, hours, and attendance. (Individual ENT personnel will also be responsible for maintaining their own individual training files outlining their experience and any expertise. These will be subject to annual inspection by Team Leaders or the Administrative Sergeant.

3. Maintain liaison with In-service training to coordinate negotiation training

### **2.4.3 EQUIPMENT**

#### **A. Accountability & Security**

1. Maintain the current ENT equipment in a high state of readiness
2. Conduct bi-annual inventory and inspections of all equipment
3. Arrange for the security of equipment, which is not in use
4. Research the product market and recommend to Commanding Officer any equipment, which is superior to that currently being used.

#### **B. Training & Repairs**

1. When requested, provide briefings on the proper use of the equipment.
2. Make arrangements for the repair (or replacement) of damaged or inoperable equipment.
3. Conduct training in the use of ENT equipment for all ENT members.
4. Maintaining operational efficiency of the ENT van and Command Van.

## EMERGENCY NEGOTIATION TEAM

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### SUBJECT: TEAM MEMBERS: DUTIES AND RESPONSIBILITIES

#### 2.5 TEAM MEMBERS

The San Diego Police Department members of ENT will be active duty Detectives who are willing to take on collateral duties required of the ENT assignment.

##### 2.5.1 RESPONSIBILITIES

###### A. GENERAL RESPONSIBILITIES

1. To be "on call" and be immediately available (not taking more than 60 minutes to report to an incident located anywhere within our jurisdiction) when assigned to the on-call team.
2. To abstain from the use of alcohol or anything that might impair one's reaction time, ability to function, or judgment while serving in an "on-call" status.

Note: If a member is taking a prescribed medication which would or might affect his / her ability to function as an ENT member, the members **must** arrange for a replacement.

3. To keep the Team Leader and Administrative Sergeant informed of any change(s) in address, home phone number, work assignment, work phone number and/or pager number.
4. To attend all on-call incidents, mandated meetings (e.g. change-over and Quarterly conferences) and scheduled training. Team members will be required to maintain a tracking file that logs their relevant training and experience. They will provide this information annually to their Team Leader for review.
5. To notify the Team Leader of any conflict in scheduling, **and** to find a qualified substitute for the anticipated absence. Any exchange of duty must be approved by the on-call ENT Sergeant. All requests must be made in writing, and submitted on the form found in Appendix II.

B. MANDATORY EQUIPMENT

1. Each member must wear, or have in his / her immediate possession, the following Department issued equipment:
  - a. Ballistic vest -The Department issued ballistic vest ***must be worn*** upon arrival at all incidents, and may only be removed with the permission of the ENT Team Leader or ENT Commanding Officer
  - b. Department authorized weapon
  - c. Motorola MTS 2000 radio with earpiece and extra battery
  - d. Flashlight & fresh batteries
  - e. Notebook & pens or pencils
  - f. Digital Recording Device for TPIs.
2. It is highly recommended that each ENT member also have immediately available the following personal equipment when on-call:
  - a. Warm clothing - suggested clothing includes, but is not limited to long underwear or sweat clothes, sweater or windbreaker and rain-gear
  - b. Hat - to provide sun protection
  - c. Appropriate shoes
  - d. Aspirin
  - e. Snacks
  - f. Bottled water

## EMERGENCY NEGOTIATION TEAM

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### SUBJECT: NEGOTIATOR ASSIGNMENTS

#### 2.6 NEGOTIATOR ASSIGNMENTS

At an incident scene, trained negotiators from the SDPD, FBI or NCIS may be assigned to perform any of the following functions:

A. PRIMARY NEGOTIATOR (MANDATORY)

1. If there is no equipment operator:
  - a. sets up the equipment
  - b. activates digital recorder when communicating (either speaking or listening) to either the suspect(s) or hostage(s)
2. Establishes contact with the suspect(s), and exclusively deals with the suspect(s) until relieved
4. Disposition of audio records used during a negotiation:
  - a. When the suspect **IS TO BE CHARGED** with one or more crimes:
    - 1) It is the responsibility of the primary negotiator to impound the digital recording used during the negotiation
    - 1) The impound slip is to be attached to the crime/arrest report, and
    - 2) A copy of the barcode is to be attached to the ENT Incident Report.
  - b. If the suspect(s) **WILL NOT BE CHARGED** with a crime, the audio recordings should be given to the Team Leader who will submit the tape(s) with the ENT incident after-action report to the Administration Sergeant for filing.

