

Must Be 18 or Older: How Current Domestic Violence Policies Dismiss Teen Dating Violence

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MUST BE 18 OR OLDER: HOW CURRENT DOMESTIC VIOLENCE POLICIES DISMISS TEEN DATING VIOLENCE

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INTRODUCTION

Teen dating violence is one of the most well hidden health issues facing America's youth today.¹ It is estimated that at least one in four teens has experienced physical, sexual, or emotional abuse at the hands of an intimate partner.² Although domestic violence advocates have made great strides toward a fair and comprehensive legal approach, teen dating violence, a type of domestic violence riddled with very specific challenges, has lagged behind in victim resources, legislative remedies, and educational opportunities.³ In addition, teen abusers differ from adult abusers because their brains are not yet fully formed and able to make rational decisions, therefore they should not be as culpable as their adult counterparts when considering punishment.⁴ Teen abusers are more likely to respond well to rehabilitative efforts and thus reduced or less severe sentences are

1. See Christine N. Carlson, *Invisible Victims: Holding the Educational System Liable for Teen Dating Violence at School*, 26 HARV. WOMEN'S L.J. 351, 358 (2003).

2. Jessica Ramos, Comment, *Defining Violence on the Blackboard: An Overview of the Texas Education Code's Approach to Teen Dating Violence*, 13 SCHOLAR 105, 109 (2010).

3. Carlson, *supra* note 1, at 352, 367, 367 n. 88, 367 n. 89.

4. Jeremy Travis, *Reflections on Juvenile Justice Reform in New York*, 56 N.Y.L. SCH. L. REV. 1317, 1323-24 (2011-2012).

appropriate.⁵ However, it is important that reformed sentencing guidelines do not minimize the crime through virtual non-punishment because that may reinforce the behavior of the teen abuser.⁶ This leaves school districts and criminal justice systems with difficult education and punishment options to choose from.⁷

This Note will argue that along with legislative and education reform, the current juvenile justice system needs to be altered to deal with teen abusers through a holistic approach that recognizes the causes of dating violence and focuses on ending that behavior during the teen years. Part I of this Note will give an overview of teen dating violence characteristics and the age-specific challenges it creates for schools and the criminal justice system. This Part will lay the foundational argument that there are vital differences between teen dating violence and traditional notions of domestic violence. Therefore, these two distinct issues need to be approached from different perspectives of appropriate prevention tactics and punishment for abusers. Part II will describe the current legislative, educative, and retributive framework in place for victims and abusers involved in teen dating violence, which will show that the special challenges of teens are not being properly met. Part III will respond to these frameworks by offering recommendations on more age-appropriate solutions to the growing problem of teen dating violence including definitive inclusion of teens in domestic violence statutes, thorough education reform, and a multidisciplinary approach to punishment with a focus on rehabilitation.

I. CHARACTERISTICS OF TEEN DATING VIOLENCE

A. *Overview of Teen Dating Violence*

Teen dating violence has been defined as “a pattern of repeated actual or threatened acts that physically, sexually, or verbally abuse a member of an unmarried heterosexual or homosexual couple in which one or both partners is between thirteen and twenty years old.”⁸ Teenage victims and abusers face different challenges and act out for different reasons than similarly situated adult victims and

5. See Elizabeth S. Scott & Laurence Steinberg, *Social Welfare and Fairness in Juvenile Crime Regulation*, 71 LA. L. REV. 35, 74–75 (2010) (stating that “successful programs” are those that are influenced by rehabilitative efforts).

6. *Id.* at 48–49, 62.

7. See *id.* at 72.

8. Carlson, *supra* note 1, at 360 (citing Dr. Barrie Levy’s definition).

abusers.⁹ The teenage years are critical for development physically, emotionally, and socially.¹⁰ The way teens interact with their friends, family, and intimate partners during their middle and high school years has a high potential of carrying over into their adult behaviors in these central relationships.¹¹ Dating during this time period is important because teens are in a critical stage of development and figuring out how to interact in romantic relationships is learned quickly during this time.¹² Because of their extremely vulnerable dispositions, teen victims are in some ways more susceptible to becoming trapped in the cycle of violence than their adult counterparts.¹³ Similarly, both victims and perpetrators of teen violence do not have fully formed characters and may still be immature and naïve regarding healthy dating norms.¹⁴

The early teenage years also mark the time when people stop looking to their parents and other family members for guidance and instead rely on their peers and friends.¹⁵ This switch in guidance causes teens to generally take greater risks and use a “trial and error” approach toward the new aspects of their lives, leading to riskier and less thoughtful behavior.¹⁶ Furthermore, friends of an abused teen often do not know how to help or stop the violence.¹⁷ Their inaction may be construed by the victim as a sign that their abuser’s behavior is normal for an intimate relationship, which can stop the teen from seeking help or protection.¹⁸

Parents and other adults present in a teen’s life can also contribute to them staying in an abusive relationship.¹⁹ One study conducted in 2004 revealed that 81% of parents do not think that dating violence is an important enough issue to discuss with their teenage children.²⁰ This misguided way of thinking makes some parents minimize the abuse and the high level of attachment their teen may have toward a significant other, even when their child turns to them

9. Devon M. Largio, Note, *Refining the Meaning and Application of “Dating Relationship” Language in Domestic Violence Statutes*, 60 VAND. L. REV. 939, 951–52 (2007).

10. Carlson, *supra* note 1, at 353.

11. *Id.*

12. *Id.*

13. Andrew King-Ries, *Teens, Technology, and Cyberstalking: The Domestic Violence Wave of the Future?*, 20 TEX. J. WOMEN & L. 131, 155 (2011).

14. *Id.* at 146 (“[T]here is good evidence that the brain systems that govern impulse control, planning, and thinking ahead are still developing well beyond age 18.”).

15. *Id.* at 144.

16. *Id.*

17. Carlson, *supra* note 1, at 365.

18. King-Ries, *supra* note 13, at 154.

19. Largio, *supra* note 9, at 953.

20. *Id.* at 942.

for protection or advice.²¹ Parental minimization coupled with a change in perspective toward peer guidance can lead teens to cut their parents completely out of view of their most intimate relationships.²² Even if their parents are still involved in their social lives, things like textual harassment and sexual coercion usually happen privately when parents are not available to guide the teen away from the abuse.²³

Teen dating violence is especially dangerous to the community because young dating relationships are a way for people to test their limits and develop boundaries in intimate relationships for the future.²⁴ By arguing that teen dating violence is just “kids being kids,”²⁵ opponents of intervention in teen relationships may be perpetuating violent adult relationships for the future.²⁶ Many adult victims of intimate partner violence admit that their first experience with such abuse occurred while they were in their teenage years.²⁷ Thus, once a teen abuser utilizes this type of behavior and receives a positive response, such as not getting in trouble or getting their significant other to obey them, they are more likely to perpetuate violence against their loved ones in the future.²⁸ Therefore, schools, parents, and the criminal justice system must take teen dating violence seriously so that victims will receive necessary resources and abusers can be identified and treated.

