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NCIC Training



Features



Page 4



Page 6

1 NCIC Training

By Don M. Johnson

6 Hostage/Barricade Incidents

By G. Dwayne Fuselier, Clinton Van Zandt,
and Frederick J. Lanceley

127967

14 Hate Violence in the United States

By Floyd I. Clarke

127968

20 The Rat Patrol Rides!

By Paul C. Ricks

127969

27 Domestic Violence

By Daniel L. Schofield

127970

Departments

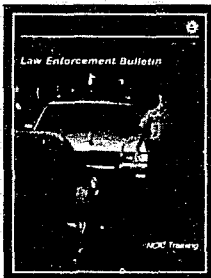
4 Police Practices

23 The Bulletin Reports

13 Book Review

24 Point of View

18 Focus



The Cover: Thorough NCIC training can be an important factor in the safe completion of routine vehicle stops. Cover photo of Officer Thomas Kauffman of the Upper Allen Township, Pennsylvania, Police Department is courtesy of Blair Seitz. See article p.1.

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Hostage/Barricade Incidents

High-Risk Factors and Action Criteria



MASTIC, NY—On Tuesday, July 18, 1989, Jimmy Hyams argued with his 18-year-old daughter, Lisa, about her decision to live with a boyfriend, whom he did not like. His wife stood just outside the home with their 7-year-old daughter when she heard a gunshot and looked in to see Lisa bleeding from a back wound and lying face down on the floor. Hyams stood over her with a .32-caliber semi-automatic pistol in his hand. He told his wife to leave, closed the door, and initiated a 7-hour barricade incident that ended with a Suffolk County police officer suffering from a gunshot wound to the head, Lisa's death, and Hyam's suicide.

FORT WORTH, TX—On Tuesday, August 1, 1989, Manny Cabano walked into the Tarrant County Courthouse, pointed a .357-magnum revolver at Juanita Hermosillo, with whom he had been living for the past year, and ordered everyone else out of the building. He then walked Juanita into the judge's chambers, ordered the judge out, and began a 7-hour standoff that ended when he killed Juanita and turned the gun on himself.

STOCKTON, CA—On Wednesday, August 16, 1989, at about midnight, Dang Cha Xiong, violating a restraining order for the third time, entered his former residence with a revolver and threatened to shoot his wife and eight children. At approximately 8:00 p.m. on Friday, August 18, 1989, after a 34-hour siege, Dang killed his wife, then shot and killed himself.

BY
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These three cases all occurred within a 1-month period, bringing them to the attention of the FBI Academy's Special Operations and Research Unit (SOARU). Our interest was further piqued because all of these cases involved a homicide that was followed by a suicide. After discussing each case with the respective police departments, we determined that these tragedies shared some common factors. Although the three cases were not identical, there was a sufficient number of common factors to lead us to suggest this simple hypothesis: The number of "high-risk" factors present in an incident is directly related to the increased risk of a homicide being followed by a suicide. We believe that the risk to victims in certain situations increases when the victims are not genuine hostages. They are, instead, intended homicides. Such targets have not been taken hostage as a means of satisfying demands—they are being held because the subjects intend to murder them and then take their own life.

This article reviews the high-risk factors often present in these types of incidents, distinguishes between pseudo-hostage incidents and intended homicides, and recommends three criteria to consider prior to taking action. Using the same three cases throughout, we have attempted to demonstrate how the high-risk factors are repeatedly found in cases of this type.

HIGH-RISK FACTORS

Police officers responding to hostage/barricade incidents should be familiar with a number of high-risk factors involving the background characteristics and be-

havioral patterns of the subject, so that appropriate action may be taken. Recognizing these factors and reacting correctly may make a difference in how the incident ends.

Background Characteristics

In studying these cases, we realized that the subjects shared certain background characteristics. When viewed within the total picture, this background information could alert the responding officers that they are dealing with a potentially volatile incident.

Subject experiences multiple stressors

In each of these cases, the subject generally feels outside pressures, whether real or imagined. This pressure could come in different forms—financial, family, or social pressures.

In Hyams' case, there was an ongoing battle with his daughter about the young man with whom she was living. Hyams believed that his daughter lacked respect for his opinions. When he made disparaging remarks about the man, Lisa swore at him and began to walk away. Hyams picked up the gun and shot her.

Manny Cabano's case is perhaps more typical. Cabano was employed as a bail bondsman who suffered a series of losses when clients skipped bail. This, combined with Cabano's desire to live beyond his means, led him to the verge of bankruptcy. At the time of the incident, he was being evicted from his home for failing to pay the mortgage, and he was dealing with the disintegration of his relationship with Juanita, who had filed charges against him for child sexual abuse.



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All of this overwhelmed Cabano, leading him to take drastic action.

