

The Bruise No One Sees: How Regulations of Workplace Harassment, Cyberbullying, and the Serious Crimes Act Can Be Used to Establish Protections for Emotional Abuse

Tara M. Fagan

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I. INTRODUCTION

She was swept up in a whirlwind of romance.¹ They met through work; she was an up-and-coming actress and he was a major success in the industry.² He asked for her number right away, and immediately began texting her up to one hundred times a day.³ She thought he was a near-perfect partner because of how attentive and interested he was and they quickly moved in together..⁴ The first alarm bell rang when a friend found out they were dating.⁵ Her friend had heard about this man and some concerning emails he sent to a former partner.⁶ She brushed it off, unable to believe her

¹ Natasha Lipman, *Emotional Abuse: ‘My Fiance Seemed so Perfect – But He Wanted to Control Me,’* BBC (Aug. 5, 2019), <https://www.bbc.com/news/stories-49022703> [<https://perma.cc/J42L-N4E2>].

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

perfect match could have been the sender of those emails.⁷ However, his temperament soon began to change. He began verbally berating her with regularity, occasionally throwing objects at her during his outbursts and ending assaults with his tears and claims that she made him consider suicide.⁸ As the cycle continued, he forced her to quit her job, and she stopped eating and stopped seeing friends so they would not see how she was struggling.⁹ Eventually, she learned that a former partner of his suffered the same abuse. She snuck out before he returned home that day. As unfortunate as this story is, the victim lived in England and had a legal course of action for escape. The Serious Crimes Act in the United Kingdom makes “controlling or coercive behaviour [*viz*] in an intimate or family relationship,” a crime while simultaneously establishing guidelines for increased support and protections for victims.¹⁰

The legal response to domestic violence in the United States lacks completeness, is difficult to enforce, or only applies retroactively—after it is too late.¹¹ There is a significant lack of regulation protecting victims from emotional abuse, a form of domestic violence that may or may not include physical harm but is mostly concentrated through tactics of inflicting mental warfare on victims.¹² Emotional abuse can be difficult to regulate because there are no clear ways to measure the abuse.¹³ Because emotional abuse leaves no bruises or scars, proving its existence can be difficult, and enforcing protections can be nearly impossible.¹⁴ Not only can emotional abuse be a precursor to physical abuse, but it is often noted by victims as being more painful than physical abuse.¹⁵ The law leaves emotional abuse victims unprotected because there are enormous gaps in regulations with virtually no checkpoints for victims.¹⁶ However, these gaps can be addressed by looking towards other areas of law that establish protections from nonphysical abuse

⁷ Lipman, *supra* note 1.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*; see also *Controlling or Coercive Behaviour in an Intimate or Family Relationship*, CPS (Feb. 7, 2025), <https://www.cps.gov.uk/legal-guidance/controlling-or-coercive-behaviour-intimate-or-family-relationship> [<https://perma.cc/Z6GP-MZC7>] (detailing coercive control provisions of Section 76 of the Serious Crimes Act).

¹¹ See discussion *infra* Section II.

¹² Günnur Karakurt & Kristin E. Silver, *Emotional Abuse in Intimate Relationships: The Role of Gender and Age*, NAT'L INST. OF HEALTH 1–2 (Dec. 31, 2013), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3876290/pdf/nihms419073.pdf> [<https://perma.cc/72ZP-VGT7>].

¹³ *Id.* at 2.

¹⁴ *Id.*

¹⁵ See Margaret E. Johnson, *Redefining Harm, Reimagining Remedies, and Reclaiming Domestic Violence Law*, 42 U.C. DAVIS L. REV. 1107, 1112 (2009).

¹⁶ See *infra* Sections II.A–B.

like those imposed on workplace harassment, cyberbullying, and the United Kingdom's Serious Crimes Act.¹⁷

Section II of this comment will explore the history and background of domestic violence and discuss factors of emotional abuse.¹⁸ Section III will argue that the regulatory frameworks in place for workplace harassment, cyberbullying, and the Serious Crimes Act can be used to establish protections for emotional abuse.¹⁹ Finally, section IV will conclude that shielding victims from emotional abuse is possible by adopting regulations from these other areas of law.²⁰

II. BACKGROUND

This section will examine the history of domestic violence and emotional abuse. Subsection A will explore how laws pertaining to domestic violence have evolved over centuries.²¹ Subsection B will define emotional abuse and its nuances.²² Subsection C will examine possible avenues victims have to seek help, such as civil protective orders, while considering the dangers associated with leaving abusive relationships.²³

A. History of Domestic Violence Regulations

Protection for domestic violence victims was not even considered within the law until recent decades.²⁴ For centuries, marital violence was permissible.²⁵ English common law in the 1500s allowed wife-beating to correct behavior, while early America used the "Rule of Thumb"; husbands could beat their wives so long as the weapon used to administer the beating was equal or smaller to the circumference of the husband's thumb to

¹⁷ The purpose of this comment is to address emotional abuse on a federal level because it is a pervasive nationwide issue. While scholars have considered the applicability of the Serious Crimes Act in the United States, this comment will adapt the approach by analyzing the possible applications of the Serious Crimes Act when coupled with workplace harassment and cyberbullying and the regulations that already exist for these issues.