Finally, the Cycle of Violence theory of domestic violence patterns is generally also applicable to teen dating violence.²⁹ The cycle has three stages: tension-building, explosion and battering, and reconciliation or contrition.³⁰ The tension-building stage consists of seemingly minor disagreements between the couple or incidents of jealousy.³¹ The tension that builds between the couple finally becomes unbearable to the abuser and he moves to the second stage:

21. King-Ries, *supra* note 13, at 160.

22. Carlson, *supra* note 1, at 359–60.

23. King-Ries, *supra* note 13, at 156.

24. *Id.* at 144–45.

25. Lisa Vollendorf Martin, *What's Love Got to do With It: Securing Access to Justice for Teens*, 61 CATH. U. L. REV. 457, 488 (2012).

26. Carlson, *supra* note 1, at 353 (“[T]eens are at a critical stage in their emotional and social development; behaviors in and attitudes toward relationships learned during these formative years frequently develop into lifelong patterns”).

27. Kathryn E. Suarez, Comment, *Teenage Dating Violence: The Need for Expanded Awareness and Legislation*, 82 CAL. L. REV. 423, 430 (1994).

28. Carlson, *supra* note 1, at 353, 353 n.10.

29. *Id.* at 363. Dr. Lenore Walker first promulgated the Cycle of Violence theory in 1979, which showed that although the violence varied, most domestic violence disputes followed a distinct pattern of violence. *See id.*

30. *Id.* at 363–64.

31. *Id.* at 364.

the actual battering incident.³² This stage can last anywhere from a few minutes to several days and can involve physical, sexual, or emotional abuse—or a combination of the three—against the victim.³³ The final stage is marked by remorse from the abuser and a welcome respite from the tension of violence.³⁴ This stage provides positive reinforcement to the victim, encouraging her to stay in the relationship despite the recent violent episode.³⁵ As the cycle wears on, the battering episodes tend to come closer together and escalate in severity as well.³⁶ The following sections will introduce the reader to forms of violence that occur in most domestic relationships and some aspects that are more specific to teen dating violence incidents.

B. Physical and Sexual Abuse

About 10% of teenage girls will report having been beaten by someone they considered an intimate partner.³⁷ The physical abuse components that may appear in a teen dating relationship are very similar to those found in adult domestic violence relationships.³⁸ Many stories of physical dating violence occur on school grounds or in other public places, which adds to the problematic normalizing of abusive behavior in teens.³⁹ Often, school officials will separate a violent dating dispute and consider it a fair fight, even when there is a clear victim and abuser dynamic.⁴⁰ Additionally, abusers in dating relationships are more likely than married abusers to use a weapon during their abusive tirades,⁴¹ which heightens the chance that the incident of violence can turn deadly. A frightening statistic puts females age sixteen to nine-teen as victims in 22% of all intimate partner homicides.⁴²

32. *Id.*

33. Carlson, *supra* note 1, at 364.

34. *Id.*

35. *Id.* at 364–65.

36. *Id.* at 365.

37. Ramos, *supra* note 2, at 109.

38. Largio, *supra* note 9, at 950 (“[B]asic attributes and characteristics of domestic violence remain the same whether the victim or perpetrator is an adult or a teenager.”).

39. Ramos, *supra* note 2, at 106 (describing high school student Ortralla Moseley’s death at the hands of her abusive boyfriend on school grounds); *see also* Carlson, *supra* note 1, at 351–52 (describing the story of Salina Stone, a high school senior who was dragged, beaten, and strangled by her boyfriend on school grounds while 25 students and teachers watched from a distance).

40. Suarez, *supra* note 27, at 465 (citing an incident that occurred on school property where a victim’s boyfriend knocked her down, punched her repeatedly, and then walked away unscathed. School officials determined that it had been an even and fair fight and that both of them deserved to be suspended).

41. Ramos, *supra* note 2, at 108; *see also* Suarez, *supra* note 27, at 430.

42. D. Kelly Weisberg, *Lindsay’s Legacy: The Tragedy that Triggered Law Reform to Prevent Teen Dating Violence*, 24 HASTINGS WOMEN’S L.J. 27, 31 (2013).

Sexual abuse in teen relationships may differ from sexual abuse in adult relationships in several ways.⁴³ Sexual abuse can assume the form of intense coercion or threats to expose sexual history in addition to rape and sexual assault. Since many teens are experiencing their first sexual encounters at this age, they are less likely to recognize sexual abuse as it is happening.⁴⁴ Coercion can come in several different phases, which can make it harder to recognize as well.⁴⁵ Some phases include pressure to commit sexual acts, threatening to tell other people about the victim's sex life, and blackmailing the victim unless they perform sexual acts.⁴⁶ Additionally, adolescent girls can often confuse sexual abuse for "proof" that their boyfriends love them and are sexually attracted to them, which can hinder the victim from seeking legal and medical help.⁴⁷ The young victim may believe that coercion tactics and pressure are normal sexual behaviors and they may be unwilling or unable to recognize it as abuse.⁴⁸

C. Technology-Aided Abuse

About 90% of teenagers own or have access to a cell phone and many of them utilize this technology in their dating relationships.⁴⁹ Teens use texting, picture messaging, and social media sites to stay in contact with their friends and intimate partners on what usually becomes a 24/7 basis.⁵⁰ In fact, this sort of "boundarylessness" is becoming very common for teen couples,⁵¹ and many report being in constant contact with their significant other, even between the hours of midnight and 5 AM.⁵² The pervasive use of technology by teenagers has led to excessive use of these advances for abusive behaviors in dating relationships.⁵³ Abusers can harass victims via phone calls or text messaging but the two tech-specific acts, coercive or revenge 'sexting' and technologically enhanced stalking, are of great concern in violent teen dating relationships.⁵⁴

43. Pamela Saperstein, Note, *Teen Dating Violence: Eliminating Statutory Barriers to Civil Protection Orders*, 39 FAM. L.Q. 181, 186 (2005).

44. *Id.*

45. Carlson, *supra* note 1, at 362.

46. *Id.*

47. Saperstein, *supra* note 43, at 186.

48. *Id.* at 187.

49. King-Ries, *supra* note 13, at 150.

50. *Id.*

51. *Id.* at 132 ("Teenagers' use of technology has reduced or changed their expectations of privacy in their intimate relationships, normalizing a 'boundarylessness' which may make them more accepting of—and more at risk from—abusive behaviors by their intimate partners.").

52. *Id.* at 152.

