RESEARCH

The Historical Facts about Hate Crime in America The Social Worker's Role in Victim Recovery and Community Restoration

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Attitudes and belief systems associated with social intolerance and racial bigotry have been part of American society for generations. Analysis of historical records reveals a number of examples of how these social forces have shaped society's reaction to those they consider to be not part of the mainstream culture. A review of research documented in the literature on social psychology indicates that individuals who hold strong prejudicial beliefs about others based solely on race, religion, sexual orientation, or ancestry often express those feelings in ways that lead to the commission of criminal acts known as hate crimes. The proliferation of hate crime in the United States represents a major social problem that has reached new heights since the 2016 election. The promotion of anti-diversity rhetoric by President Trump and his Republican administration has fueled a stronger, more empowered White nationalist movement in this country whose racist ideology has inspired an uptick in violent attacks against those they consider a threat to the American way of life. Substantial evidence of the rise of bias-related crimes against individuals that are members of racial, ethnic, religious, and sexual minority groups targeted by the administration's hate campaign can be found in statistics from national surveys that indicate that since the election, the frequency of these type of attacks has more than doubled across the nation. The beating of a Black man at a public rally in Charlottesville, Virginia by White nationalists in August 2017 and the mass shooting that took place at a gay Latino nightclub in Orlando, Florida in 2016 are just two examples of what has become an expanding national trend of hate violence against marginalized groups in our society that are perceived as outsiders. This article presents an analysis of the history of bias-motivated crime in the United States and the national response to this type of criminal behavior. It discusses the psychological and social impact of these crimes on victims, communities, and society. It examines how social workers can implement the intervention techniques of the restorative justice model to help those affected rebuild their lives and communities in the aftermath of crime precipitated by hate.

Keywords: Restorative Justice; Prejudice; Social Work; Social Psychology

Introduction

The United States is currently experiencing one of the most significant crime resurgences motivated by social bias in decades. Research findings summarized in an April 2019 article published on Politfact.com provide substantial evidence that hate crime is on the rise in every major city across our nation (Xu, 2019). The proliferation of bias-related crime in our society is creating a growing need for the implementation of strategic interventions designed to restore a sense of safety and stability to the daily life of individuals and communities affected by this form of anti-social behavior. The purpose of this article is to present an analysis of the psychological, social, and legislative consequences of bias-motivated crime and to discuss how social workers can use restorative justice intervention to provide services that can rehabilitate individuals and communities affected by the impact of such traumatic circumstances.

Social Factors that Define a Hate Crime

Bias-related criminal acts, known as hate crimes, have received multiple definitions in the criminal justice literature. The term was initially coined by a group of American journalists and policy advocates in the 1980s to define a series of criminal incidents directed at African-Americans, Asians, and Jews (National Institute of Justice, 2018). The U.S. Department of Justice defines a hate crime as violent acts directed at an individual, family, group, or organization that attempt to intimidate based solely on race, ethnicity, national origin, religion, sexual identity, and orientation or condition of disability. Research by Hamad (2017) summarized in a joint report released by the Centre for Youth and Criminal Justice at the University of Edinburgh, and the City of Edinburgh Council provides a similar definition of bias-related criminal acts. The report defines a hate crime as a criminal act motivated by malice or ill will against a particular social group with five protected characteristics under Scottish Law, which are race, religion, sexual orientation, transgender identity, and disability. In both definitions, the element that distinguishes a hate crime from other forms of criminal behavior is the bias motivation of the perpetrator (U.S. Department of Justice, n.d.; Hamad, 2017).

Although the term hate crime frequently appears in the criminal justice literature and has been consistently used by journalists to identify specific types of criminal acts, findings from research by Walters et al. (2016); and Roberts et al. (2013) indicate that despite its widespread use in the mainstream media the true definition of what constitutes a hate crime remains a debatable issue at best. Research reveals four benchmark characteristics that distinguish a hate crime from other types of criminal offenses. Among these characteristics is the fact that: 1) hate crimes are very often the product of more than one kind of prejudice, 2) hate crimes are defined by situational factors such as verbal abuse, physical harassment, and homophobia that are associated with the perpetrator, 3) hate crimes usually stem from localized neighborhood conflict situations where perpetrators launch a targeted campaign of abuse and violence against those members of the community who they view as outsiders with undesirable social characteristics, 4) hate crimes are more likely to occur in structured environments where community residents with more valued identity characteristics such as being White, male, and heterosexual have an advantaged social status over those residents with less valued minority group characteristics. The research suggests that incorporating discriminatory policies, procedures, and laws into the U.S. justice system has created a set of social conditions in our society that has given perpetrators of hate crime an enhanced sense of entitlement to act with impunity to victimize members of minority groups. It further suggests that there are different types and levels of prejudice that have a direct connection to hate crime as well as the complex relationships that exist between perpetrators and victims. Findings conclude that hate crimes are part of an ongoing victimization process with many social and psychological causes (United States Department of Justice, Civil Rights Division (n.d.); Walters et al., 2016).

The National Crime Victimization Survey (NCVS) is a research tool used by the federal government to measure victim perceptions of criminal acts motivated by offender bias (United States Department of Justice, Bureau of Justice Statistics (n.d.)). To be classified as a bias-related crime in the NCVS, the victim must be able to present one of three types of tangible evidence that hate-motivated the offense. The victim must be able to prove that: 1) the offender used hate language as part of the attack, 2) the offender left a hate symbol at the scene of the incident, 3) the police investigation uncovered material evidence at the location of the experience that conclusively proves the offense was a hate crime. Some examples of criminal acts categorized as hate crimes are the burning of homes and businesses, harassment and destruction of religious property, cross burning, personal assaults, and homicide (Bureau of Justice Statistics, 2017).