B. SECONDARY NEGOTIATOR (MANDATORY)

1. If there is no equipment operator:
  - a. assist the primary negotiator in setting up the equipment
  - b. operate the equipment during the negotiation
  - c. responsible for securing the equipment and accountability of all equipment at the conclusion of the incident
  - d. responsible for the replacement of expendable supplies (e.g. batteries, notebooks, etc.)
2. Works directly with the primary negotiator and offers assistance/suggestions as appropriate
3. Monitors all conversations between the primary negotiator and the suspect(s) and/or hostages
4. Keeps the negotiations log (see Appendix VI)
5. Reports any tactically sensitive information to Team Leader.

Note: The relaying of this information should be done via the communications negotiator if the position is staffed.

6. Keeps Team Leader informed of general progress of the negotiations.

Note: The relaying of this information should be done via the communications negotiator if the position is staffed.

7. May be assigned duties as a “cover officer”, as necessary during face to face negotiations

C. **(Deleted – records of security))**

**(Deleted – records of security)**

1. **(Deleted – records of security)**
2. **(Deleted – records of security)**

D. SCRIBE / SECURITY (MANDATORY)

This function may be filled by any ENT negotiator, police officer or non-sworn Department member at the discretion of the Team Leader.

1. Records the arrival (including time) of responding ENT team members
2. Records status of negotiations and highlights of those debriefed for the ENT Team Leader and negotiators
3. Provides security for ENT operations. Assists the ENT Team Leader in removing (and keeping) unauthorized personnel from the negotiator's command post and/or immediate negotiating area

E. COMMUNICATIONS OR “COMMS” OFFICER (OPTIONAL)

1. An ENT member may be assigned as the comms officer. The comms officer serves as a communication link between the secondary negotiator and Team Leader.
  - a. The comms officer keeps the Team Leader informed about the status of the negotiation, including, but not limited to:
    - 1) When negotiations have been stopped or reinitiated
    - 2) **(Deleted – records of security)**
    - 3) **(Deleted – records of security)**
    - 4) General progress of the negotiation
  - b. The Team Leader will communicate directions to the negotiators through the comms officer.
2. The comms officer may independently pass written suggestions/ideas to the secondary negotiator for consideration.
3. Records status of negotiations for negotiators



F. EQUIPMENT MANAGER (OPTIONAL)

1. Sets up the equipment upon arrival.
2. Responsible for the operation of the equipment during the negotiation.
3. Activates tape recorder when communicating (either speaking or listening) to either the suspect(s) or hostage(s).
4. Ensures tape is working during incident.
5. Responsible for the securing the equipment and accountability of all equipment at the conclusion of the incident.
6. Responsible for the replacement of expendable supplies (e.g. batteries, notebooks, etc.)

# EMERGENCY NEGOTIATION TEAM

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## SUBJECT: TRAINING

### 3.1 TRAINING OBJECTIVES

The Emergency Negotiations Team's goal is to maintain a well-trained cadre of Crisis Negotiators prepared to manage any Critical Incident. The team has adopted methods consistent with those of the Federal Bureau of Investigation's Crisis Negotiations Unit as a basic operational protocol. For ongoing training, ENT has also adopted a 40 hour annual training requirement in an effort to have our negotiators meet, or exceed, the recurrent training objectives of the National Council of Negotiation Associations (NCNA).

#### 3.1.1 Unit Training

##### A. Training Plan

The Emergency Negotiation Team will conduct annual training to ensure that members are familiar with the equipment and prepared to function under stressful conditions.

A basic 40 hour negotiations course that is POST Certified or put on by the FBI, must be completed prior to using a team member as a Primary Negotiator unless emergency circumstances were to require otherwise. In that event, the Primary will be paired, or monitored, by a more experience negotiator whenever possible.