53. *Id.*

54. *Id.* at 133; Sarah Theodore, Recent Development, *An Integrated Response to Sexting*:

The increased use of sexting in teen relationships can develop to become another avenue of inflicting dating violence onto a victim.⁵⁵ Sexting occurs when a minor sends sexually explicit pictures or texts to their peers, most often a significant other.⁵⁶ According to one study, of the twelve to seventeen year olds asked, 4% had sent a sexually explicit picture or text and 15% had received such a message.⁵⁷ However, these numbers are likely to increase as technology advances and more teens have access to it, worsening the impact sexting has on teen dating violence.⁵⁸

When it comes to strictly intimate partner sexting the numbers are much higher, with 71% of girls having sent a sexually explicit text or picture to their boyfriend.⁵⁹ More shocking, 20% of teens have received a picture that was forwarded to them from the intended receiver of the original.⁶⁰ This practice becomes dating violence when an abuser gives the victim an ultimatum to either send them naked pictures or end a relationship.⁶¹ But once these photographs get into the hands of a batterer, they could be used as leverage to keep a victim in a relationship, threatening to release the photograph if she tries to leave the abuser.⁶² This method of abuse has become increasingly popular among teen abusers and is often undetected by adults because cell phones tend to remain a private aspect of a teenager's life.⁶³

Sexting can lead to grave consequences for teens that are involved in an abusive, rather than loving and trustworthy, relationship.⁶⁴ The immense embarrassment of having a sexually explicit photo released to the public has caused teen girls to commit suicide.⁶⁵ Additionally, a teen that is coerced by an abusive partner into sending sexually explicit material can be prosecuted for child pornography.⁶⁶ There is no federal exception for teen creators or possessors of child pornography and the mandatory minimum sentences for such crimes

Utilization of Parents and Schools in Deterrence, 27 J. CONTEMP. HEALTH L. & POL'Y 365, 375 (2011).

55. Jennifer McDonald, Note, *Sexting and Excessive Texting: Symptoms of Teen Violence?*, 30 CHILD. LEGAL RTS. J. 19, 23 (2010).

56. Theodore, *supra* note 54, at 367.

57. *Id.* at 366.

58. *Id.*

59. *Id.* at 371.

60. *Id.*

61. *Id.* at 375.

62. Theodore, *supra* note 54, at 375.

63. *Id.* at 376, 386.

64. *Id.* at 376.

65. *Id.* (citing the story of an Ohio teen who sent sexually explicit photographs of herself to her boyfriend who then sent the photograph to hundreds of students in several high schools; the teen experienced extreme bullying and eventually hanged herself).

66. *Id.* at 380.

are incredibly harsh.⁶⁷ Once a teen is sentenced under these conditions, the social stigma of the sex offender registry will follow them for the rest of their lives.⁶⁸ However, prosecutorial discretion in charging teens for this crime is high and usually limited to cases involving coercion or lack of consent, which can actually protect the teen dating violence victims in many sexting cases.⁶⁹

The traditional domestic violence tactic of the abuser stalking the victim is greatly enhanced in teen dating relationships once technology is introduced. Twenty-six percent of stalking victims have reported that their abuser used some form of technology to further invade their privacy and remain undetected.⁷⁰ The technological advances in stalking practices is frightening for domestic violence victims and advocates because 76% of women who are killed by an intimate partner are also stalked before the fatal act.⁷¹ For teens, stalking can take many different forms including loading software onto the victim's phone to track them, constantly checking up on them using technology to communicate, and other actions that exert the abuser's control over the victim.⁷² Teen victims already likely have to face attending school with their stalker or having easily determinable extracurricular activities that make it easier for a stalker to keep track of their whereabouts.⁷³ These technological advances can serve to give abusers the ability to constantly keep the victims close.⁷⁴

Additionally, law enforcement officials are often not as technologically savvy as many teenagers and may not be able to comprehend the vast amount of technology being used.⁷⁵ Teens are usually the first to know about new and innovative technological advances

67. *Id.* ("Federal law requires a mandatory five to fifteen-year minimum sentence for producing, transporting or receiving child pornography images" regardless of the age of the offender.).

68. Theodore, *supra* note 54, at 380.

69. *Id.* at 380–81.

70. King-Ries, *supra* note 13, at 133 (noting that devices used for stalking for the purposes of this survey include "e-mail, instant messaging (IM), or monitoring through global positioning systems (GPS), spyware, or digital surveillance").

71. *Id.*

72. *Id.* at 133, 137–38, 152–53.

73. Largio, *supra* note 9, at 978 (discussing how it is harder to enforce a Civil Protective Order ("CPO") where the two teens attend the same school, so school involvement is necessary to protect the abuse victim).

74. King-Ries, *supra* note 13, at 137–38 (discussing the array of technology currently available to abusers in stalking their victims).

75. *Id.* at 141 ("It seems like these stalkers are a step ahead of us. We're trying to keep up with it, but it seems like every day things are changing.") (quoting Amy Santiago, a domestic violence detective with the Alexandria Police Department).

and some have the type of disposable income, and lack of financial obligations, to afford these new devices.⁷⁶ Coupled with the fact the most teen harassment happens without any watchful adults around,⁷⁷ technology is a very effective tool to assist the teenage abuser in committing abusive acts from a distance.⁷⁸

D. Psychological Abuse

Psychological abuse in teen dating relationships is similar to an adult domestic violence framework.⁷⁹ However, the people involved in the abusive teen relationship, both victim and abuser, can create a much more volatile and deadly environment because of their current developmental stage.⁸⁰ Teens already struggle with self-esteem and identification issues and adding an abusive relationship to their already vulnerable and fragile psyche can cause severe and permanent psychological damage.⁸¹ The ensuing psychological damage also makes it harder for a teen victim to seek help; thus, the cycle of violence is perpetuated through psychological abuse.⁸² Teens can normalize psychologically abusive behavior for themselves by confusing intense and crippling jealousy with true love.⁸³

Often these acts of psychological abuse are coupled with physical or technological violence as well.⁸⁴ For example, one teenager was forced to sleep with her phone next to her pillow so her boyfriend could listen to her breathe throughout the night and know she was not out with other guys.⁸⁵ Before the technological advances of cell

76. *Id.* at 150 (listing statistics of teen-use of technology including the fact that “nearly 80% of teenagers have a computer; nearly 90% have a cell phone; nearly 90% have a profile on a social-networking site . . . more than 60% of teenagers send and receive pictures . . . on their cell phones,” which shows their immersion in a technological culture).

77. Weisberg, *supra* note 42, at 33.

78. King-Ries, *supra* note 13, at 137 (discussing how abusers use technology to assert control over their victims from a distance through cyber stalking and online harassment).

79. Largio, *supra* note 9, at 951.

80. *Id.* at 952.