The significance of hate crimes as a growing social problem in the United States has been at the forefront of the political agenda of government officials and policymakers for decades. Public concern about the effects of hate violence on individuals and communities has increased substantially in recent years. According to the National Institute of Justice 49 states, presently have implemented laws that protect the rights of hate crime victims by requiring severe penalties for offenders. A review of findings cited in the Bureau of Justice Statistics reports published in 1997 through 1999 by Strom (2001) reveals that race is the most common factor motivating offenders who commit hate crimes. The data indicate that the vast majority of hate crimes are committed against persons of color, and thrill-seeking is the most common motive for these biased attacks (McDevitt, Levin, & Bennett, 2002; See Table A1, Appendix A).

History of Hate Crime in America and its Legislative Outcomes

Hatred, born out of prejudice, has been a major social force that has motivated criminal acts since the dawn of civilization. The history of the United States contains several well-known examples of criminal behavior that involve violence, intimidation, and discrimination that target immigrants, people of color, and other individuals with social characteristics that set them apart from the mainstream culture such as skin color, language, national heritage, and sexual and religious practices (Shively, 2005).

A review of historical records provides significant evidence that the perpetrators of social intolerance have utilized various methods to spread their message of hate to those they perceive as being different in some socially powerful way from the rest of society. According to the archives of the museum of crime online, one of the earliest examples of a criminal act motivated by religious prejudice can be traced to ancient times when the Roman Emperor Nero launched public campaigns of persecution against early Christians because of their spiritual practices (History of Hate Crime, 2017).

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In pre-colonial America of the 15th century, early illustrations of criminal acts motivated by social intolerance are seen in the racial bias of the first European explores who carried out genocidal wars against Native Americans because they perceived them as socially and culturally inferior. Referred to as the Indian wars by historians, these genocidal attacks, combined with the deliberate spread of life-threatening diseases like smallpox, had a devastating impact on U.S. Native American populations for centuries. They destroyed some tribes and caused a drastic reduction in the community of others. The White settlers drove the survivors off their ancestral land onto government assigned reservations where their descendants are still feeling the effects of confinement in extreme poverty and lack of access to medical care and education to this day (United to End Genocide, Atrocities against Native Americans, n.d.).

Other more recent examples of hate crimes motivated by ethnic prejudice occurred in the early part of the 20th century. The most notable of which took place in Germany before the start of the Second World War when Nazi party leader Adolf Hitler launched a public propaganda campaign against its Jewish population. Called Hitler's final solution, the Nazi party's political campaign of hate propaganda lead to violent acts of persecution and discrimination perpetrated against German Jews, denial of their fundamental human rights and citizenship status by the German government and ultimately fueled Hitler's decision to eliminate the country's Jewish population in concentration camps. The Holocaust represents one of history's most extreme illustrations of social intolerance and racial bigotry against a subpopulation based on their ethnic and religious identity (United to End Genocide, The Holocaust, n.d.).

In the 1960s, at the height of the civil rights movement in the United States, civil rights activists received threats of violence from racial segregationist organizations such as the Ku Klux Klan dedicated to denying Blacks and other people of color their fundamental civil rights. Klan members utilized criminal activities such as racially motivated murder, physical assault, personal property destruction, and cross burning to spread their message of fear and hate throughout the south.

One of the most famous of these hate-inspired crimes occurred in Mississippi in 1964 when Klan members brutally murdered three civil rights workers James Earl Chaney, Andrew Goodman, and Michael Schwerner. Police reaction to the murders and the federal court decisions that followed were both highly controversial and led to considerable public outcry over the inadequacy of punishment the defendants in the case received for such a severe criminal offense. Public protest over the outcome of this case and others like it resulted in the passage of the country's first formal hate crimes law in 1968, which set a national standard for the conviction of felons who commit crimes based on racial prejudice and social intolerance (This Day in History, n.d.).

In the late 1990s, two high profile murder cases lead to the expansion of U.S. hate crime prevention laws. In 1998 a 21-year-old University of Wyoming student Mathew Shepard was attacked and left to die tied to a fence near Laramie by two young men, Aaron Mckinney and Russell Henderson, because he was gay. Shepard died in a Colorado hospital six days later from severe head trauma inflicted on him by the assailants during the incident. That same year a Black man James Byrd Jr. was murdered by three White men Shawn Berry, Lawrence Russell Brewer, and John King, in a racially motivated incident in Jasper, Texas. The two cases brought national attention to hate crimes prevention legislation at the state and federal level (Mathew Shepard Foundation, 2009). In October of 2009, the United States Congress, under the leadership of President Barack Obama, passed the Mathew Shepard and James Byrd Jr. Hate Crimes Prevention Act (Anti-Defamation League, 2009).

The legislation expanded the 1969 federal hate crimes law to include protection against criminal acts motivated by the victim's sexual orientation, gender identity, or disability. It allows local law enforcement authorities to ask the courts to administer the maximum sentence of life in prison for criminal offenders convicted of hate crimes involving kidnapping, sexual assault, and murder. It also gives federal law enforcement authorities more extraordinary ability to engage in the investigation of hate crime incidents that local law enforcement authorities refuse to pursue and provides for increased federal funding to help state and local law enforcement agencies pay for the annual cost of investigating and prosecuting hate crimes (USAToday.com, 2009).