¹⁸ See *infra* Part II.

¹⁹ See *infra* Part III.

²⁰ See *infra* Part IV.

²¹ See *infra* Section II.A.

²² See *infra* Section II.B.

²³ See *infra* Section II.C.

²⁴ LESLYE E. ORLOFF & PAIGE FELDMAN, NAT'L IMMIGRANT WOMEN'S ADVOC. PROJECT: AM. UNIV. WASH. COLL. OF LAW, DOMESTIC VIOLENCE AND SEXUAL ASSAULT PUBLIC POLICY TIMELINE HIGHLIGHTING THE ACCOMPLISHMENTS ON BEHALF OF IMMIGRANTS AND WOMEN OF COLOR 1 (2016), <https://niwaplibrary.wcl.american.edu/wp-content/uploads/Herstory-2016-1.pdf> [<https://perma.cc/JFB9-MSW6>].

²⁵ *Id.*

minimize wife-beating.²⁶ In the 1800s, beatings had to be life-threatening to warrant a divorce.²⁷ In the late 1800s, different states began enacting laws regarding—though not necessarily prohibiting or limiting—domestic violence.²⁸ Alabama rescinded the legal right to beat wives in 1871, Maryland made wife beating a punishable crime in 1882, and North Carolina banned indictments for wife beating unless there was a permanent or life-threatening injury.²⁹ Almost a century later in 1962, domestic violence cases in New York moved to family court.³⁰ In 1966, a New York domestic violence victim had to be able to prove they suffered a substantial number of beatings in order to be granted a divorce.³¹ However by 1975, most states allowed wives to bring criminal cases against their husbands for injuries.³² The next year, Nevada made marital rape a crime, and officers of the peace in Florida were permitted to make a domestic violence arrest on suspicion without a warrant.³³ Some of the most substantial changes in domestic violence legislation came as recently 1992.³⁴ First, nineteen states began requiring an automatic arrest for the violation of protective orders.³⁵ The surgeon general determined domestic violence to be the leading cause of injury to women aged fifteen to forty-four.³⁶ Then, the American Medical Association established guidelines helping doctors to screen for domestic violence.³⁷ Finally, it was not 1993 that marital rape became illegal across the United States.³⁸ These developments in domestic violence regulations have taken centuries to reach, with the establishment of some of the most protective attributes—such as automatic arrests for violations of protective orders and prohibiting marital rape—less than fifty years ago.³⁹ However, even these most recent developments in the law still do not include parameters for emotional abuse.⁴⁰

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ Orloff & Feldman, *supra* note 24, at 2.

³¹ *Id.*

³² *Id.*

³³ *Id.* at 2–3.

³⁴ *Id.* at 5.

³⁵ *Id.*

³⁶ Orloff & Feldman, *supra* note 24, at 5.

³⁷ *Id.*

³⁸ RAQUEL KENNEDY BERGEN & ELIZABETH BARNHILL, MARITAL RAPE: NEW RESEARCH AND DIRECTIONS 2 (2006).

³⁹ See *supra* Section II.A.

⁴⁰ See *id.*

B. *What is Emotional Abuse?*

Typically, thoughts of domestic violence are accompanied by images of bruised and beaten women.⁴¹ The safe havens for these victims are even called “battered” women’s shelters.⁴² However, there is a type of domestic violence that is less commonly thought of and fought against, even though its existence in the home is the most common form of “intimate partner violence.”⁴³ Emotional abuse encapsulates numerous forms of victimization and can include “any nonphysical behavior that is designed to control, intimidate, subjugate, demean, punish, or isolate another person through the use of degradation, humiliation, or fear.”⁴⁴ These behaviors can be carried out through nonphysical actions, attitudes, or both.⁴⁵ Actions may include control, criticizing, accusing, maintaining unreasonable expectations, perpetuating the “silent treatment”, and making threats of abandonment.⁴⁶ Nonphysical abusive attitudes may include abusers who think they are always right, believe all others are inferior, are indifferent to other’s emotions, and believe that others should do as the abuser says.⁴⁷ Nonphysical abuse may also include “symbolic violence”⁴⁸—which uses physical actions to communicate a nonphysical threat.⁴⁹ Symbolic violence may include door slamming, wall kicking, throwing or breaking objects, threatening or actually destroying a victim’s property or sentimental objects, driving dangerously in the presence of a victim, or acting as if they want to kill the victim.⁵⁰

The National Institute of Health performed a study on intimate partner violence⁵¹ to examine the presence and level of emotional abuse in these

⁴¹ *The Battered Woman*, NATIONAL LIBRARY OF MEDICINE 1, 1–2 (1989) (explaining that a battered woman is one who shows signs of physical abuse).