81. Largio, *supra* note 9, at 953 (citing a study by the American Medical Association, which determined that girls who are involved in abusive relationships as teens are “at a greater risk for other serious adolescent health concerns’, such as eating disorders, drug and alcohol abuse, and pregnancy”).

82. See King-Ries, *supra* note 13, at 155 (“[Teens] are especially susceptible to becoming ‘trapped’ in the cycle of violence because of their vulnerable developmental stage.”); see also Ramos, *supra* note 2, at 108 (“[P]sychological damage weakens the victim’s sense of independence and self-esteem, inevitably making it harder for the victim to leave the abusive relationship as the battering continues.”).

83. Largio, *supra* note 9, at 952.

84. *Id.* at 939–40 (discussing cases where the abuser used technology and where the psychological abuse escalated to physical abuse).

85. *Id.* at 941.

phones, this type of teen abuse would likely alert the parents that their teen was in an unhealthy relationship because she would be forced to use the landline, which is a device parents can more easily monitor.⁸⁶ Another teen victim was stalked by her ex-boyfriend, who would write his name in the dust of her car so she would know he was constantly watching her.⁸⁷ By leaving small mementos of his presence, this abuser was psychologically torturing his victim into realizing that she had no privacy from him and seemingly no way of escaping the violence.⁸⁸

As previously mentioned, teens have highly impressionable characters and their peers, including intimate partners, are the people they often look to for confirmation that they are acting appropriately.⁸⁹ Stereotypical gender roles are commonplace in high school-age children and these roles can bolster the idea that girls should remain subservient to their male significant others.⁹⁰ If a female victim attempts to disregard her particular gendered stereotype, she will likely not have the support of her peers.⁹¹ Additionally, teens in abusive relationships and teens who have friends in abusive relationships are likely not mature or informed enough to handle these difficult situations and would rather ignore the problem than face it or ask for help.⁹²

Since teens are in such a vulnerable stage of their development, they are at a higher risk of “traumatic bonding” with their abuser than their adult counterparts.⁹³ This phenomenon can fit into the Cycle of Violence as the “contrition stage,” where the victim feels closer to the abuser for various reasons.⁹⁴ In teen dating relationships, the victim may lose her own identity in her struggle with the abuser and thus become more emotionally dependant on him.⁹⁵ This act can

86. King-Ries, *supra* note 13, at 156 (discussing how teen cell phone usage has allowed teens to keep their phone activity more private).

87. Largio, *supra* note 9, at 941.

88. *Id.* (discussing case where abuser marked name in the dust of victim’s car to alert her of his surveillance); King-Ries, *supra* note 13, at 132–36 (discussing how dynamic of control develops between the abuser and the victim, causing the victim to feel increasingly helpless).

89. King-Ries, *supra* note 13, at 142.

90. Largio, *supra* note 9, at 952 (“Because teens want to separate themselves from adults, they adhere to peer norms, which often include stereotypical roles for males and females.”). Gendered stereotypes include a “supportive” girl and an “aggressive and forceful” boy. *Id.* at 952 n.72.

91. *Id.* at 952 n.73.

92. *Id.* at 952.

93. *Id.*

94. Carlson, *supra* note 1, at 364–65.

95. Largio, *supra* note 9, at 952.

reinforce misconceived gender roles that make the abuser think abuse and degradation are appropriate ways to treat an intimate partner.⁹⁶ Meanwhile, the victim feels she cannot live without the abuser and refuses to ask for help or protection in order to gain social acceptance from her peers and a false sense of self-esteem, which leaves her in a position of complete reliance on her abuser.⁹⁷

II. CURRENT FRAMEWORK TO COMBAT TEEN DATING VIOLENCE

Teen dating violence has mostly been a hidden epidemic but has come into the political and media spotlight more recently with the unfortunate rising number of other violent teen offenses, such as mass school shootings.⁹⁸ With the newfound spotlight came some reform movements tailored to teen-specific dating violence including some legislative improvements, advocacy-centered educational media projects, and punishment guidelines for teen dating violence offenders.⁹⁹ Part II of this Note will highlight the current, general framework used to combat dating violence and some of the advances recently made in these different fields of interest.

A. Exclusionary Language in Legislation and Civil Protection Orders

There are two main issues regarding legislative action dealing with teen dating violence: statutory language and the process of acquiring a civil protection order.¹⁰⁰ Although the characteristics of dating and domestic abuse are similar,¹⁰¹ there are very important differences in language, relationship qualifications, and ability to avoid the abuser that make teen dating violence a complex subset of domestic violence that requires its own specific legislation.¹⁰² Often teen-specific language is forgotten in the civil protection order process and the statutory drafting process,¹⁰³ which makes their unique situation more difficult to handle legally.¹⁰⁴

96. *Id.* at 951 n.65.

97. *Id.* at 952, 952 n.73.

98. Carlson, *supra* note 1, at 356.

99. *Id.* at 356, 358.

100. Largio, *supra* note 9, at 943, 954–56.

101. *Id.* at 950.

102. *Id.* at 957–58, 978.

103. Suarez, *supra* note 27, at 435.

104. *Id.* (discussing how teens may be excluded from benefits of new domestic violence legislation if the language is not inclusive enough).

Statutes specifically dealing with situations of domestic violence have become much more noticeable in the past thirty years,¹⁰⁵ which helps police officers recognize a violent relationship and handle it efficiently.¹⁰⁶ Domestic violence statutes normally include a relationship requirement in order to activate the statutory protections, which narrows the type of people who can claim protection under the statute to “family or household member[s].”¹⁰⁷ People in a dating relationship are sometimes included in the definition of “family or household member,”¹⁰⁸ but proving the existence of a teen dating relationship can be difficult.¹⁰⁹ Teen relationships are not likely to qualify under the definition of ‘dating relationship’ in these statutes as most of them require either a marriage, a child in common, a blood relationship, or cohabitation.¹¹⁰ By limiting the definition of what constitutes a dating relationship, these statutes are effectively depriving teen victims of necessary police intervention and greatly hindering their chances of procuring a protection order.¹¹¹

Civil Protection Orders (CPOs) are court-approved restraining orders that legally force an abuser to stay away from their victim.¹¹² CPOs cover a wide array of petitioner safety remedies including no-contact and stay-away orders, temporary financial assistance, and mandated batterer counseling.¹¹³ Usually the first step toward freedom from an abuser is to petition the court for a CPO, but it is difficult—and even impossible—in many states to petition for one if the victim is a minor.¹¹⁴ Courts across the country justify the differential treatment of adults and minors facing similar abuse by stating that their “age, their lack of maturity, their occasional helplessness, and their paucity of experience with life, as well as their reliance . . . on their families” for protection requires a more regulated system.¹¹⁵

105. Saperstein, *supra* note 43, at 183.

106. *Id.* at 188 (discussing how police protection can help girls break free from their abusers in states where laws with inclusive language have been passed, but that the consequences are often bad or even deadly for girls in states where teens are denied police protection through a CPO).