Statistics from surveys conducted by anti-hate crime organizations such as the Anti-defamation League (ADL), the National Gay and Lesbian Task Force, and the Klanwatch project, in combination with those from the Southern Poverty Law Center, provide substantial evidence that bias-related crimes have reached epidemic proportions nationwide (Jacobs & Henry,1996). In 1990 Congress passed the Hate Crimes Statistics Act, which mandates the U.S. Department of Justice to collect crime data from law enforcement agencies across the United States and publish an annual summary of findings. The FBI became the lead agency in this coordinated effort and currently publishes hate crime statistics as part of its annual Uniform Crime Reporting System (UCR) (National Institute of Justice, 2010; See Table B1, Appendix B).

Evidence of the spread of incidents of bias-related criminal violence in the United States can also be found in the results of the National Crime Victimization Survey. NCVS data reveals that 191,000 bias-related crime incidents take place in the United States each year. Of those victimizations that occurred, only 44% were reported to the police, and law enforcement authorities validated just 20% as bias-related crimes (Harlow, 2005). The rising tide of bias-related criminal violence continues to escalate throughout the country despite legislative action to curtail such activity at the state and federal level (See Table C1, Appendix C).

Several federal grand jury court decisions in 2014 provide significant transparent evidence that bias-related violence is still very much a part of the American landscape. In April 2014, a federal grand jury issued a two-count indictment

against a man in Albuquerque, New Mexico, for anti-semitic threats against a Jewish woman who owned the Nosh Jewish Delicatessen and Bakery. In July 2014, acting Assistant Attorney General Jocelyn Samuels of the U.S. Department of Justice and U.S. Attorney Gregory K. Davis for the Southern District of Mississippi announced that a federal grand jury issued indictments against four young Mississippi residents for conspiracy to commit hate crimes against African-Americans in Jackson Mississippi. The four young White defendants in the case along with six other co-conspirators were found guilty in federal court of racially motivated assault. Two months later, in September 2014, a former member of the Ku Klux Klan pleaded guilty in federal court for his role in a cross burning in front of the home of an interracial family in Tennessee. In November of that same year, a Texas man was given a 15-year prison sentence for luring a young gay man to his home where he brutally assaulted him because of his sexual orientation. These successful investigations and others like them represent that hate crime remains a top priority of the FBI's civil rights program (FBI Hate Crime Statistics, 2014).

The 2016 election had a significant impact on hate crime in America. Donald Trump's Make America Great Again campaign rhetoric of hate propaganda against Muslim and Latino immigrants, African Americans, Gay, Lesbian, Bisexual, Transgender, and Queer individuals, and persons with disabilities has led to increased public distrust of these groups. Media sources such as CNN have reported that although the president offered a general condemnation of hate violence and social bigotry in a speech before a joint session of Congress in 2017, his administration's actions tell another story (Iyer, 2017). The administration's policies of criminalization and social stereotyping that target immigrants, Muslims, and people of color through walls, travel bans, and raids have been the primary motivating factor responsible for the recent surge in the number of bias-related attacks against these groups by White supremacist and neo-Nazi extremist organizations experiencing a new sense of empowerment from the Trump presidency. These policies have been responsible for promoting a social climate of hate in our nation and has sent a strong message to the American public that certain groups do not belong in this country (CNN.com, 2017).

Bias-related attacks against people of color and immigrants by right-wing domestic terrorists since Trump's election provide substantial evidence of an expanding national trend. The recent murders of two protesters at a Black Lives Matter rally in Kenosha, Wisconsin, in August of 2020 by 17-year-old White nationalist militia member Kyle Rittenhouse is just the latest example of violence motivated by hate that is fast becoming a legitimized form of racial backlash by Trump supporting alt-right gun toting vigilantes in our country. The exploitation of Islamic attacks in Europe and the United States by right-wing political conservatives in the Trump administration and the media have sparked a dramatic increase in the number of anti-Muslim hate crimes (See Table D1, Appendix D).

Statistics compiled in the FBI's 2016 hate crime report indicate that since the election, bias-related crimes against African Americans have risen by more than 50% on a nationwide scale, making them one of the most frequent targets of racially motivated attacks in the country (Muhammad, 2017; Final Call.com, 2017). The statistics summarized in the FBI's 2016 uniform crime report also provide strong evidence of the connection between the post-election increase in hate crimes and the Trump administration's message of racial, ancestral, and religious propaganda (See Table E1, Appendix E).

Analysis of uniform crime data compiled by the FBI over the past two decades also suggests that for a variety of technical reasons, the level of hate crime incidents reported to law enforcement authorities represents at best an underestimate of the actual number of bias-related crimes that take place in this country each year (U.S. Department of Justice, 2017). Findings suggest that hate crime in America has risen significantly in recent years to 260,000 incidents annually, a figure that is 25 to 40 times higher than the crime statistics reported by the FBI (Southern Poverty Law Center, 2016).

Recent data in a SPLC report published in 2019 provides further evidence of the correlation between Trump's bias rhetoric and the rise of ultra-right-wing White nationalist hate groups in the United States. SPLC findings reveal a significant post-election increase in active hate groups in the U.S. from 784 in 2014 to 1,020 in 2018, a period directly linked to Trump's election campaign and his first two years in office (Mclean & Martin, 2019).

Research by Levin, Grisham, & Nolan (2018) provides further supportive evidence of the link between Trump administration statements during the 2016 campaign and the recent surge in hate crimes in major U.S. cities across the country. Similar results were revealed in a recent University of North Texas study by Branton, Martinez-Ebers, and Feinberg (2019), which showed a 226% spike in hate crimes in counties that hosted the Trump campaign rallies in 2016. The research also highlights the fact that Trump pre and post-election bias statements have been a significant catalyst for the surge in White nationalist extremist attacks such as the mass shootings that occurred at the Tree of Life synagogue in Pittsburg in 2018 and at a Muslim mosque in New Zealand in 2019 (Washington Post, 2019, March).