Annual Recurrent Training Opportunities May Include:

1. Full or partial day ENT specific training events. This could be training with other agency partners, outside agencies, or monthly changeover meetings.
2. Joint training opportunities with SWAT. ENT and SWAT will strive to meet at least one annual joint training event as a minimum. (SWAT Liaison officers will be added to the ENT specific training list so that they can stay current on negotiator training and protocols.)
3. San Diego Sheriff's Department Quarterly Meetings at which guest

speakers or informal training is presented.

4. Emergency Negotiations Team members may also elect to attend training on their own. This could include training that is negotiation specific, incident management related, psychologically based, or tactically oriented.
5. Time spent at an actual negotiation callout can be attributed to training time.
6. All other training requests must be approved through the ENT Administrative Sergeant.

**B. Safety**

Any member of the unit may stop any unsafe or potentially dangerous training evolution until the hazard can be corrected or removed. All incidents involving safety must be documented and submitted to the ENT Administration Sergeant.

**C. Ongoing Department Training**

The ENT Administration Sergeant will manage all other Department requests for training. This will include recurring Crisis Response Team (CRT) and annual supervisory training. All other requests for ENT based speaking or teaching engagements will be considered on a case-by-case basis by the Administrative Sergeant with the approval of the Commanding Officer.

### **3.1.2 PERSONNEL QUALIFICATION STANDARDS**

- A. In order to insure that every team member has the skills to serve in any capacity on the team, any detective or sergeant joining ENT after July of 1998 is required to complete the Personnel Qualification Form before serving as a primary negotiator during an actual incident. The Personnel Qualification Form is located in Appendix IX.

### **3.1.3 CHANGEOVER MEETINGS**

- A. On-going and off-going teams will make every effort to attend changeover meetings so that information that is important to this transition can effectively be shared. In the event that they cannot attend, members will notify their Team Leader or the Administrative Sergeant. There is no Changeover for the months of November and December.

1. Only ENT team members who are at work at the time of the

meeting are required to attend.

3. Overtime compensation is **not** available to team members for attending changeover meetings unless approved by the Commanding Officer or Executive Officer
4. All SDPD department members, FBI and NCIS members on ENT are welcome and encouraged to attend changeover meetings.
5. The on-going team should provide training at Changeover.

## EMERGENCY NEGOTIATION TEAM

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### SUBJECT: ENT CALL-OUTS

#### 3.2 ENT CALL-OUT PROCEDURE

The procedures for the use of Emergency Negotiators are found in the San Diego Police Department's Policy and Procedures Manual. The following guidelines are an enumeration of that Department Instruction.

##### 3.2.1 CRITERIA FOR CALL-OUT

Per Department Policy 8.5, *an incident commander is required to request the Emergency Negotiations Team for all incidents when a Code 11 or Code 12 (SWAT callout) has been requested*, or when police are dealing with a hostage-taker.

By definition, a hostage is any person seized or kidnapped by another, or whose life or safety is threatened by the perpetrator who intends to evade arrest, escape, obtain the release of prisoners, obtain money or property, or attain any other purpose through the use of force. The Incident Commander has the discretion whether ENT will be used in an advisory or fully operational capacity.

The use of negotiators is also highly recommended in situations involving barricaded subjects. By definition, a barricaded suspect is any person who claims to be, or who is in fact armed with a weapon, explosive or any other destructive or dangerous device, who has restricted his / her own movements and/or fortifies a fixed location, and who violently or by threat of violence, resists apprehension.

Along with these guidelines, Emergency Negotiators are highly recommended for other related situations such as suicidal individuals, sniper incidents, ambush incidents, crimes in progress and high risk warrant service where the suspect may initially refuse to surrender.