In Dang's case, his personal life was extremely unstable. He had no job, routinely smoked opium, and gambled with the family's welfare money. During the year preceding this incident, he severely punished his children when they did not give him the respect he believed a father should receive. On one occasion, Dang beat his 8-year-old daughter with a telephone cord, and on another occasion, he ran a fishing line through his 10-year-old son's ears, pulling the line over a closet rod. This forced his son to stand on his tiptoes to prevent the line from cutting further through his ears. Dang's arrest and conviction for these incidents resulted in the issuance of the restraining order.

*Background stresses
male dominance*

When we spoke with the respective police departments about these cases, it was repeatedly stressed that both Cabano and Dang had backgrounds that encouraged male dominance. The responding officers believed that this factor contributed greatly to the subjects' refusal to surrender.

During conversations with police negotiators, Manny Cabano repeatedly stated that due to the allegations of sexual child abuse, he had "lost face," and he could never again "hold his head up in the community." He believed that even if he were found innocent, he would still be called "Chester, the molester." He also referred to his Hispanic heritage, stating that once a man loses his respect, he has nothing left.

Dang Cha Xiong was a Laotian refugee who immigrated to the United States after the Vietnam War. He was a member of an ethnic group called the Hmong, who were rural farmers living a very rustic life, typically in homes with no running water. In Laos, they had virtually no contact with governmental agencies, and any attempt by a government agency to become involved in family affairs was viewed as interference. Although Dang's actions are not viewed as being representative of those of the Hmong, they do seem to reflect a man caught between his cultural beliefs that a father, as head of the family, should be given respect and should maintain discipline and the expectations of American society.

“**...it was repeatedly stressed that both Cabano and Dang had backgrounds that encouraged male dominance.**”

*Similar incidents and
problems with victim*

Police officers should be especially wary of a "hostage" situation that involves a subject who has a history of similar incidents or who has had previous problems with his "hostage." Also key in the incident is whether the subject is holding either a person with whom there has been a romantic involvement or who is a family member, and

whether there have been previous restraining orders issued against the subject for either child or wife abuse.

In May 1960, Jimmy Hyams' first wife, pregnant with their second child, left him and was living with her mother. Hyams followed her there, and when she refused to let him in the house, he broke down the door and put a gun to the head of their 1-year-old son. When his wife pushed the gun away from the boy's head, Hyams beat her with his gun, kicked her, shot her three times, and kidnaped her. After a high-speed chase, he barricaded himself in a farmhouse. When police stormed the house 3 hours later, Hyams shot himself in the stomach. His wife and unborn child survived; Hyams served a 2 1/2-year prison term. He remarried in 1963, beginning a tumultuous relationship that included repeated assaults on his second wife and their children. When his wife attempted to hide from him by going to a motel, he found her, handcuffed her, beat her with a gun, and raped her in front of the children. He was arrested and served a 4-year prison term. He was released on parole under a court order to stay away from his wife's residence; however, in May 1974, he entered her residence and held her and the children hostage for 13 hours before surrendering. While serving another prison term, he was divorced. He married his third wife in 1981.

In 1988, Manny Cabano was living with Juanita Hermosillo and her five children by a previous marriage. The relationship was turbulent, and she eventually filed charges of child sexual abuse

against him. She later withdrew the charges, but a year later, the relationship again soured and Cabano moved out. Hermosillo again filed charges of child sexual abuse, resulting in an arrest warrant and a court order restraining Cabano from entering her (Hermosillo) residence. Within hours of being informed of the charges and the restraining order, he entered the Tarrant County Courthouse to confront Hermosillo.

Approximately 1-year prior to this incident, Cabano had barricaded himself, Hermosillo, and one of her children in the bedroom, threatening to kill them and himself. A coworker of his ex-wife convinced him to end the siege before the police were notified.

In yet another incident, Dang held his wife and another woman against their will in a barricade incident that lasted approximately 3 hours. Dang was well-known to Child Protective Services in Stockton, California. He had been arrested three times and convicted once on child abuse charges. In July 1988, he was sentenced to 300 days in jail, ordered to take a parenting course, and was forbidden to enter the family home. He was released from jail after serving 7 months, but was again arrested in January 1989, for returning to the home. In July 1989, Dang was arrested for entering the home and threatening to kill his wife and children. He was released on bail on August 7, 1989, and he killed his wife 11 days later.

Lacks family or social support systems

Individuals who are involved in these types of incidents many

“Police officers should be especially wary of a ‘hostage’ situation that involves a subject who has a history of similar incidents....”



times lack family or social support systems, leaving them with no emotional outlets. This adds to their feeling of alienation and desperation.