107. Largio, *supra* note 9, at 958.

108. *Id.* (currently there are 36 states and the District of Columbia that include a dating relationship for domestic violence purposes).

109. *Id.* at 959.

110. Saperstein, *supra* note 43, at 191.

111. Martin, *supra* note 25, at 493.

112. *Id.* at 466.

113. *Id.*

114. *Id.* at 467 (“[T]he protection-order remedy remains a resource created for adults and often excludes teen victims.”).

115. *Id.* at 469.

In many states, minors do not reach the high level of relationship status needed for standing or have not yet reached the age required for legal capacity to petition for protection orders on their own.¹¹⁶ In several states, if a teen wants to petition for a CPO, he or she must satisfy a parent-notification requirement in order to gain access to a civil protection order.¹¹⁷ Since teens often reject adult assistance during this developmental stage in their lives, the fact that they must involve a parent to receive a CPO is frequently seen as a great deterrent to seeking any kind of legal help.¹¹⁸

However, there has been a push to be more inclusive of teenagers and allow them to have more autonomy in the civil protection order process.¹¹⁹ In the 1990s, when teen dating violence started to receive some media attention, there was a push to expand protection orders to include ‘dating relationships’ that do not necessarily rise to the highest level of commitment.¹²⁰ Several states introduced advocacy campaigns that focused on expanding statutory language to encompass teen-dating relationships while some explicitly granted the right to petition for a CPO to teen victims.¹²¹ However, teens are still often left out the protection order process, which remains a main source of relief for adults in abusive relationships, to the exclusion of teenagers in similar circumstances.¹²²

B. Voluntary and Deficient Education

Currently, there is no nationally mandated education program dealing with the subject of teen dating violence.¹²³ However, several states have enacted laws that highly recommend—and some do actually mandate—that schools teach some type of awareness class.¹²⁴ The education aspect of prevention is so crucial to curbing the epidemic of teen dating violence because schools are meant to be a safe place for teens to ask questions and find adults who they may feel more comfortable talking to than their parents.¹²⁵ There has been a push to include teen dating violence in high school health class but

116. *Id.* at 469–71.

117. Martin, *supra* note 25, at 469, 482, 486 (in California, Tennessee, and the District of Columbia a teen must notify a parent to petition for a CPO).

118. Carlson, *supra* note 1, at 366.

119. Martin, *supra* note 25, at 466–67.

120. *Id.* at 467.

121. *Id.*

122. *Id.*

123. Weisberg, *supra* note 42, at 27 (noting that the subject first attracted classroom attention in the 1980s).

124. *Id.* at 28.

125. *Id.* at 32–33.

schools still mostly reject the need to teach students the signs of teen dating violence and the resources available to victims and abusers.¹²⁶

The push for mandatory dating violence education came after the brutal murder of 23-year-old Lindsay Ann Burke in 2005.¹²⁷ Lindsay was in a romantic relationship after college with a man who developed very controlling behavior toward Lindsay including constant texting, monitoring, and questioning of her whereabouts.¹²⁸ The relationship eventually turned violent, but lasted two more years until Lindsay found the strength to break it off.¹²⁹ A few days later, Lindsay was attempting to pick up some items she had left at her boyfriend's home when he discovered a picture of another man in her purse and brutally murdered her in his apartment.¹³⁰

Lindsay Burke's mother was a middle school nurse and health teacher who noticed that education on teen dating violence, which may have prevented her daughter's murder, was severely lacking in schools across the nation.¹³¹ On the subject of the necessity of prevention education she states,

We're at a deficit of education [on teen dating violence] in our schools in this country. . . . [I]f we can reach teens *before* the violence, if we can help them understand that it's wrong and that they don't have to endure it, then we're making a real difference. That's how we'll stop this violence.¹³²

Since the tragedy of losing her daughter, Lindsay's mother has been lobbying for legislatively mandated education reform in schools across the nation through the Lindsay Ann Burke Memorial Fund.¹³³ Because of her efforts, Rhode Island—Lindsay's home state—has comprehensive, mandated teen dating violence education in their schools,¹³⁴ as well as twenty other states that specifically address teen dating violence in a classroom setting.¹³⁵ Mandated education reform in these states has also sparked bills and campaigns to implement education policies nationally.¹³⁶

126. *Id.* at 35.

127. *Id.* at 28.

128. *Id.* at 34 (“According to Lindsay’s mother, “[e]very form of violence [verbal, emotional, sexual, physical, and financial] was used on her [daughter].””) (internal quotes omitted).

129. Weisberg, *supra* note 42, at 34.

130. *Id.*

131. *Id.* at 35.

132. *Id.*

133. *Id.* at 36.

134. *Id.*

135. Weisberg, *supra* note 42, at 53.

136. *Id.* at 37.

However, the schools mandating teen violence prevention education are the exception, not the rule, in the United States even though prevention education is one of the most effective tools for eliminating teen dating violence.¹³⁷ The educational curriculum serves two distinct purposes: preventing the initial abusive act by demonstrating possible warning signs and preventing the abuser from committing violent acts by making more of their peers aware of the issue.¹³⁸ More comprehensive dating violence education can also empower a victim to take the necessary steps to end the relationship by explaining possible legal remedies and assuring them the violence is not their fault.¹³⁹

Additionally, most health classes that discuss sexuality and sexual development are not taught until high school, which is too late for many victims to get out of an abusive relationship.¹⁴⁰ When teen-dating violence is coupled with sexual development and health classes, the teens that need the information early are unable to receive that education. Hardly any middle school health classes include curriculum about sex, relationships, or abuse because of the sensitivity and age of the children. However, it is crucial for young teens to know what health issues may arise when they start dating in high school or they may already be involved in an abusive relationship.¹⁴¹

C. Punishment Options

The punishment of violent juvenile offenders has always been a controversial topic amongst lawmakers, school officials, parents, and psychiatric researchers.¹⁴² There is no national consensus on how to punish violent juvenile offenders; some jurisdictions punish them with long prison sentences in adult facilities and others attempt to minimize the conflict by calling it an ‘even fight’ and refusing to press charges.¹⁴³ A middle ground between these two extremes would elicit a positive, rehabilitative effect on the abuser while assuring the victim that the violence is over.

137. *Id.* at 49.

138. Ramos, *supra* note 2, at 126.

139. *Id.* at 128–29 (“Teens may also have the perception that victims of dating violence are at least partly responsible for the abuse inflicted on them.”).

140. Weisberg, *supra* note 42, at 28 (stating that dating violence can begin as early as age eleven, which is much earlier than previously thought).