##### 3.2.2 CALL-OUT PROCEDURE

###### A. GENERAL

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

1. Total decision making authority and responsibility regarding whether or not to use ENT personnel belongs to the Incident Commander (REGARDLESS OF RANK) in charge of police response to an incident.
  2. If the Incident Commander decides that ENT personnel are needed, he/she shall contact the Watch Commander via the radio or landline and request the ENT supervisor be notified.
  3. The Watch Commander shall notify the ENT Team Leader who will then notify the ENT Commanding Officer and other members of his / her team to respond in the following manner:
    - a. ENT Team Leader pages his/her team on the group page
    - b. ENT team members en route to the call will respond and advise on the radio using the operational frequency on which the incident is being monitored
    - c. ENT team members will remain on this frequency until they arrive at the scene.
  4. Upon arrival at the command post, responding ENT personnel shall check-in with the personnel officer and the ENT scribe (if one is present), or note and record their time of arrival.
- B. A City Memorandum from Lt. Barker to all Watch Commanders dated July 2, 1998, also reiterates this procedure. A copy of this memorandum is included as Appendix I.
- C. USE OF CITY VEHICLE
1. Per Department Policy 1.16, on-call members of the Emergency Negotiation Team are entitled to use a City owned take-home vehicle while in a callback status.
  2. **ENT members are to obey all state and local traffic laws while en route to a call-out.**

## **EMERGENCY NEGOTIATION TEAM**

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### **SUBJECT: COMMAND AND CONTROL**

#### **3.3 COMMAND AND CONTROL**

##### **3.3.1 COMMAND RESPONSIBILITY**

At the scene of any major or unusual occurrence, command of all police personnel will be vested in the Incident Commander. All Emergency Negotiations Team personnel are subordinate and responsible to the Incident Commander.

ENT Team Leaders receive operational missions from the Incident Commander (normally relayed through the ranking ENT representative assigned to the Command Post). ENT Team Leaders retain functional command of the negotiators and the strategy to be used during the incident. ENT personnel shall take all orders and directives from the Team Leader.

##### **3.3.2 ASSUMPTION OF COMMAND**

In accordance with Department Procedure 8.3, page 11, paragraph VIII, the following procedures are enumerated for clarification:

- A. An officer of superior rank may assume command from an existing Incident 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 ENT Commanding Officer. Unless specifically relieved by either the ENT Commanding Officer or by a senior ranking officer who has explicitly announced assumption of command, the ENT Team Leader shall direct the negotiations including (but not limited to) the tactics to be used.
- C. The mere presence of a senior officer at the scene of a critical incident shall not indicate assumption of command. The senior officer shall remain in an advisory/support capacity unless overall command is assumed and announced. In such an advisory capacity, senior officers shall not issue orders or direct the activities of ENT personnel.

## EMERGENCY NEGOTIATION TEAM

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### SUBJECT: EQUIPMENT

#### 3.4 EQUIPMENT

##### 3.4.1 GENERAL GUIDELINES

Overall responsibility for ENT equipment rests with the Administration Sergeant. The following guidelines concerning equipment shall be observed:

A. TRAINING REQUESTS

All requests for training on any of the unit equipment shall be made to the Administration Sergeant

B. FIELD REQUIREMENTS

At the beginning of each month, the on-call ENT team sergeant shall designate one team member to be responsible for the primary ENT equipment. This equipment will include the following:

1. ENT call box (delivery phone)
2. AT&T Hostage Phone system
3. Bullhorn- Mega Vox
4. Binoculars
5. Easel, paper and pens
6. Miscellaneous equipment kit (containing extra telephone cable, power cords, adapters, audio recorder, etc.)
7. **(Deleted – records of security)**
8. **(Deleted – records of security)**

C. ADDITIONAL EQUIPMENT

**(Deleted – records of security)**

1. **(Deleted – records of security)**
2. **(Deleted – records of security)**
3. **(Deleted – records of security)**
4. **(Deleted – records of security)**

Note: For a complete list of ENT equipment, see Appendix X



D. CHECK-OUT PROCEDURE

1. The ENT van and Command Van contain all of the equipment needed for a negotiation. Back-up equipment is stored in the SWAT armory.

**(Deleted – records of security)**

2. The team member assigned to carry the equipment will be responsible for ensuring the following:
  - a. all supplies used during an incident are restocked
  - b. ensuring the Mega-Vox battery on the bullhorn is recharged.
3. The on-call ENT Team Sergeant is responsible to ensure that the equipment being received from the off-going team is complete and in good working order. Any discrepancies should be resolved as quickly as possible, and reported to the ENT Administration Sergeant **and** the ENT Commanding Officer.

E. SECURITY

The team member assigned to carry the equipment is responsible for the security of the equipment while under his / her control.