During the incident in Mastic, Hyams received a phone call from one of his daughters, and after speaking with her, he told the negotiator, “That was my daughter. For the first time in the 9 years I’m out [of prison], she gives me a... call.” A short time later, again talking to his daughter on the phone, Hyams said to her, “You never gave me a chance.” To which she replied, “I gave you a chance and you ruined it twice. You shot [your first wife] and her daughter and now you’re back in the same situation with this one. You shot another daughter—you didn’t change.”

Due to his convictions for child abuse and the restraining order, Dang was also alienated from his family, spending the last few weeks of his life sleeping and eating in a car outside of his uncle’s house.

The fact that he spoke no English further isolated him.

Subject’s Behavioral Patterns

Studying the subject’s behavioral patterns may also give officers more insight into the type of incident with which they are dealing. Certain behavior from the subject could alert officers to the fact that they are responding to an incident that may not be resolved easily.

Forces confrontation with police

In these cases, the subject forced a confrontation with the police rather than merely shooting the victim and walking away. One theory is that the subjects hoped that they could initiate a “suicide by cop.”

In all probability, Hyams shot his daughter as an impulsive act, but having done that, he ordered his wife out of the house, retained his gun, and waited for the police to

respond. When the responding officers arrived, he fired at them before they were able to make verbal contact with them. Hyams held the police off for over 7 hours while his daughter bled to death. All the while, Hyams reassured the officers that she was alive and that he was caring for her.

After ordering the judge from his chambers, Cabano simply sat waiting for the police to respond. He, like Hyams, wanted a confrontation with the police.

Subject threatens or injures victim

In each of these cases, the subject discussed minor demands with negotiators. However, the victims were not being used as a means to achieve another goal, such as obtaining money or to escape, but were, instead, the primary target of the subject's hostility.

After he shot his daughter, Hyams called the police officer who had convinced him to surrender in the 1974 incident. Hyams also spoke on the phone to his family, but

he neither presented conditions nor made any demands that could be met in exchange for his surrender or the release of his daughter.

After forcing Juanita at gunpoint into the judge's chambers, Manny Cabano demanded only two bottles of soft drinks and to make a statement to the media. He was unwilling to discuss releasing Juanita in return for these demands.

After threatening his wife and children, Dang's only demand was to be left alone with his family until the following Monday, when he was scheduled to appear in court to answer charges of violating the restraining order. This was only delaying what Dang knew was the inevitable.

Subject verbalizes intent to commit suicide

The subjects in this type of incident will generally verbalize their intent to commit suicide before actually following through on their threats. They may also attempt to put their affairs in order or give a "verbal will."

When Hyams failed to appear for work, his boss called him to ask whether he was ill. Hyams described to his boss what he had done, told him to replace him at work, and said that he was "...sorry for the way it's gotta end." He later told the police negotiator, "...but if I feel myself going down, I'm putting a bullet in my head, because they're not gonna recuperate me...if I feel like I'm gonna go, I got the gun in my hand, and I'm putting it to my head."

Hyams also asked the negotiator to tell his wife that "I loved her, only I had too many obstacles against me." Later he said, "I want you to tell [my wife] that I'm sorry. I loved her with all my heart and soul. I tried, and I tried hard."

Just before entering the courthouse, Cabano gave away his car and a large amount of money. During the incident (unbeknownst to the negotiators), he called his ex-wife and told her to remove [some items] from his safe and destroy them because he would not need them anymore.

Approximately 12 hours into his barricade incident, Dang called an acquaintance to the scene so he could repay a \$50 debt. Just before he shot his wife and committed suicide, Dang showed his 10-year-old daughter where he had hidden \$500.

PSEUDO-HOSTAGE INCIDENTS AND INTENDED HOMICIDES

The term "hostage" has typically been defined as "a person held for the fulfillment of demands." To assist in distinguishing between true hostage and pseudo-hostage inci-



"...an objective appraisal of the likelihood of casualties to both victims and law enforcement officers must be made."

dents and intended homicides, we propose expanding this definition to read, "A person held and threatened by a subject to force the fulfillment of substantive demands on a third party." In these incidents, the victim is clearly being threatened by the subject, and the threats are used to influence a third party, usually the police. When there are clear threats or there is actual injury to the victim but the subject makes no substantive demands to a third party, the risk to the victims should be considered to be very high. Officers should be aware that this is not an incident that is likely to end in a peaceful resolution.

Hyams, Cabano, and Dang each threatened or actually injured their victims but made no substantive demands. Despite the efforts of the negotiators, these demands could not be tied to the release of the victims. The hostages were not being used as bargaining chips to obtain something else.