In addition to the post-election hate rhetoric of the Trump administration, studies indicate that the technology of the Internet is currently playing a significant role in the spread of prejudice associated with hate crime. Research on the effects of the utilization of online social media platforms such as Facebook and Twitter on the recent uptick in bias-related criminal activity reveals that the Internet creates an enabling environment for offenders to use hate speech as a vehicle for the promotion of prejudice against people of color, persons with marginalized social status because of their sexual orientation or religious group membership, women, and immigrants (Cammaerts, 2007; Erjavec & Kovačič (2012); Flores-Yeffal et al. (2011); Irvine (2006); Perry & Olsson (2009); Pollock (2006); Serafimovska & Markovik, (2011). Findings provide evidence that the use of cyber-technologies such as email, web sites, and blogs is allowing individuals who are members of hate

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movements to expand the reach of their online harassment and intimidation campaigns and collective identity internationally in ways that facilitate the formation of a global racist subculture that contributes to the rise of violence connected to hate crime (Rolhfing, 2015).

The description of historical events in this review presents significant evidence that illustrates how the seeds of prejudice have developed into the violence known as a hate crime in American society through the centuries. Criminologists and historians who have studied the consequences of criminal behavior based on bias for decades argue that while the spread of crime fueled by hate is nothing new in our culture, what is new is the changing national response of legislative officials, law enforcement agencies, and mental health professionals to criminal incidents of this nature. The following sections of this article present an analysis of the psychological and social effects of hate crime on community residents and examine how social workers can apply the intervention techniques of the restorative justice model to help victims recover from the aftermath of these word type of bias-motivated incidents.

The Impact of Hate Crime on the Victim and Society

Research documented in the mental health literature provides substantial evidence that bias-related crimes have a significant psychological and social impact on victims, communities, and society. Findings from a study by Langner (2008) indicate that hate crimes have more devastating effects on victims than other criminal offenses. The attack is motivated by a core aspect of the individual's identity. A review of research on the psychological effects of hate crime violence on victims by Dzelme (2008) highlights the fact that hate crimes represent a severe threat to the physical and mental safety of victims. Other studies suggest that victims of hate crime attacks suffer more extreme mental health consequences resulting directly from the victimization (Herek, Gillis, Cogan, & Glunt, 1997; D'Aguelli & Grossman, 2001; Iganski, 2008, & 2001; Perry, 2003). According to the American Psychological Association, hate crimes inflict psychological damage on victims that result in the development of various physical and emotional symptoms that harm the lives of those who experience them and often become chronic. Research by Herman (1995) substantiates this point of view. The study revealed that traumatized survivors of hate crime attacks frequently report experiencing long-lasting physiological symptoms such as tremors, choking, and chronic nausea caused by the psychological stress associated with the incident.

APA research acknowledges that the traumatic stress and fear of harm stemming from a hate crime can cause victims to develop chronic emotional symptoms such as anxiety disorders that can inhibit their ability to make important life choices and shatters their sense of personal security. A study by the Hate Crimes Research Network (2007) provides substantial evidence that bias-motivated crimes cause victims to develop severe emotional scares associated with the psychological trauma of the attack. The research suggests that the most common psychological reactions to this type of victimization are intense feelings of personal hurt and betrayal, powerlessness, isolation, sadness, and suspicion. Findings further suggest that high levels of persistent fear about one's safety and that of one's family, as well as a heightened sense of injustice and loss of faith in law enforcement officers and the criminal justice system as a whole, are all common reactions that accompany the aftermath of a hate crime. Based on the data analysis, the investigators conclude that while some psychological reactions to hate crime are temporary, others have more lasting consequences for the day to day social interaction of those most affected by the trauma of victimization. Hate crime victims who have suffered trauma due to their interaction with a perpetrator will adopt coping strategies designed to enhance their sense of safety and protect themselves from the possibility of a future attack. Some of the most common coping strategies that hate crime victims adopt are dressing in ways that attract less public attention, social withdrawal from all but a select group of friends and associates, and self-imposed restrictions on interactions with others both in person and on the telephone due to a reduced sense of safety.

Research by Herek and Berill (1992) reveals that secondary victimization exacerbates the psychological trauma of a hate crime attack because institutions whose job it is to help individuals recover often impose their own biases and blame upon victims. They argue that the fear of being mistreated by outsiders represents one of the primary reasons that many hate crime victims do not report the incident and do not seek treatment designed to help them cope with the trauma. For example, research summarized in a report by the American Psychological Association found that only one-third of hate crimes motivated by sexual orientation bias against gay, lesbian, bisexual, and transgender individuals in the United States are reported to law enforcement authorities. APA findings suggest that the main reason that LGBTQ individuals fail to report hate crimes against them stems from fear of future contact with perpetrators and possible bias against them by the criminal justice system because of their group membership. The study concluded that hate crimes against LGBTQ individuals often go unreported to police authorities because of the difficulties of proving the attack was bias-related because of the victim's sexual orientation.

Psychological studies of hate crimes indicate that the emotional effects of this type of attack are not limited to the interpersonal dynamics of the victim's experience; they also extend into the community where the incident took place. Research suggests that hate crimes trigger shockwaves of intense fear throughout communities, which shatters residents' sense of personal safety, security, and well-being. In his book, *Bloody Words Hate and Free Speech*, published in 2000, Canadian author David Matas acknowledges the fact that a hate crime is not just an assault that violates the sanctity of the individual, but the community as well. Unlike other crimes, hate crimes have a particularly devastating impact on communities because

perpetrators use the incident as a platform to send a message that individuals belonging to certain racial, ethnic, and religious groups are despised, devalued, and unwelcome in particular neighborhoods, communities, schools, and workplaces (American Psychological Association, 1998). APA research further suggests that hate crimes can result in victim rejection of the aspect of themselves that made them the target of the attack or associating a core part of their identity with fear, loss, and vulnerability (Cogan, 2002, p. 178).