141. *Id.* at 30–31 (citing statistics concluding that “many middle school youth are dating . . . and many of these relationships are abusive”).

142. Suarez, *supra* note 27, at 459, 461 (stating that both mandatory arrest policies and pro-prosecution policies are more controversial in a teen setting).

143. *Id.* at 458–59.

The jurisdictions that are too hard on juvenile offenders tend to send them to adult prisons—if they are tried as an adult—or juvenile detention centers for long sentences that sometimes last until they reach the age of majority.¹⁴⁴ This includes being tried in courts not specially outfitted for juvenile offenders.¹⁴⁵ Additionally, almost 70% of prison programs designed to rehabilitate offenders end in failure.¹⁴⁶ Therefore, putting teenage abusers in prison will likely not accomplish any goal of punishment except for retribution. Some researchers believe this is the appropriate function of prisons, stating that prisons should not have “any responsibility for inmates’ future conduct, welfare, or social adjustment . . . [which] are primarily the responsibility of the offenders themselves.”¹⁴⁷ This philosophy of punishment would ruin the lives of teenage abusers, potentially after only their first encounter with the legal system. With most of the country agreeing that rehabilitation is a better way to reduce the crime rate than strict prison sentences, this framework is not the best punishment scheme, especially for teenage offenders.¹⁴⁸

The opposite problem also occurs in many jurisdictions with adults neglecting the pleas of teenage victims and minimizing the harm these young girls may be facing.¹⁴⁹ Many school officials seem to ignore dating violence between students.¹⁵⁰ There have also been reported incidents of dating violence that occur on school grounds that school officials classify as “kids being kids” and both students—or sometimes neither—are suspended from school for a short amount of time.¹⁵¹

Consistently minimizing or overlooking violence in a teenage relationship can lead to a much more dire situation as described in the Broken Window analogy.¹⁵² In that analogy, if someone throws a rock through the window of a building and no one finds it important enough to fix, eventually more people will start breaking windows in the building and generally vandalizing it.¹⁵³ Once people realize no

144. Travis, *supra* note 4, at 1322 (discussing how there has been a slowly determined national realization that prison does not help juvenile offenders).

145. Scott & Steinberg, *supra* note 5, at 41.

146. DAVID FARABEE, RETHINKING REHABILITATION: WHY CAN'T WE REFORM OUR CRIMINALS? 35 (2005) (this statistic does not include similar programs in the community, as those will be part of my recommended framework for a more satisfactory punishment scheme).

147. *Id.* at 39.

148. *Id.* at 8.

149. Martin, *supra* note 25, at 488.

150. *Id.*

151. *Id.*

152. FARABEE, *supra* note 146, at 50.

153. *Id.*

one cares about that building, people will assume that extends to the street in front of the building as well and so on until the entire neighborhood is in chaos.¹⁵⁴

Although this analogy is used to describe how small acts of deviance can destroy an entire community,¹⁵⁵ it applies properly to the issue of ignoring teen-dating violence as well. If a victim is told there is nothing that can be done about their situation, and the offender knows this, the violence will continue to escalate. The only way to stop the violence is to implement uniform and appropriate punishment options. Certain and swift punishment is the best way to deter all types of crime,¹⁵⁶ and therefore violence against teens can only be eliminated if there is purposeful and definite punishment awaiting the offenders. However, that punishment should also take into account the age and vulnerability of the teenage abuser.

III. RECOMMENDATIONS TO END TEEN DATING VIOLENCE

The system currently in place that is used to educate, punish, and rehabilitate teens involved in violent dating relationships is an improvement from past conditions, but there is still a lot of work to be done. Legislative efforts need to clearly introduce teen-specific language into statutes and make the civil protection order process for victims more teen-friendly. National education systems need to implement mandatory lesson plans that educate middle and high school students—and their teachers and parents—about what teen dating violence looks like and the steps they should take if they notice these acts of abuse in their friends' lives or their own. Finally, the criminal justice system should implement a multidisciplinary approach to teen abusers that includes intensive rehabilitation, age-appropriate detention sentences, and uniform punishment throughout school districts. If lawmakers, school officials, and parents can meet all of these requirements, teen-dating violence can be controlled and, hopefully, eliminated from our schools and communities.

A. Teen-Specific Legislation and CPO Accessibility

Since teenage dating violence is such a prevalent social issue in the country, lawmakers need to include teen-specific language in

154. *Id.*

155. *Id.*

156. *Id.* at 58.

civil protection order statutes and general statutory language that deals with domestic violence. First, all domestic violence statutes need to include individuals in a “dating relationship” as a protected class under the statute.¹⁵⁷ The definition for a dating relationship should be construed broadly in order to include teen relationships that may not seem as serious as many adult romantic relationships.¹⁵⁸ This can be achieved using a factor-based approach rather than a narrow definition with strict requirements.¹⁵⁹ The factors should consider the nature of the relationship between the parties, the frequency of their interactions, and the duration of the relationship.¹⁶⁰ However, the evaluation should be open to any factors that increase the likelihood of the existence of a relationship.¹⁶¹ Moreover, age should always be considered an overarching factor when determining whether or not a relationship exists, because what constitutes a romantic dating relationship differs depending on the age of the participants.¹⁶²

The first step to remedying the issue of unattainable civil protection orders is to include dating relationships as an applicable relationship deserving of protection, even if there is no child or cohabitation, in every state statute regulating protection orders. A large majority of teenagers in intimate relationships do not have children, do not live together, and are not financially dependant upon one another.¹⁶³ Definitions that limit qualifying relationships to those characteristics deprive teen victims of important social services.¹⁶⁴ Once the factor-based approach is implemented, teens will have one fewer difficulty in obtaining protection from their abusers.

In conjunction with the mandatory education reform discussed in the next section, schools should also provide students with guidance about how to initiate the process of petitioning for a protection order.¹⁶⁵ Guidance counselors and teachers should be trained in the basics of what behavior constitutes a need for a protection order and filling out the necessary forms to begin the petitioning process.¹⁶⁶ Additionally, schools should be mandated to provide pro se protection order packets to students, which contain all of the necessary

157. Largio, *supra* note 9, at 974.

158. *Id.*

159. *Id.*

160. *Id.*

161. *Id.* (referring to the model statute, which lays out several possible factors but does not limit the possible factors considered by other courts).

162. *Id.* at 976.

163. Largio, *supra* note 9, at 976 (describing how teen-dating relationships are not formed strictly for marriage purposes anymore).

164. Saperstein, *supra* note 43, at 192.

165. Ramos, *supra* note 2, at 133.

166. *Id.*

forms and easy-to-understand directions for filing a petition.¹⁶⁷ Since this will likely be the student's first foray into the legal realm, schools concerned with the safety of their students should be willing to assist them in obtaining these potentially life-saving documents.