F. LOANING OR BORROWING OF EQUIPMENT

1. Requests for additional or special equipment (such as listening devices) should be directed to the ENT Administration Sergeant who will then make the appropriate arrangements to access such equipment.
2. No ENT equipment belonging to the San Diego Police Department is to be loaned to other Department units or outside agencies without the approval of the ENT Commanding Officer. Generally, a member of the SDPD ENT would accompany any short-term loan of equipment.

G. REQUESTS FOR NEW EQUIPMENT

Requests for purchase of additional equipment or for research into new technology items should be made to the Administration Sergeant.

## EMERGENCY NEGOTIATION TEAM

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### SUBJECT: OVERTIME POLICY

#### 3.5 OVERTIME POLICY

##### 3.5.1 GENERAL GUIDELINES

The policy for the requesting and tracking of overtime by members of the Emergency Negotiation Team is as follows:

1. All overtime slips **MUST** be approved and signed by an ENT supervisor.
2. All overtime slips **MUST** be submitted within three (3) days of the overtime worked.
3. Overtime slips for work during an ENT mission will be submitted to the ENT Team Leader **PRIOR** to securing from the mission unless otherwise directed. ENT members should carry blank overtime slips that can be completed at incident scenes.
4. The yellow copy of the ENT overtime slips will be immediately forwarded to the ENT Administration Sergeant by the ENT Team Leader signing the slip.
5. When completing the Department timecard, the ENT member should use the numbers for their normal area assignment.
6. **All ENT missions for overtime should be charged to the detectives' normal area station.**

## EMERGENCY NEGOTIATION TEAM

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### SUBJECT: PSYCHOLOGIST CALL-OUT

#### 3.6 PSYCHOLOGIST CALL-OUT

##### 3.6.1 GENERAL

During certain negotiations, the use of a psychologist as a resource to the Emergency Negotiations Team could be beneficial in successfully resolving the incident.

Note: **The psychologist is to be used strictly as a consultant/advisor, and not as a negotiator.**

##### 3.6.2 CALL-OUT PROCEDURE

- A. The decision to call a Department psychologist to an incident as a resource to ENT lies with the ENT Commanding Officer or his / her designee.
- B. The Incident Commander is to be informed that the Department psychologist has been called out.
- C. A member of ENT, designated by the ENT sergeant, will call the Department psychologist directly at **(Deleted – records of security)**.
  - 1. **(Deleted – records of security)**
  - 2. **(Deleted – records of security)**

##### 3.6.3 AFTER INCIDENT DEBRIEF PROCEDURE

- A. The Team Leader will conduct an after incident debrief at the conclusion each critical incident. All team members involved in the incident should be included in the debrief.
- B. If the incident involves a fatality, the after incident debrief will be mandatory for all team members involved in the incident. A Departmental psychologist will facilitate this debrief.

## EMERGENCY NEGOTIATION TEAM

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### SUBJECT: EXCHANGE OF DUTY

#### 3.7 EXCHANGE OF DUTY

It is understood that emergencies arise at the last minute. Duty schedules are published at least one year in advance, so each negotiator should plan ahead to ensure they are available during their month on-call.

##### 3.7.1 PROCEDURE

It is the responsibility of the team member requesting an exchange of duty to complete the following steps:

- A. Locate one or more qualified substitute(s) for the period of time unavailable // the substitute must be fully trained, and currently a member in good standing of another SDPD Emergency Negotiation Team.
- B. Notify his/her ENT team leader of the proposed exchange of duty, and ***complete the ENT Schedule Change form found in Appendix II*** of this manual.
- C. Instruct the substitute(s) to call the team leader to verify the exchange.
- D. Deliver/mail/fax the completed form to the on-call ENT sergeant with a copy to the ENT Administration Sergeant.

## **EMERGENCY NEGOTIATION TEAM**

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### **SUBJECT: SELECTION OF NEW MEMBERS**

#### **3.8 SELECTION OF NEW MEMBERS**

##### **3.8.1 QUALIFICATIONS**

###### **A. GENERAL**

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

###### **B. ANNOUNCEMENT (QUALIFICATIONS)**

Applicants must possess a minimum of the following qualifications:

1. Be currently assigned to an Investigative unit
2. Have a "met standards" or higher evaluation during the last rating period
3. Receive a favorable recommendation from his / her Commanding Officer
4. Have outstanding interpersonal and communication skills
5. Have the ability to remain poised and calm in stressful situations
6. Be able to respond to any area in the jurisdiction of the SDPD within 60 minutes
7. Although not essential, bilingual and multi-cultural sensitive applicants are encouraged to apply.