The research cited in this article strongly suggests that the psychosocial and cultural after-effects of hate crime on victims and communities leave indelible marks on the minds of those targeted that can last for generations. The stories passed down by survivors become part of the cultural heritage of outsiders and remain a constant reminder of the horrors of the past experienced by members of their community. Classic examples of this are found in the cultural history of Jewish and African Americans, where the horrors of the Nazi Holocaust and the inhumanity of southern slavery remain a fixture in the minds of the descendants of those who experienced these traumatic events long ago. For decades leaders in both of these communities have espoused that the painful memory of these dark days will never be forgotten. This ideology still reverberates throughout the Black community in America to this day, especially in urban areas where the remnants of racial bias exert a strong influence on the day to day interaction between community members and the police related to criminal perception (Office of Justice Programs, n.d.).

Restorative Justice and Hate Crime – What Social Work Professionals Need to Know
As discussed earlier in this article, crimes motivated by social intolerance and racial bigotry have reached epidemic proportions in American society. Research shows that crimes of this nature have devastating effects on victims and communities that require intervention to promote healing and the re-establishment of social order, safety, and security. As helping professionals, social workers working for victim service programs are often called upon to assist hate crime victims to connect with services that can help them achieve these goals.

One social justice approach to hate crime rehabilitation that is gaining significant support from a growing number of social work, public policy, and law enforcement professionals is restorative justice. The term restorative justice has received a broad range of definitions in the criminal justice literature. It is found in the writing of several ancient European cultures dating back more than a century. According to John Braithwaite, distinguished professor of criminology at Australian National University, restorative justice is defined as "a process where all stakeholders have an opportunity to discuss how they have been affected by the injustice and decide what should be done to repair the harm" (Braithwaite, 2004: 28). Dr. Braithwaite argues that unlike other social justice approaches to crime that place the primary responsibility for litigation on the legal system, restorative justice shifts the focus of accountability to citizens in the community who must decide the best way to heal the pain caused by the incident. Dr. Carolyn Boyes-Watson of Suffolk University's Center for Restorative Justice takes the concept a step further by defining restorative justice as "a growing social movement to institutionalize peaceful approaches to harm, problem-solving and violations of legal and human rights."(Suffolk University, Center for Restorative Justice, 2019, para. 1). She argues that restorative justice attempts to meet the needs of victims, offenders, and affected communities by engaging all three factions in a balanced approach to the healing process. In essence, the process of restorative justice seeks to build partnerships that reestablish mutual responsibility for constructive responses to wrongdoing within communities, promote solutions that have the potential to repair, reconcile, and rebuild relationships, and preserve the safety and dignity of all (Boyes-Watson, 2014).

Inspired by the work of criminologist Dr. Howard Zehr, founder of the restorative justice movement in the United States in the 1970s, the philosophical foundation that underlies the practice of restorative justice is built on the premise that crime represents a violation of people and relationships not just a violation of the law (Zehr, 1990). Therefore it requires a restorative process that incorporates the principles and values associated with the voluntary community response to crime, truth-telling, and face to face encounters (Llewellyn & Howse, 1999). In the restorative justice process, victims can speak directly to offenders about the harm they have caused them with the broader community's support. Victims and offenders engage in a mutual dialogue centered around developing a restitution agreement that satisfies both parties and the community in which the crime took place. Five core principals comprise the paradigm upon which the values and practices of restorative justice are built. These are:

· The victim is central to the criminal justice process through increased involvement and services
· Offenders are held directly accountable to the person and community that they victimize
· The entire community is engaged in holding the offender accountable and for promoting a healing response that encompasses the needs of victims, offenders, and the community as a whole
· Restorative justice places emphasis on offender restitution to victims in the form of making amends for their criminal behavior whenever possible, rather than focusing on the severity of punishment common in more traditional methods of justice
· The community recognizes and takes responsibility for the social conditions that contributed to the intolerance and hate that precipitated the criminal behavior (Umbreit, Lewis, & Burns, 2003).

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Criminologists who have studied the relationship between restorative justice and hate crime argue that a substantial knowledge gap exists in public understanding of how the use of this type of practice can be useful in providing restitution to individuals and communities that have been victimized. Research by Chakraborti (2010) and Walters (2012) reveals two major reasons for the skepticism of policymakers associated with the relationship of restorative justice practice to hate crime. First, hate crime represents a select category of criminal behavior that has traditionally been treated as a grey area for restorative practices by criminal justice professionals because of the imbalance of power in the victim-offender relationship. Some of them believe that crimes committed by offenders motivated by racial bigotry will not respond well to community-based approaches to restitution. There is the potential for those involved in the initial attack to suffer further victimization should they come into direct contact with the offender.

Second, the concept of restoration of the status quo is theoretically abstract. Therefore it does not initially align itself with the reality of the impact that hate crimes have on the victim and the community. A classic example that illustrates this is the increase in the number of hate crimes against Muslim Americans after the September 11th, 2001 terrorist attacks on the World Trade Center and the Pentagon. Scholars have noted that the xenophobic nature of this type of bias-related violence against Muslim Americans in the aftermath of the 9/11 attacks was triggered primarily by the fact those targeted shared or were perceived as sharing the same ancestry and religious background as the al-Queda hijackers who carried out the attacks.