Finally, civil protection orders should extend to school and extra-curricular environments where teens are most likely to come into contact with their abusers. Schools need to implement a uniform plan, which adheres to theories of fair punishment, to deal with protection orders involving students that attend the same school.¹⁶⁸ This includes determining transportation schedules, possible class reassignments, or transferring the offender out of the victim's school district entirely.¹⁶⁹ Through expulsion or transference of the abuser, the victim is assured that they will not face re-victimization by accidentally coming into contact with the abuser in school, a place she is legally unable to avoid.¹⁷⁰

B. Mandatory Education Reform

Teaching comprehensive teen dating violence education should be mandatory for health classes in public schools. Schools present an ideal platform to educate the prime perpetrators and victims of teen dating violence during regular health and wellness classes.¹⁷¹ The education should be first introduced earlier than high school, where much of the violence begins.¹⁷² In many schools, these courses already teach students about adolescent sexual development¹⁷³ and discussions about noticing the signs of an unhealthy relationship and recognizing the dynamics of abuse would fit in with this curriculum.¹⁷⁴ Additionally, domestic violence myths are perpetuated among high school age students by their belief in traditional gender roles, often instilled in them at a very young age.¹⁷⁵ Teaching students about feminist theory and how patriarchal culture exists in society can greatly lessen the chance of violence in their romantic relationships.¹⁷⁶

167. *Id.*

168. *Id.* at 135.

169. *Id.*

170. *Id.*

171. Weisberg, *supra* note 42, at 40 (stating the reasons as: "(1) educators can dispel the ignorance and secrecy that contribute to teen dating violence; (2) schools have a legal obligation to provide health education, and TDV [teen dating violence] significantly impacts adolescents' health; and (3) schools have a legal obligation to ensure students' safety").

172. *Id.* at 27.

173. Theodore, *supra* note 54, at 390.

174. Carlson, *supra* note 1, at 376; *see also* Weisberg, *supra* note 42, at 42.

175. Weisberg, *supra* note 42, at 41.

176. *See id.*

Teaching teen students about preventing dating violence is a crucial step in eliminating the epidemic.¹⁷⁷ These classes should introduce students to the signs that are indicative of an abusive relationship and how to end such a relationship, or get help from an adult, in the safest way possible. Moreover, having a teacher or health professional tell a teen what behavior is normal in romantic relationships and what is not can help to prevent violent episodes from occurring.¹⁷⁸ Teens may have a very skewed perception about healthy relationship behavior because they are new to the dating scene and receive so many mixed messages from the media.¹⁷⁹ By dispelling the many myths surrounding teen dating violence, these types of educational programs will give potential victims the ability to determine the boundaries for their future romantic relationships.

Since abusers are often male,¹⁸⁰ there should also be special programs aimed specifically at middle-school-aged boys to deter them from becoming abusers in the future. These programs can occur either in the classroom during the mandated health classes or at males-only assemblies over a period of time.¹⁸¹ This program should specifically teach young men the signs of impending abuse and work to delegitimize—and stigmatize—violence in dating relationships so they know it is not normal or acceptable behavior.¹⁸² If these programs are implemented early enough in the development process, males that have aggressive or violent tendencies toward women can be identified and counseled as a preventative measure rather than attempting to fix an already established behavioral problem.¹⁸³ Of course, these measures should occur in addition to comprehensive preventative education among the entire student body.¹⁸⁴

In addition to education reform within the classroom, schools should also be educating and involving parents in the fight against teen dating violence.¹⁸⁵ Often, parents and other adults can objectively notice issues with a teen, but they may not know how to approach the delicate situation or they may minimize the violence that

177. Ramos, *supra* note 2, at 126.

178. *Id.* at 128.

179. *Id.* at 128–29 (discussing the teenage response to pop star Chris Brown's attack on his girlfriend Rihanna, in which many teen girls expressed their opinion that Brown should not be punished and that Rihanna was actually at fault).

180. Weisberg, *supra* note 42, at 30 (stating that although abusers can be either male or female, girls are more likely to be victims and to suffer more severe physical consequences of abuse).

181. Carlson, *supra* note 1, at 386.

182. *Id.* at 387.

183. *Id.*

184. *Id.* at 386–87.

185. *Id.* at 390.

is occurring.¹⁸⁶ Schools can use the already available lines of communication with parents to educate them on the signs of a violent dating situation and positive ways to deal with it.¹⁸⁷ Schools can also include the names and numbers of non-educational resources, such as battered women's shelters and domestic abuse hotlines, in their correspondence with parents.¹⁸⁸ Finally, if a parent or guardian notices potential abuse of their child, or if their child is showing abusive behaviors, they should feel comfortable involving the school in determining the best way to handle the situation.¹⁸⁹

Moreover, teachers and other school personnel should be thoroughly educated on the subject of teen dating violence and the myriad ways to approach a potentially violent relationship.¹⁹⁰ Adults employed by a school should follow the same curriculum as the students so there is a school-wide consensus of what the best reaction to violence is.¹⁹¹ Additionally, teachers should be taught specific ways to deal with a teen dating violence situation including information about whom they should contact, how to stop the current violence, and how to counsel any victims who may come to them for assistance.¹⁹² School policies pertaining to the punishment of teen abusers should be uniform throughout a district, so that victims know what consequences their abuser will face once they tell an adult.¹⁹³

There are obvious difficulties to education reform for both students and adults employed at the school. Appropriate funding is an issue public schools face regularly, especially when they are trying to implement new or experimental programs.¹⁹⁴ However, incorporating teen dating violence information into the already mandated health programs could solve these issues. Additionally, some activists may be able to take education reform into their own hands by implementing volunteer training or initiating a partnership with a corporate sponsor, such as Lindsay Burke's mother did in Rhode Island.¹⁹⁵ The prevention of teen dating violence is an issue that deserves attention, and allocation of funds, in schools nationwide.

186. *Id.* (citing studies that have indicated parents may actually foster dating violence in teen relationships by minimizing abuse inflicted by their child on a victim or blaming their own child for injuries sustained in a domestic violence situation).

187. Carlson, *supra* note 1, at 390 (those include "Parents' Night, parent-teacher conferences, or mailing home a newsletter or information packet").

188. *Id.* at 390-91.

189. *Id.* at 390.

190. *Id.* at 388.

