

# IACP National Law Enforcement Policy Center

## HOSTAGE SITUATIONS

Model Policy  
September 2007

### I. PURPOSE

This policy provides guidance and direction for those who respond to and resolve hostage-taking situations.

### II. DEFINITIONS

*Hostage:* A person held against his or her will by an armed, potentially armed, or otherwise dangerous suspect who has demonstrated by action, word, or deed willingness to do the person harm in order to compel another party to act or refrain from acting in a particular way, or for personal gratification.

*Conventional Hostage Situation:* A scenario in which a person is being held against his or her will by an armed, potentially armed, or otherwise dangerous suspect, the local agency has primary jurisdiction, and the circumstances presented are likely within the resolution capabilities of a properly trained and equipped local tactical and negotiations team. Conventional hostage situations occur in a wide variety of operational environments, including open air, accessible structures, hardened strongholds, and vehicles.

*Unconventional Hostage Situation:* A scenario in which a person is being held against his or her will by an armed, potentially armed, or otherwise dangerous suspect, the local agency does not have primary jurisdiction, or the circumstances presented are likely beyond the resolution capabilities of a properly trained and equipped local tactical and negotiations team. Unconventional hostage situations occur in a wide variety of operational environments and include all terrorist situations and those that are so technical or complex that they are beyond the capabilities of the local tactical element.

*Safety Priorities:* The basis for the agency's operational and tactical decisions and comprising the following:

- Hostages
- Innocent involved civilians
- Police officers
- Suspects

*Deadly Force (may vary by jurisdiction; ordinarily defined by statute):* Physical force the actor uses with the purpose of causing, or which he or she knows to create a substantial risk of causing, death or serious physical injury.

*Deadly Jeopardy:* A situation in which a person is being directly subjected or exposed to circumstances that create a substantial risk of death, serious physical injury, or the commission of that class of offense under statute that justifies the use of deadly force to prevent or stop (such as rape, sodomy, and kidnapping).

*Deadly Force Justification (may vary by jurisdiction, ordinarily defined by statute):* Circumstances in which the hostage is being subjected to or reasonably appears to be subjected to actions by the suspect that create a substantial risk of causing or resulting in death, serious physical injury, or the commission of that class of offense under statute that justifies the use of deadly force to prevent or stop (such as rape, sodomy, and kidnapping).

*Triggering Point:* Specific predetermined circumstances that will justify the initiation of direct action to prevent or stop a particular course of suspect behavior (such as physical or sexual assault on the hostage or setting the structure on fire).

*Inner Perimeter:* A close proximity boundary maintained initially by first responding officers, later transferred to the special weapons and tactics team, and designed to contain the situation to the smallest possible area and prevent access to the target location by persons from the outside.

*Outer Perimeter:* A boundary outside the inner perimeter maintained by patrol officers and designed to prevent unauthorized persons from entering the area of the critical incident.

### **III. POLICY**

This agency shall generally respond to and take necessary steps to free innocent persons who are endangered and being held illegally against their will. During situations that involve conventional hostage takings, this agency shall deploy first responding officers to contain the situation and suspects involved when appropriate, pending the arrival of personnel specially trained in negotiations and tactical problem solving. This policy does not prohibit properly trained and equipped first responding officers from taking direct and immediate action—up to and including deadly force—in cases where a hostage is facing deadly jeopardy and the officers’ reasonable actions have a high probability of neutralizing the deadly threat or preventing the situation from escalating.

### **IV. RESOLUTION STRATEGY**

This agency shall take direct action—up to and including the use of deadly force—to ensure the safe release of a hostage facing deadly jeopardy or the commission of that class of offense under statute that justifies the use of deadly force to prevent or stop. Positive progress shall be defined as developments that increase the probability of the safe release of the hostages, as opposed to the mere passage of time. While it is true that the passage of time may increase the opportunity for such developments, it is also true that a viable rescue opportunity presented and ignored may be lost forever.

### **V. PROCEDURES**

#### **A. Initial Response**

1. Upon receipt and evaluation of the initial call, dispatch shall send patrol officers and, if appropriate, notify the tactical and negotiations teams.
2. The first responding officer shall assume the role of incident commander (IC) and be responsible for conducting an initial situation and response analysis, determining what resources will likely be required based on the available information, and providing this information to communications. The officer should also be aware that police presence can be a catalyst for suspect response and that he or she must be prepared to take appropriate action should the situation demand it, regardless of the status of additional personnel responding. The officer shall then direct arriving resources to specific positions or the staging area that he or she designates. The officer shall continue functioning as the IC until relieved by a superior officer or an officer with specialized training or expertise in fulfilling this role. Communications shall be continuously updated on officer

positions and status and informed if the incident command responsibilities are transferred to another officer.