Despite the skepticism of some lawmakers about the applicability of restorative justice as an effective strategy for healing the harm caused by hate crime, most would agree that this approach of responsible involvement of victims, perpetrators, and the community in the restitution process, does represent a viable alternative to the more traditional forms of punitive response to offender rehabilitation within the current system (Bazemore, 1999). Research suggests that offender rehabilitation programs that incorporate restorative justice practices have a higher overall level of victim and offender satisfaction, increased offender compliance with restitution, and a decreased level of offender recidivism compared to programs utilizing more standardized methods (Latimer, Dowden, & Muise 2005). Service professionals with a genuine concern for social justice have sought to embrace restoration practices to assist victims and communities in dealing with the social challenges brought about by bias-motivated crimes.

As a professional group with a strong commitment to social justice ideals, social workers have taken a leadership role in applying restorative justice practices in communities affected by hate crime. A review of the literature on the social worker's role in the restorative justice process by Gunz and Grant (2009) reveals that like other helping professionals that advocate for the rights of individuals and families victimized by bias-motivated crime, social workers adhere to a set of core values that influence their practice decisions. Since its inception two centuries ago, the core values of service, social justice, dignity and worth of the person, integrity, competence, and the importance of relationships have been the foundation that has guided the mission of the social work profession. Based on this code of ethics, social workers seek to resolve injustice through a strategic process of social change.

Although the concept of restorative justice did not evolve directly from the field of social work, criminal justice specialists and social workers that practice these methods share a common ground regarding their mission to help victims and communities recover from the after-effects of a hate crime. Drawing on the pioneering work of Dr. Howard Zehr, Professor Katherine Van Wormer of the University of Northern Iowa School of Social Work, argues that finding methods of restorative practice that humanize the criminal justice process by holding offenders accountable for the harm they do to others as a result of committing hate crimes is an extremely challenging task for social work professionals who want to implement social justice intervention programs in affected communities. Van Wormer (2001) presents a modified version of the restorative justice paradigm known as the strengths-restorative model. The model is based on the original restorative justice principals with two major modifications. The first is the state's responsibility to oversee the judicial process to ensure that justice is carried out, and the rights of victims are protected. The second is the elimination of the integrative approach of shaming victims and offenders for crimes committed that exists within the present system of criminal justice.

Van Wormer (2001) argues that the two basic concepts of the strengths-restorative approach can be useful in assisting social workers in revising their thinking about the development of effective corrective strategies that are consistent with the profession's underlying mission of social justice, participant planning, and implementation of restorative community justice initiatives. She further contends that restorative justice is an effective method of repairing the physical and psychological harm done to the offender by the traditional system of punitive justice while at the same time helping the person to take responsibility for his or her actions that have harmed the community. She describes the restorative justice process as "a practice that requires social institutions to work toward repairing the damage incurred by those who have been injured while reintegrating perpetrators into society" (Van Wormer, 2002, p. 16). Those individuals and family members who have been the most directly affected by the crime should be given the voluntary opportunity to participate in response to it (Tschudi, & Reichelt, 2004). Research conducted by Van Wormer and Bednar (2002) provides further evidence of applying strengths-based restorative justice principles to social work practice. The study suggests that unlike more traditional two-dimensional methods of justice, the strengths-based restorative approach utilizes the positive capabilities and characteristics

of clients as a vehicle to promote coping and social change. Latimer, Dowden, and Muise (2005) take the discussion a step further by pointing out that restorative practices can substantially reduce the long-term effects of victimization and restore and strengthen the aggregate well being of communities affected by hate crime.

Based on the results of research that supports the application of methods of conflict mediation to crime by Umbreit, Coates, and Vos (2004), Van Wormer argues that there are three methods of restorative justice practice that social workers can use to help individuals and communities recover from the traumatic effects of hate crime. These methods are victim/offender mediation, family group conferencing, and peacemaking circles.

Originating in Canada in the early 1970s as part of an experimental alternative court sanctioning program, victim/offender mediation is a process whereby victims and offenders are brought together in a safe, structured environment to engage in a guided mediator led session about crime (Peachey, 1989). The primary focus of these mediation sessions is to allow hate crime victims and perpetrators the opportunity to confront each other to talk about the physical, psychological, and financial harm that the incident has brought into their lives. Mediation sessions offer perpetrators a chance to take direct responsibility for their actions and to develop a mutually acceptable plan of restitution that can adequately address the harm caused by the crime (U.S. Department of Justice online Notebook, 2007).

Victim/offender mediation programs have received national recognition from government law enforcement agencies and nonprofit legal advocacy groups throughout the country and abroad. Surveys conducted by the U.S. Department of Justice reveal more than 290 victims/offender mediation programs operating in the United States and more than 500 in Europe (U.S. Department of Justice online Notebook, 2007).

Family Group Conferencing is a restorative justice practice that originated in New Zealand centuries ago and has been adopted by law enforcement agencies, schools, and probation facilities for juvenile offense cases throughout the United States (Burford & Pennell, 2000). The approach extends routine support to juvenile offenders and victims through a dialogue platform of structured mediation that incorporates family members, social workers, law enforcement officials, and other community members into the formal process of restitution. Like victim/offender mediation, family group conferencing emphasizes offender responsibility for their criminal actions and changes the anti-social behaviors that harmed the victim. It also provides community members with the opportunity to collectively decide the offender's fate regarding restorative measures appropriate to make amends for the crime committed (U.S. Department of Justice online Notebook, 2007). Dr. Marilyn Armour, the director of the Institue for Restorative Justice and Dialogue at the University of Texas at Austin School of Social Work, argues that restorative practices such as FGC play an essential role in offender community care by building understanding and providing the accused felon with the opportunity to reenter the community as a restored member of society (Armour, 2012).

