Intimate Partner Cyber Abuse Viewed Through the Lens of Criminology

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INTRODUCTION

The field of Criminology covers all areas of criminal justice systems – law enforcement, the courts and corrections. Governing polices and protocols of these coordinated networks, from controlling crime, adjudication to imposing penalties on those who violate laws, are often informed by social scientific inquiry and have far reaching implications beyond academia.

Intimate Partner Cyber Abuse is an area that should now figure prominently, not only as a research target among criminal justice scholars, but also among practitioners. It is the new looming frontier that local, state, national and international criminal justice jurisdictions and other stakeholders grapple with in efforts to effectively hold offenders accountable and to support victims of this kind of abuse being perpetrated via technological structures. The pervasive and anonymous nature of the Dark Web fosters the ideal environment where Intimate Partner Cyber Abuse can go undetected due to the absence of standard regulatory oversight and laws.

In addition to confronting this emerging frontier, there is a need to interrogate the crevices between where criminal justice systems are – with respect to Intimate Partner Cyber Abuse – and the advances that need to occur to ensure appropriate and effective responses across all systems. To that end, the purpose of this chapter is to significantly assist in filling these problematic gaps. Key concepts are first contextually defined to establish a clear understanding of the complex issues associated with Intimate Partner Cyber Abuse. Additionally, gateways to abuse and exploitation, as well as protective strategies, and inherent implications are examined to fully explicate the importance of refocusing this issue though a criminological lens. Data and relevant literature are also mined to provide thoughtful and robust suggestions and recommendations. Finally, future research directions are presented.

BACKGROUND

Criminology is the scientific study of how laws are made, those who break them and how the criminal justice system responds to them (Sutherland & Cressey, 1960). The landscape it examines has grown exponentially since the inception of the internet. With this expansion has come new tools for criminality and new ways in which crime and violence can occur. The unprecedented growth which has taken place

on the World Wide Web has given birth to a digital Pandora's Box called the Dark Web, where many facets of cybercrime, such as violence and victimization, occur at alarming rates which includes cyber abuse among intimate partners. In simplistic terms, the Dark Web can be defined as the problematic facet of the Web associated with cybercrime, hate, and extremism (Fu, Abbasi, & Chen, 2010). The undetectable and often impenetrable nature of the cyberspaces where these crimes occur are referred to as "the deep web" and it is here where cybercriminals identify their targets and carry out their unlawful agendas. The complexities associated with this new terrain has created a "perfect storm" that has yet to be fully understood. Moreover, these challenges have brought with them new predatory criminals such as cyberbullies and abusers. New criminals who launch attacks from cyberspace are technologically savvy and seemingly operate in a world where laws and meaningful oversight have not kept pace with the rapid growth of the web, nor the myriad of ways in which it has been weaponized to advance personal, social, political and economic agendas. They use the far-reaching tools of the digital world to exact violence upon their victims whether they be strangers or intimate partners.

INTIMATE PARTNER CYBER ABUSE

The operational definition of Intimate Partner Cyber Abuse is framed through a bifurcated lens that explicates the terms "intimate partner" and "cyber abuse." The Center for Disease Control and Prevention, National Center for Injury Prevention and Control's publication "Intimate Partner Violence Surveillance: Uniform Definitions and Recommended Data Elements, Version 2.0," which was authored by Breiding et al (2018) endeavored to promote, as well as improve consistency in which Intimate Partner Violence is surveilled across organizations and among stakeholders seeking to address this problematic social issue. The definition of intimate partner, among other critical descriptions included in the publication, notes:

An intimate partner is a person with whom one has a close personal relationship that may be characterized by the partners' emotional connectedness, regular contact, ongoing physical contact and sexual behavior, identity as a couple, and familiarity and knowledge about each other's lives. The relationship need not involve all of these dimensions (p. 11).

Further, a defining feature of intimate partner includes current or former relational characterizations such as spouses, boy and girl friends, dating partners or ongoing sexual partners. They can be in an opposite or same sex relationship. They may be living together or not. It is also important to note that an intimate partnership need not require sexual intimacy (Smith, et al, 2018).

Intimate abuse, due to its seriousness, is frequently captured in the literature alongside the terms such as intimate violence, relationship violence, and domestic violence. Therefore, to further operationalize Intimate Partner Cyber Abuse, the definition of abuse is drawn from a seminal report by the Working Group on Intimate Partner Abuse and Relationship of the American Psychological Association. The Group (2002) concluded:

Abuse usually includes an ongoing pattern of behavior, attitudes, and beliefs in which a partner in an intimate relationship attempts to maintain power and control over the other through the use of psychological, physical and/or sexual coercion. Abuse usually produces fear and trauma in those being victimized, whereas isolated aggressive acts may not (p.3).

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