There are other times when an incident lacks threats directed toward the victim and no substantive demands are made. Although law enforcement officers may believe that they are dealing with a hostage situation, what they actually have is a pseudo-hostage incident. For example, a husband threatens his wife with a handgun, and she runs to a neighbor's house to call the police. When officers arrive, she advises them that their 1-year-old son is in the house with her husband. When they contact the husband, he informs them that he is angry with his wife, this is not their concern, and they should go away and leave him alone. He makes no demands, and he does not threaten the safety

of his son. In this case, the absence of both substantive demands and threats toward the child, coupled with the absence of other high-risk factors, should be an indication to the responding officers that the risk to the son is probably relatively low.

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Individuals who are involved in these types of incidents many times lack family or social support systems...
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ACTION CRITERIA IN DECISIONMAKING

A key question when managing hostage/barricade incidents is when to authorize a tactical intervention to rescue the hostage. While it is impossible to determine the exact likelihood of surrender, it is reasonable to conclude that as the number of high-risk factors increases, the chance of a negotiated resolution decreases. There is, however, an important difference between a decreased chance for surrender and no chance for surrender. We are not suggesting that a negotiated surrender is impossible or that the on-scene commander should immediately authorize an assault—there have been cases that have been successfully negotiated even though some of the high-risk factors were present.

For example, in February 1990, in Montgomery County, Kentucky, John Delay became distraught when he lost a custody dis-

pute. He pulled a gun during a meeting with his wife and son and a social worker, threatened to kill them and then himself, and demanded that police put down their weapons and come into the room to speak with him. Police negotiated with him from outside the room, and after about 3 hours, he released the hostages and surrendered.

Even when a substantial number of high-risk factors are present, the risk to hostages and law enforcement officers might be judged to be even greater if the rescue attempt involves an assault. On the other hand, if there is only one subject and a "risk effective"¹ tactical option (the positives outweigh the negatives) is available, that option might be considered earlier than it would be in a situation without these factors.

The personnel of the Special Operations and Research Unit developed the concept of "action criteria" to assist in making any command decisions. An affirmative answer should be made to three key questions prior to any critical decisions being made.

Is the Action Necessary?

Why is a particular action being contemplated? Is the on-scene commander responding to either internal or external pressure to "do something"? If it is still early in the incident, might this action be more successful at a later time? Why is the action being contemplated at this time? If it was rejected 12 hours ago, is it being reconsidered now because the on-scene commander is feeling pressure to resolve the incident, even though there has been no change in circumstances?



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Is the Action “Risk Effective”?

Although any hostage rescue involves some risk, an objective appraisal of the likelihood of casualties to both victims and law enforcement officers must be made. Suppose, for example, one victim is being held by a subject who is armed with an automatic weapon in a location with only one entry point available. The tactical team leader estimates that it will take 10 to 20 seconds to enter the stronghold. No external diversion is possible, and should he decide to do so, the subject would have time to shoot the victim and still confront the tactical team. The negotiation team leader believes, based on the subject's past history, that if assaulted, the subject will open fire rather than surrender. In this situation, surely a dynamic entry would not reduce the risk to the hostage; instead, it would substantially increase the risk to both the hostage and the officers entering the stronghold.

Is the Action Professionally Acceptable?

Is the action being taken both legally acceptable and professionally ethical? Usually, the legal aspect is the easiest to resolve, while the ethical and moral considerations may be much more difficult. For example, in August 1988, an 8-month-old boy swallowed a balloon, cutting off his air supply. The child, who had severe brain damage, was in an irreversible coma and had been on life support systems for over 8 months. According to doctors, he had little chance of ever regaining consciousness. In April 1989, the boy's father, armed with a handgun, entered the hospital room, ordered the medical personnel out of the room, disconnected the life support equipment, and held his son in his arms, crying, until his son died.

In this case, one option might have been to shoot the father in order to prevent the son from dying. That action may have been legal, but

the ethical considerations in such an action make the decision much more difficult.

CONCLUSION

The risk to victims in a hostage/barricade incident can vary considerably, depending on either the presence or absence of many factors, including those discussed in this article. That perceived risk, as well as the risk involved in a particular tactical option, should be the primary considerations in an on-scene commander's decision to authorize a tactical action. Before any decisions are made, the on-scene commander should evaluate the presence of high-risk factors, consider all other intelligence available, and combine this information with the assessments made by both the negotiation and tactical teams. This combined information will assist the commander in differentiating between a genuine hostage situation, a pseudo-hostage situation, and an intended homicide incident. Any contemplated action should be reviewed in the context of the action criteria prior to a final decision being made.

Reviewing the high-risk factors in a hostage situation is a new approach to reacting to these types of situations. Armed with this information, on-scene commanders will be better equipped to evaluate the incident and make the most appropriate decision in these high-risk situations.

LEB

Footnote

¹ Donald Bassett, "Confrontation Management," Special Operations and Research Unit, FBI Academy, 1988, (unpublished manuscript).