Further empirical evidence of the effectiveness of the family group conferencing initiative on juvenile offenders is found in the results of research by Maxwell and Morris (1993). The data revealed that family members who participated in family group conferencing sessions in New Zealand were more motivated to participate in the criminal justice process than those who participated in more standardized justice procedures. The research also revealed that most victims, offenders, and families that took part in the conferencing process reported that they found it helpful. Similar results were found in preliminary evaluations of programs in the United States utilizing restorative justice practice. The assessment data revealed high levels of victim satisfaction with the family group conferencing process and high offender compliance rates with restitutive agreements reached due to these conferences. Service professionals who use the family group conferencing initiative believe that it represents a practical approach to helping crime victims reduce their fears and assist communities in building skills in conflict resolution and participatory decision-making.

Peacemaking circles, also referred to as sentencing circles in the social work literature, is an intervention of restorative justice practice that has its roots in the aboriginal and Navajo Indian traditions of community-based conflict resolution (Boyes-Watson, 2005). Like family group conferencing, peacemaking circles focus on repairing the harm caused by crime with a broader emphasis on the larger community's engagement in the process (Armour, 2012). Some scholars have described peacemaking circles as the most inclusive of all the three methods of restorative justice practice (Van Ness, 2004).

Peacemaking circles involve the inclusion of all interested parties in the healing process. These include victims, offenders, families, friends, community members, and a professional facilitator or circle keeper who acts as the unbiased mediator of the criminal offense group discussion. Participation is voluntary and noncoercive. Mediators use an object called a talking piece, which is passed around to each member of the support circle to ensure that all participating parties have an opportunity to be heard. Peacemaking circles build community and adhere to the principles of victim/offender support and accountability (Liles, 2002).

Like other forms of group-based restorative practice, peacemaking circles are heavily reliant on shared leadership and consensus-based decision-making to guide the development of the restitution process. Leading experts in restorative procedures such as Dr. Marilyn Armour argue that as an emerging restitution strategy, peacemaking circles have a broad range of applications in specific criminal justice settings. For example, peacemaking circles have been integrated into prison systems to create a restorative dialogue between crime victims and high-risk offenders.

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Armour points out that due to the high level of adaptability and effectiveness of restorative justice practices, it is not surprising that they are emerging as the norm in offender rehabilitation programs across the country. Since the core values of restorative justice practice strongly coincide with those of the social work profession, it seems logical to assume that these initiatives would make a useful tool for social workers to use in the battle against hate crime at both the individual and community level.

However, despite the expert opinion that supports the belief that restorative justice practices represent a useful tool that social workers can utilize to heal the harm caused by hate crime, there is little empirical evidence in the literature that links the social worker's role to the restorative justice process (Gunz & Grant, 2009). A comprehensive analysis of eighty peer-reviewed social work articles by the authors identifies some specific reasons for this gap. They argue that it is incredibly challenging to evaluate the long and short-term outcomes of offender rehabilitation programs that use restorative practices because of the unique structure and organization of each program and the level of participant involvement. They also point out that outcome-based studies in the literature contain few examples of standardized assessment instruments that can accurately measure victim satisfaction scores related to restorative practice with a high degree of consistency or reliability. The authors further suggest that one of the most significant obstacles to the practical evaluation of offender rehabilitation programs that utilize restorative justice initiatives is the fact many professionals doing the research lack sufficient education and training in restorative justice principles and practices, which makes it difficult for them to apply objective understanding to the subjective meaning of program outcomes.

Gunz and Grant (2009) conclude that although the meaning of restorative justice outcomes has been substantially addressed in studies in the criminal justice literature, social work educators have written little about restorative justice practice related to social work education and the profession. This has created a knowledge gap for social work practitioners and students that needs to be addressed by including professional training in restorative justice principles and practices in social work education programs and research that will give social workers a more substantial presence in the restorative justice field.

Using the Restorative Justice Model to Provide Social Services to Hate Crime Survivors

One of the most significant challenges that survivors of violent crime face when they seek restitution for the harm they have suffered, is how to make the criminal justice system in the United States more responsive to the needs and interests of victims. As community organization specialists, social workers play a pivotal role in this process by developing partnerships with community-based organizations, police departments, and the court system. These partnerships enable them to advocate for increased participation of their clients who have been victimized by a crime in the criminal justice process. One of the strategic methods that social workers are using to accomplish this goal is adopting the principles of restorative justice into their clinical service programs.

As discussed earlier in this article, restorative justice programs view crime as a violation of people and relationships that harm both the victim and the broader community (Zehr, 2002). Results of meta-analyses of studies in the criminal justice literature evaluating the effectiveness of juvenile offender programs that utilize restorative justice principles by (Livingstone, Macdonald, & Carr 2013; Wilson et al., 2017; Wong et al., 2016) reveal that youth offenders who participated in rehabilitation programs that incorporate restorative justice interventions such as victim-offender mediation, family group conferencing, and sentencing circles had more positive outcomes in terms of offender accountability along with a greater willingness of offenders to make restitution to victims their actions may have harmed. Results further revealed that youth involved in juvenile justice programs that implemented restorative justice interventions experienced a greater level of overall satisfaction with the fairness of the criminal justice system because of their ability to fully participate in the restitution process (Wilson et al., 2017).

Although some members of the service provider community have voiced criticism of offender rehabilitation programs that use the restorative justice model to provide clinical services to adult and juvenile offenders, these programs are never less gaining widespread acceptance among the majority of service professionals in the field of criminal justice reform and have subsequently been expanding throughout the United States for several years. Two such promising rehabilitation programs that utilize the restorative justice model as part of their direct service approach are the Jury of Peers program in New York City and the Teen Court program in Los Angeles. Both programs provide former juvenile offenders with supervised training and an opportunity to help their peers by becoming presiding judges on cases that involve juvenile offenses such as bullying, assault, and theft.

