RAPPORT BUILDING AND ACTIVE LISTENING FOR NEGOTIATORS
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This paper discusses rapport building and active listening techniques when dealing with an employee, client, or other person who is agitated, angry or in crisis particularly when avoiding the conflict or dismissing the person is not a practical alternative.

RAPPORT BUILDING

Building rapport between the parties is an important element of successful negotiations. Rapport is essential to the win-win dialogue and mutual trust relationship needed to end a negotiation or crisis situation successfully. Often, during the initial contact with a person in crisis, the negotiator will pay a personal price while the person makes threats, uses obscenities, and makes insults directed toward the negotiator and the organization. The negotiator must dispassionately deflect these insults and allow the person to vent and return to a normal level of functioning. The negotiator should not just sit back and allow the person to constantly ridicule him, especially after the initial “ventilation period” has passed. The negotiator should try to get the person to understand that his behavior is not helping his situation. “I haven’t been cursing negotiator, why are negotiator cursing me? I’m trying to help you.”

Rapport building techniques include:

A. Stalling for time. As time progresses, relationships can develop. As time passes, the person’s resolve may diminish and the passage of time also allows for other preparation and planning.

B. Self-Disclosure. Do not force it, but as it seems appropriate in conversation, the negotiator may discuss his/her feelings, interests, etc. Self-disclosure causes people to relate more positively toward others. Often, the person will reciprocate.

C. Show empathy in your response to what the person says and does. Step into the person’s shoes for a moment. Communicate to the person that negotiator understand the person’s viewpoint.

D. Minimize the person’s previous offending behavior. “I understand why negotiator slammed the door, negotiator were angry and frustrated.” The negotiator may pay a personal price among his colleagues for showing understanding and empathy towards the person, especially if the person has displayed violent or threatening behavior. However, getting the person to believe that things are not as bad as he/she fears is an important step to the successful resolution of the incident.

E. Show warmth and concern for the person through the tone of your voice.

F. Help the person to “save face”. The person may react with anger or even violence if he/she feels he/she is being publicly humiliated. Provide the person with face saving rationalizations in order to get him to cooperate. “We need to get your side of the story; negotiator have made some important points.”

G. Utilize active listening skills.
ACTIVE LISTENING SKILLS

The Special Operations and Research Unit of the FBI Academy developed concepts in crisis intervention and active listening. This section and the next, Crisis Intervention, contain material presented by the FBI on these concepts.

The first active listening skill to be used in an incident is emotion-labeling. The intent of emotion labeling is to respond to the emotions heard in the subject’s voice rather than content. Emotion labeling demonstrates that the negotiator is really listening and tuned into what the subject is emotionally experiencing. Do not tell a person how they are feeling. Rather, tell them how they seem or sound like they are feeling to negotiator. Do not be afraid to label emotions incorrectly. “Negotiator seem angry to me.” The person will correct you. “I’m not angry, I’m just upset.” Don’t hesitate; label every emotion that negotiator hear.

Be aware of missing emotions. Listen for conflicts in the feelings expressed. Note when the emotions expressed are inappropriate to the situation described. The negotiator must be aware of his/her emotions and what the subject is hearing from negotiator. Label emotions throughout the negotiation/intervention whenever emotions expressed. Do not emotion label when the negotiator are being verbally attacked.

YOU SOUND (Reflect the emotion: ANGRY, UPSET, TENSE)
YOU SEEM (Reflect the emotion)
I HEAR YOU SAYING (Mirror the content of the person’s prior statement)

Paraphrasing demonstrates that the negotiator is listening. Paraphrasing summarizes in the negotiator’s words what the negotiator was just told. It creates empathy and rapport because it demonstrates that the negotiator has heard the person and understands. Paraphrasing clarifies content, checks perception, highlights issues, and obtains additional information. “Are you telling me . . .?” “Are you saying . . .?”

Reflecting or mirroring is repeating back the last word or phrase the person has just said. It gives feedback that is very exact. Mirroring asks for more information without guiding the direction. Mirroring may help obtain more information when the negotiator does not have enough to ask a good question. “I did it just because.” “Because?”

The next skill in active listening is the use of effective pauses. An effective pause is silence. Silence is effective if it serves the negotiator’s purpose. Most people are not comfortable with silence and fill it with talk. Use silence when negotiator have said or about to say something important or when the person is trying to psyche negotiator out.

The use of minimal encouragers lets the other person know negotiator are there and listening. Minimal encouragers are the sounds negotiator make, especially on the telephone, such as “Oh”, “Ugh Hugh”, “Yeah”, etc. These minimal encouragers do not interfere with the flow of the conversation. The use of minimal encouragers helps build rapport and encourages the person to continue talking.
“I” messages enables us to let the person know how they are making us feel, why we feel that way, and what they can do to remedy the situation. “I” messages conveys the negotiators concerns in a non-threatening way and does not put the subject on the defensive. Use “I” messages when negotiator cannot communicate because of the intense emotions being directed at negotiator, when the person is making communication impossible, when the person is trying to manipulate negotiator, when negotiator need to refocus the person, and when negotiator are being verbally attacked.

I FEEL THE EMOTION THE NEGOTIATOR IS FEELING
WHEN YOU THE PERSON’S BEHAVIOR
BECAUSE NEGOTIATOR’S REASON.

“I feel disappointed when you make threats because I thought we were making progress.”

Finally, the last active listening skill to be discussed is the use of open-ended questions. Open ended questions are questions that cannot be answered with a “yes” or “no.” Opened ended questions are used to get intelligence information without asking a lot of questions. These questions usually begin with words like how, what, when or where. Open ended questions can help get the person to start talking, elicit examples of specific behavior, or focus on the person’s feelings.

Closed-ended questions give a feeling of being interrogated which makes rapport building difficult. It also causes the negotiator to work harder at thinking up new questions.

CRISIS INTERVENTION

The purposes of crisis intervention are to: 1) diffuse intense emotions; 2) return the subject to his/her normal functioning level; 3) buy time; 4) establish rapport/communicate empathy; and 5) gain information. When a person is in crisis, emotions (not reason) are controlling the person’s actions. Usually, there has been a precipitating event within the last twenty-four hours. The negotiator should try to identify what this event was. “What has happened today that made negotiator want to do this?” The negotiator must help the person return to a normal level of functioning.

Characteristics of a person in crisis include:

A. Changes in social network.
B. Intense emotional reaction.
C. Lack of perspective.
D. Disorganized approach to problem-solving.
E. Physical problems.
F. Testing all types of behavior.
G. Impulsive; often inappropriate, unproductive behavior.
H. Tunnel vision.
I. Lowered attention span.
When dealing with someone in crisis, listen to him/her. People who make clear statements of feeling are in a better position to solve their emotional problems. When a listener is able to reflect the speaker’s feelings the listener is perceived as being empathetic and understanding. Do not sympathize with the person. Sympathy implies pity and over involvement. Empathy, on the other hand, implies objectivity and understanding and builds trust. Feelings are universal, but experiences are not. Identify with the emotion, not the experience. It is possible to understand feelings without having gone through the same experience. Don’t use the trite phrase “I know how you feel”. The person is likely to react negatively to that remark. Instead, try empathizing with the person by saying, “You sound sad to me. I haven’t been through your experience, but I can remember the times when I have been sad and how I felt.” Do not make assumptions about a person’s feelings based upon circumstances.

Emotional reaction and subsequent behavior make the situation a crisis not the facts of the situation. How a person feels about a situation will strongly influence what he or she does. Controlling the person’s emotions will help control the person’s behavior.