191. *Id.*

192. *Id.*

193. Carlson, *supra* note 1, at 388-89.

194. Weisberg, *supra* note 42, at 51.

195. *Id.*

C. Multidisciplinary and Age-Appropriate Punishment

In order to effectively punish a juvenile domestic violence offender, judges and lawmakers must take a multidisciplinary approach to punishment including intensive and focused rehabilitation coupled with age-appropriate detention center sentences when necessary. Offenders of all ages are more likely to reoffend if they receive only retributive punishment without substantial rehabilitative treatment for their crime.¹⁹⁶ Additionally, teens that are moved from juvenile to adult facilities are more likely to reoffend once they are released.¹⁹⁷ This is especially true if it is a low-risk offender who is sentenced to a high amount of correctional punishment.¹⁹⁸ Therefore, it is important to look at each offender individually to determine what punishment is appropriate. The overarching goal of lower recidivism rates should be kept in mind.

Teen offenders bring complicated issues to the idea of punishment; their brains are not yet fully developed, so severe punishment could turn them into hardened criminals instead of ‘scaring them straight’.¹⁹⁹ In fact, the teen prison visitation programs designed specifically to dissuade young people from committing crimes by showing them what life is like in prison, tend to have the opposite effect.²⁰⁰ Instead, a multidisciplinary approach, that can include some time in a detention facility if necessary, will provide the structure needed to reduce teen dating violence in the long term.²⁰¹

Rehabilitation alone also shows signs of weakness in criminal offenders.²⁰² These brief programs, when instituted without other forms of punishment, often do not create long-lasting, significant change in an offender’s behavior.²⁰³ Issues that cause criminal behavior can be hard to pinpoint and often there is more than one explanation for the violence.²⁰⁴ Successful rehabilitation programs are often multifaceted by focusing on many aspects of the perpetrator

196. JOHN AARONS, LISA SMITH & LINDA WAGNER, DISPATCHES FROM JUVENILE HALL: FIXING A FAILING SYSTEM 142 (2009).

197. *Id.*

198. *Id.* at 165–66.

199. Travis, *supra* note 4, at 1324.

200. FARABEE, *supra* note 146, at 27–28. Some statistics show these programs, such as “Scared Straight,” increased by 1–30 percent the teen visitors’ “risk of negative outcomes, such as subsequent arrest, self-reported delinquency, or average number of days in detention, relative to those who did not participate.” *Id.*

201. *Id.* at 49, 163–64, 180.

202. *Id.* at 48–49.

203. *Id.*

204. *Id.* at 44.

including his childhood, mental health, and socioeconomic status.²⁰⁵ To create a rehabilitation framework that elicits permanent results, the program must be specifically tailored to the teen's violent reactions that deviate from acceptable behavior.²⁰⁶

One of the most difficult issues with domestic and dating violence is that unlike other violent crimes, male batterers try to avoid taking any responsibility for their violent reactions.²⁰⁷ Therefore, a key component to lasting rehabilitative effects is to increase accountability in the perpetrator.²⁰⁸ However, traditional notions of therapy are not conducive to this type of framework overhaul.²⁰⁹ Therapeutic re-education of the offender is a much more favorable type of rehabilitation,²¹⁰ especially when the offender's sense of right and wrong is still forming, such as in teen offenders.²¹¹ Corrective rehabilitation should focus on showing the offenders the irrationality of their violent response toward their partners and teaching them more useful tools of communication.²¹²

Showing teen batterers that they will be held accountable for their crimes can deter these offenses in the future.²¹³ However, creating penalties that are overly harsh could dissuade judges and juries from following through with suggested sentencing guidelines and can stop victims from reporting in the first place. Therefore, it is crucial to find a middle ground for teen dating violence offenders that guarantees a fair, precise punishment with a high objective to rehabilitate and re-educate.

Moreover, juvenile dating violence offenders should be housed only in juvenile detention centers that can cater to their age-specific needs such as "programs, supervision, and supportive correctional environments that, in combination, are less likely to harm their prospects for becoming productive adults" than an adult facility.²¹⁴ For the best results, education needs to work in conjunction with retributive punishment, and juvenile facilities are better able to

205. *Id.* at 45. In a study conducted to determine the success rate of prison rehabilitation programs, 70 percent of successful programs were multifaceted, while only 38 percent of unsuccessful programs were multifaceted. *Id.*

206. FARRABEE, *supra* note 146, at 180.

207. DORIS LAYTON MACKENZIE, WHAT WORKS IN CORRECTIONS: REDUCING THE CRIMINAL ACTIVITIES OF OFFENDERS AND DELINQUENTS 197 (2006).

208. *Id.*

209. *Id.*

210. *Id.*

211. Scott & Steinberg, *supra* note 5, at 84 ("A . . . mitigation condition that is also important in assessing the culpability of typical young offenders involves the relatively unformed nature of their characters.").

212. MACKENZIE, *supra* note 207, at 198.

213. Scott & Steinberg, *supra* note 5, at 62.

214. *Id.* at 70.

handle this symbiosis because of the more popular notion of rehabilitation among teen offenders than among adults.²¹⁵ Additionally, juvenile offenders housed in age-specific centers are more likely to say they intend to avoid a criminal lifestyle in the future and generally have a more positive attitude about their experience.²¹⁶

Schools also need to have a uniform system of punishment and rehabilitation for abusers because often an abuser and victim will have to attend the same school.²¹⁷ Suspension or expulsion from school alone may cause the abuser to retaliate against the victim who came forward.²¹⁸ Therefore, it is crucial to introduce aspects of rehabilitation into the school environment, such as anger management classes and mandated counseling.²¹⁹ Completion of these programs should be considered a mandatory step toward re-admittance into any public school in the country in order to stress the seriousness of violence in a romantic relationship.²²⁰

CONCLUSION

Although we have made great strides nationally to combat the teen dating violence epidemic, there are still a lot of changes that need to be made. Bringing the issue to the attention of all lawmakers and school officials is necessary to implement the fundamental policy decisions that will help to eradicate teen dating violence forever. Lawmakers need to specifically include teens when writing statutes about domestic violence so teen victims can find protection under them. The process of procuring a civil protection order against a domestic abuser should be more teen-friendly and the basics of petitioning for one need to be taught in schools. Education in schools generally needs an overhaul with mandated health classes detailing the signs of dating violence, informing students about available remedies, and teaching the basics of healthy relationships for students. Additionally, all school personnel should be equipped with uniform information about how to handle a violent dating situation in their school. Finally, the justice system and legislators must realize that juvenile offenders are not the same as adult offenders. Judges should take a holistic approach when sentencing juvenile offenders in order to

215. *Id.* (stating that “[n]inety-five percent of training schools [(juvenile centers)] have a ratio of at least one teacher per 15 youths, and two-thirds have one counselor for every ten youths”).

216. *Id.* at 71.

217. Carlson, *supra* note 1, at 388–89.

218. *Id.* at 389.

219. *Id.*

220. *Id.* at 388–89.

rehabilitate them into productive and non-violent members of society. The nation as a whole has made a lot of headway in recent years, but no parent, teacher, family member, or peer can rest easy while a teen dating violence epidemic continues to endure in our homes and our schools.

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