Public officials like Mayor Bill de Blasio, who have evaluated the effectiveness of peer assistance programs such as these, have pointed out that the programs give former juvenile offenders a chance to see themselves as active participants in the justice process and enables them to gain a broader understanding of how the system works. David S. Wesley presiding judge of the Los Angeles Superior Court has expressed a similar view of offender rehabilitation programs that use the peer assistance model. He believes that having juvenile offenders plead their case before a jury of their peers is a much more effective way of avoiding future contacts with the law than more traditional punitive measures (Jaafari, 2018). Offender

rehabilitation programs that use the restorative justice approach to offender restitution are just two examples of innovative service programs that are gaining popularity among youth at-risk across the nation and have been adopted by social workers to assist victims of hate crime.

In addition to connecting clients affected by hate crime with direct services, social workers can also refer them to mental health facilities for treatment services designed to help them cope with the post-traumatic effects of the incident. Common post-traumatic treatment modalities that mental health professionals use with victims of hate crime include stress debriefing, eye movement desensitization, and reprocessing training. In her article "Psychotherapy Treatment for PTSD," Staggs (2018) suggests that trauma-focused cognitive behavior therapy that utilizes desensitization and reprocessing techniques is one of the most effective therapeutic methods of helping individuals and families to understand and cope with the emotional and behavioral difficulties that accompany a traumatic incident such as a hate crime.

According to Dr. Steven Harmom, President of Antioch Group Incorporated, a Christian counseling and psychological service, the treatment of post-traumatic symptoms of hate crime can be challenging at times for outpatient mental health providers because evidence that the individual has been victimized only surfaces as a result of history taking for other psychological disorders such as depression. Therefore he recommends that questions to detect hate crime should be made a standard part of the screening process at every outpatient emergency medical department across the country. He further suggests that if hate crime victims require additional long-term support and care beyond that of office-based treatment, social workers should refer them to appropriate support organization such as B'nai Brith, the NAACP, the American Arab anti-discrimination committee, the Mexican-American Legal Defense Fund, and the Asian Society for assistance (Hate Crimes First Facts, n.d.).

Providing treatment referral and support services is just one of several practical things that social workers can do to assist clients in recovering from the after-effects of a hate crime. Another approach is for social workers to outreach to community-based organizations such as schools, religious institutions, and law enforcement agencies to implement hate crime prevention strategies. For example, social workers can outreach to teachers and parent organizations in the public school system to implement peer education programs that teach children about bias awareness and the significance of respecting the social and cultural differences of others around them in the school environment. Social workers and teachers participating in the school-based peer education programs can also instruct students about their responsibility to offer support to their classmates who have been the victim of a bias-motivated attack.

At the community level, social workers can work with law enforcement agencies and religious institutions such as churches, synagogues, and mosques to hold public meetings and workshops that educate community members about the importance of rejecting social and religious stereotypes of individuals who are viewed as outsiders by the mainstream culture. Social workers can also work collectively with state and local officials and community groups to advocate for legislation that increases government funding for anti-violence programs to prevent hate crime.

A classic illustration of the need for legislative change related to racially motivated hate crime is found in the recent increase in gun violence responsible for many mass murders across the United States. In response, the National Association of Social Workers (NASW) released a public statement in 2015 containing a series of public policy recommendations that the organization believes if implemented could substantially reduce or eliminate the spread of racism, gun violence, and mental illness connected to hate crime (NASW, 2015). The NASW recommendations outline a stepwise response to conditions that cause tragedies such as those that recently occurred at a Black Methodist Church in Charleston, South Carolina and a public school in Parkland, Florida: The stepwise response includes the following changes to existing policy related to racially motivated hate violence:

· Passage of sensible and enforceable national gun control legislation that includes waiting periods for background checks and placing restrictions on the sale and advertisement of high capacity automatic and semi-automatic weapons by stores and in magazines;
· Passage of mental health legislation, such as the Mental Health First Act of 2015, which seeks to expand access to both preventive and ongoing mental health intervention and treatment services for average citizens;
· Urging the U.S. Department of Justice to become more vigilant in their monitoring of the activities of hate groups such as the Council for Conservative Citizens and private citizen militia groups around the country;
· Encourage our nation's citizens to take an active role in the peaceful confrontation of racism at both the individual and institutional levels. They should also encourage our congressional officials to push for the passage of legislation such as the End Racial Profiling Act and the enactment of national hate crime laws in combination with the elimination of system-wide racial disparities.

In summary, the research presented in this article provides substantial evidence that bias-motivated crime has become a major social problem in American society that needs an adequate response from political officials, law enforcement agencies, and professionals in the social service and mental health community. As service providers, social workers can utilize the interven-

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tion techniques of the restorative justice model of restitution to create rehabilitation programs that inspire offenders who have committed bias-motivated crimes to atone for the harm their criminal actions have caused victims and communities through a process of professionally facilitated non-judgemental mediation that promotes offender accountability and forgiveness rather than punishment. Restorative justice programs represent an effective alternative to more traditional approaches to dealing with offenders who have committed bias-motivated attacks against marginalized groups in our culture. The growing national acceptance of these programs among service providers is proof that they are workable solutions that social workers can implement to help victims recover and communities to rebuild after the violence brought about by a hate crime.

Additional File

The additional file for this article can be found as follows:

· **Appendices.** U.S. Hate Crime Statistics Reported to the FBI 1997–2016. DOI: https://doi.org/10.33972/jhs.147.s1

Competing Interests

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