3. The IC shall confirm that the staging area maximizes the safety of the responding units, and ensure that one officer is assigned at all times to brief arriving personnel.
4. The IC shall consider the agency's safety priorities and then establish an inner perimeter to contain the problem if such containment is in furtherance of the primary mission objective. During this process, all nonpolice personnel shall be taken from the inner perimeter to an appropriate location for intelligence debriefing.
5. The IC shall assess the suspect's options and related triggering points and then set a contingency plan in motion to counter such options, based on the totality of the circumstances presented.
6. The IC shall ensure that the appropriate specialized resources have been requested (the SWAT team, hostage negotiations and psychological services, the fire department, and so on) and ask that communications keep him or her apprised of specialized unit response status.
7. The IC shall continuously evaluate the situation and determine whether the opportunity and need exists for immediate intervention. The decision should be based on a variety of factors, including the following:
  - a. Whether the failure to act could reasonably be expected to result in the loss of life or the loss of additional life
  - b. Whether sufficient numbers of properly trained and equipped police personnel are available to effectively neutralize the threat
  - c. Whether the target location can be entered or the suspect engaged without inappropriately increasing the risks to the innocent person or persons being held
  - d. Whether immediate intervention could limit or preclude the suspect's access to additional victims
8. When the circumstances suggest an immediate intervention is necessary and appropriate, a properly trained and equipped contact team shall be formed under the supervision of the most qualified officer on scene. The mission of the contact team may vary based on the circumstances presented, but generally the focus is on locating, neutralizing, and apprehending the suspect or cutting off the suspect's access to hostages or containing the suspect in an area that will limit the suspect's movement and opportunity for escape.

**B. Secondary Response**

The IC is responsible for ensuring that a variety of tasks are addressed during the secondary response phase, including but not limited to the following:

1. Establish an outer perimeter and initiate the evacuation and handling process for those inside. Special consideration shall be given to the handling of those who refuse to be evacuated.
2. Establish a command post location outside the suspect's line of fire and sight, and ensure that responding officers are directed to this location for assignment before they move to the staging area.

3. Initiate an investigation to determine exactly what has occurred and locate, isolate, and debrief victims and witnesses. Debriefing should include obtaining information about the suspect and hostages where relevant and available, specifically the following:
    - a. Name
    - b. Physical description
    - c. Clothing description
    - d. Military background
    - e. Criminal history
    - f. Weapons
    - g. Mental state and condition, and the names of treating clinicians
    - h. Circumstances involved in the immediate situation
  4. Obtain the telephone number and physical location of the telephone (if hardwire) in the suspect's location.
  5. Consider whether it is logical, necessary, and appropriate based on the facts presented to use the telephone in advance of SWAT and negotiations to establish communications and attempt to effect the release of the hostages.
  6. Select a location for media response and designate a person to interact with them prior to the arrival of the agency public information officer.
  7. Select a location for those responding on behalf of the hostages and designate an officer to interact with them. Make outer perimeter-personnel aware of the presence of those responders and consider that they may attempt to enter the stronghold.
  8. Make contact with the person most knowledgeable concerning the floor plan of the target location, including specifics related to keys, doors, locks, fortification, windows, alarms, and any other physical information that might help the resolution efforts.
  9. Establish and maintain a log that documents the activities that have occurred and the location and identification of the assigned personnel.
  10. Brief the SWAT and negotiations teams upon their arrival.
  11. Assist the SWAT team as it relieves the inner perimeter containment personnel.
  12. Ensure that all officers relieved report to the command post for reassignment.
- C. Negotiations and Tactical Response (*agency preference varies concerning the role of the IC after the arrival of the SWAT and negotiations elements. Some agencies leave the IC in operational control, while others assign this to the SWAT and negotiations command elements*). Upon release of the scene to SWAT and negotiations, resolution efforts in situations that do not demand immediate intervention should primarily focus on the following:
1. Reassess the suspects' potential options and related triggering points and ensure that the tactical element is fully informed and prepared to counter such options.
  2. Ensure that all operational personnel have a description and photograph of the suspect (if available) and have been briefed on the specific rules of engagement.
  3. Deploy long rifle and observer teams to gather real-time intelligence and offer a precise resolution option should the opportunity present itself and be reasonable and justified based on the circumstances and the rules of engagement.

4. Deploy covert sound-gathering equipment (where legally applicable) to obtain objective and accurate intelligence from inside the crisis site.
5. Ensure that the inner perimeter emergency reaction, rescue, and K-9 teams are properly deployed and equipped to address all likely contingencies.
6. Deploy electronic intervention and control equipment (where legally applicable) to take control of hardwire communications and disable cellular communications links from inside the target location.
7. Prepare emergency and deliberate rescue teams.
8. Prepare electronic communications equipment, such as the wireless loud hailer and covert audio-video throw telephone, to facilitate productive negotiations while gathering real-time intelligence from inside the crisis site.
9. Initiate negotiations.
10. Continue negotiations as long as positive progress is being made.
11. Evaluate the viability, necessity, and appropriateness of a tactical resolution—including the long rifle option—in situations where negotiations prove unproductive and a tactical resolution would be reasonable and justified based on the totality of circumstances.
12. Use a combination of techniques and tactics, in a manner consistent with agency-approved training, until the situation is brought to a successful conclusion.

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