##### **3.8.2 PROCEDURE**

- A. All applicants must submit a PD-599 (Request for Transfer)
- B. Background investigations will be conducted on all applicants who meet screening criteria (see requirements)

- C. A selection committee will be impaneled to interview applicants. The committee shall be chaired by the ENT Sergeant, and consist of at least two other sergeants. The selection committee will interview applicants who meet the screening criteria.
- D. The recommendations of the selection committee will be reviewed at a supervisor's meeting for comments and input. The ENT Commanding Officer, Executive Officer and the Investigations I Captain will make the final selection with the concurrence of the Assistant Chief of Police, Neighborhood Policing Area III.
- E. Individuals not selected will be notified when other vacancies become available. The Administration Sergeant will retain interview-rating sheets for a period of two years.
- F. The Transfer Request PD-599 form will be retained by the ENT Administration Sergeant for a period of one year from the application date.

### **3.9 REMOVAL FROM TEAM**

A negotiator must maintain an acceptable level of performance in their regular assignment in order to maintain their status as a member of the ENT. If the negotiator drops below this level, they will be removed from the team.

The negotiator is also expected to maintain an acceptable level of performance as a negotiator. If the negotiator fails to maintain this level of performance, he/she will have one (1) patrol shift to get back to an acceptable level of performance or be subject to removal from the team.

A negotiator may take a leave of absence for up to a year for an out of class assignment (OCA) such as Acting Sergeant, Acting Lieutenant, etc. The negotiator will otherwise forfeit the position if extended beyond one year.

## Appendix I

### **EAVESDROPPING APPLICATION PROTOCOL** **SAN DIEGO COUNTY**

#### **Introduction:**

Penal Code Section 633.8 authorizes the court to grant approval for designated peace officers to deploy an eavesdropping device in certain hostage or barricade situations. Once the designated officer makes the determination to utilize an eavesdropping device, a written application must be submitted to and signed by the court within 48 hours from the initial use of the eavesdropping device. It is important to note that any eavesdropping pursuant to this section must be recorded.

#### **Documents Required:**

Application for an Eavesdropping Device in an Emergency Situation consists of the following documents:

1. An Affidavit establishing the probable cause that an emergency situation exists that will be signed by the affiant (peace officer) when presented to the judge.
2. An Application signed by the District Attorney or Assistant District Attorney in the District Attorney's absence.
3. A Chief Executive Officer Review (CEO Review) signed by the designated chief executive officer of the law enforcement agency requesting the application. The CEO is typically the law enforcement agency's chief/sheriff or his/her designee.
4. A Court Order that will be signed by the designated judge if use of the eavesdropping device is approved.
5. A disc or other recording medium containing all communication overheard by use of the eavesdropping device.

#### **Procedures for Eavesdropping Device Application:**

Once a designated peace officer has made the decision to deploy an eavesdropping device, an application for an order approving such eavesdropping shall be made within 48 hours of beginning of the eavesdropping (upon using the device).

1. Law Enforcement is to immediately call the San Diego County District Attorney's Office Command answering service at (619) 692-

