

Chapter 29

Intimate Partner Cyber Abuse Viewed Through the Lens of Criminology

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ABSTRACT

Intimate partner cyber abuse is characterized by online behaviors that threaten, intimidate, harass, humiliate, or harm a person involved in a close personal relationship with another person in which they are described as being a couple due to their relationship meeting certain conditions such as emotional connection, regular contact, and ongoing physical contact that need not be sexual. This type of abuse provides criminal justice systems with numerous opportunities and challenges due to its implications for policing, prosecution, and the overall provisions of remedies accorded by judicial systems. This article contextualizes key concepts, examines gateways and protective strategies associated with cyber abuse, and argues that the issues related to intimate partner cyber abuse should be refocused through a criminological lens. Recommendations and future research considerations are also explored.

INTRODUCTION

The field of Criminology covers all areas of criminal justice systems – law enforcement, the courts and corrections. Governing policies 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.

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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 through 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:

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