6150. The DA Investigator in Charge will be contacted and call Law Enforcement for a briefing. DAI in Charge will then immediately call the Division Chief/Assistant Division Chief of the Special Operations Division, along with the DDA assigned as a Wiretap Team Leader to assist in the preparation of and/or review of the application documents.
- a. The Division Chief/Assistant Division Chief will notify the District Attorney and the Judge at the earliest possible time that an Eavesdropping Application may be forthcoming and to arrange a meeting among the Affiant, the District Attorney and the Judge to obtain their signatures on the [Application](#) and [Order](#), respectively.
  - b. Law Enforcement is to call the San Diego County District Attorney's Office Command to inform the DA Investigator in Charge that they will no longer be making an Application for an Eavesdropping Device at the earliest possible time.
2. The Affiant (who is not required to be a designee) will email the [Affidavit](#) to the assigned DDA for review and obtain the signature of the affiant's CEO on the [CEO Review](#). The DDA will forward the [Affidavit](#) and [CEO Review](#) to the Division Chief/Assistant Division Chief for review and approval. Once the [Application documents](#), along with the [Order](#), are approved, the DDA will forward them back to the Affiant.
- a. You should designate a person to keep a log of the time of significant occurrences and to monitor the recording (see below.)
  - b. You should designate a person to keep a log of all people inside the location that may have been recorded on the eavesdropping device for inventory purposes (see below.)
3. The Affiant will then print out the [Application documents](#) ([Affidavit](#), [Application](#) and [CEO Review](#), along with the [Order](#), and obtain the signatures of the District Attorney on the [Application](#) and the Judge on the [Order](#).)
- a. The assigned DDA will give the Affiant the information regarding where and when to meet The District Attorney and/or the Judge. Depends on what time of the day/night.
    - i. Day: usually in office and court
    - ii. Night/Weekend: TBA
4. The Affiant is to make photocopies of all documents with their signature pages and give them to the assigned DDA for record keeping.



## **Procedure for Monitor of the Recording and Disc:**

1. The Affiant, or whomever is in charge, should designate a person (likely the monitor who is listening to and monitoring the eavesdropping recording) to maintain possession of the disc or other recording medium which contains the eavesdropping recordings and to keep an incident log documenting the start and stop times of the use of the device. ***The purpose is to show that the recording was made in a manner that avoids editing or alteration and was not tampered with.***
  - a. [Log](#): Should document the following:
    - i. The time the incident started.
    - ii. Name of the designee who decided to deploy the eavesdropping device.
    - iii. The time law enforcement started using the device.
      1. The time recording began should coincide to the time the device was deployed and started being used.
    - iv. The **time** law enforcement stopped the use of the device and the reason for ceasing its use (ex. When they know they are going to initiate a flash bang or explosion of some sort).
    - v. The **time** law enforcement resumed using the device.
      1. The time recording resumed should coincide to the time law enforcement resumed use of the device.
    - vi. The time law enforcement terminated using the device.
  - b. [The designated monitor of the recording should monitor the recording device.](#)
    - i. The monitor should also have a backup device in the event the primary recording device malfunctions.
    - ii. Last resort would be to take handwritten notes.
2. Chain of Custody:
  - a. If you designate a monitor, then that monitor is to maintain possession of the recording device and disc.
    - i. Document the date and time the disc was taken from the recording device.
    - ii. Document who removed the disc from the recording device and who took possession of the disc.

- iii. Document and transfer of possession: date, time and to whom the disc was given. This occurs when the monitor gives the disc to the Affiant for sealing.
  - iv. Document that the disc was kept in [OFFICER'S NAME] possession until sealed on [DATE & TIME.]
  - v. Before sealing the original disc, make at least 3 copies of the disc and its recordings, even if it is only sounds without conversation (this is for discovery purposes.)
  - vi. Upon sealing the original disc in the evidence envelope, include a copy of the Affidavit, Application, Order, CEO review, any related HOBBS section, clearly delineated, logs documenting chain of custody.
  - vii. Document in a supplemental report that the disc is being stored in a sealed condition in the evidence locker of [AGENCY] for 10 years.
3. The Affiant is to make and retain copies of the disc which contain the eavesdropping recordings for discovery purposes and then seal the original disc **within 7 business days** from the signing of the **Application** and **Order**.

### **Procedure for Inventory:**

1. The DA's Office via the Special Operations Division will serve the known parties captured on the eavesdropping recording with an inventory, which will include: the fact of the entry of order, the date of entry and the period of authorized eavesdropping.
2. The Affiant will provide the Special Operations Division with names and addresses of the known parties captured on the eavesdropping recording within 90 days of the date of the recording. It is recommended to submit this list to the DA's office as soon as possible.
  - a. Please get all names and addresses before allowing them to leave the scene.
3. When an eavesdropping device is used, but no conversation is recorded, we still must serve an inventory on all known parties.