⁴² See Natasha Tracy, *Battered Women Shelters: What Are They? How to Find One?*, HEALTHYPLACE (Jan. 2, 2022), <https://www.healthyplace.com/abuse/domestic-violence/battered-women-shelters-what-are-they-how-to-find-one> [https://perma.cc/4BNL-BJ9P].

⁴³ Karakurt & Silver, *supra* note 12, at 3 (“Overall, emotional abuse within intimate relationships . . . is likely the most pervasive form of relationship maltreatment.”); see also *infra* note 51 and accompanying text.

⁴⁴ BEVERLY ENGEL, *THE EMOTIONALLY ABUSIVE RELATIONSHIP: HOW TO STOP BEING ABUSED AND HOW TO STOP ABUSING* 10–11 (2002).

⁴⁵ *Id.* at 11.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.* at 12.

⁴⁹ See *id.*

⁵⁰ ENGEL, *supra* note 44, at 12.

⁵¹ Karakurt & Silver, *supra* note 12, at 1. Intimate Partner Violence is a form of domestic violence. Domestic violence encompasses any violence between people sharing a home (to include partners, parents, children) while Intimate Partner Violence occurs between people in

types of relationships.⁵² The study used four categories of emotional abuse: (1) isolation, (2) property damage, (3) sexual abuse, and (4) degradation.⁵³ Each of these subtopics contains a list of statements participants are instructed to answer on a scale that ranges from “never” to “very often.”⁵⁴ The study compared factors of gender and age to determine which of the four categories presented the highest risk to different age and gender groups.⁵⁵ For isolation, young women were found to be most at risk.⁵⁶ Isolation tactics include preventing victims from leaving the house or seeing those they wish to outside of the relationship.⁵⁷ Isolation limits a victim’s freedom and can increase feelings of loneliness and claustrophobia.⁵⁸ The study concluded that social, cultural, and economic factors can often lead young women to place a higher value on romantic relationships than on being single.⁵⁹ As a result, young women may be more willing to overlook this abuse tactic in order to maintain their romantic relationships.⁶⁰ Property damage—a form of symbolic violence⁶¹—was found to most heavily affect women, and its risk factor increased with age.⁶² The study considered property damage to be any destruction of objects or the abuse of pets.⁶³ Destruction of property is financially harmful in that the original value of the item is lessened or completely lost and the cost of replacement or repair must be incurred, oftentimes by the victim.⁶⁴ If the victim does not have the financial means to pay for the damages, the abuser is able to hold financial control over the victim.⁶⁵ Finally, property damage to pets, sentimental, or irreplaceable objects can cause extreme emotional distress in victims and further their

an intimate relationship, regardless of marital status. See Lauren Jacques, *Domestic Violence vs. Intimate Partner Violence*, ABUSE REFUGE ORGANIZATION (Oct. 6, 2021), <https://abuserefuge.org/domestic-violence-vs-intimate-partner-violence> [<https://perma.cc/B5VD-QKAV>].

⁵² Karakurt & Silver, *supra* note 12, at 1.

⁵³ *Id.* at 6. These categories were adapted from the “Emotional Abuse Questionnaire.” See generally NEIL S. JACOBSON & JOHN GOTTMAN, *WHEN MEN BATTER WOMEN: NEW INSIGHTS INTO ENDING ABUSIVE RELATIONSHIPS* (1998).

⁵⁴ Karakurt & Silver, *supra* note 12, at 6.

⁵⁵ *Id.* at 1.

⁵⁶ *Id.* at 10.

⁵⁷ *Id.* at 7, 10.

⁵⁸ *Id.* at 7.

⁵⁹ *Id.*

⁶⁰ Karakurt & Silver, *supra* note 12, at 10–11.

⁶¹ See *supra* note 44 and accompanying text.

⁶² Karakurt & Silver, *supra* note 12, at 10–11.

⁶³ *Id.* at 11.

⁶⁴ *Id.*

⁶⁵ *Id.*

compliance with abusers in order to protect their belongings.⁶⁶ The study categorized sexual abuse as both sexual coercion and marital rape.⁶⁷ Both are considered emotional abuse because marital rape does not necessarily require physical force to occur and sexual coercion is typically coupled with pressuring, shaming, or intimidating victims.⁶⁸ Finally, degradation was found to be the most common form of emotional abuse overall in this study.⁶⁹ Degradation can take a number of forms: insults, ridicule, criticism, and humiliation, both in public and private.⁷⁰ The study also found that partners who committed any of the other three forms of abuse were also likely to use degradation in conjunction.⁷¹ Each of these four forms of emotional abuse is intended to expand the power differential between a victim and an abuser, using humiliation and fear-inducing behaviors to strip victims of their independence from the abuser.⁷²

C. Getting Help

Despite the presence of emotional abuse, victims have very limited legal courses of action.⁷³ Victims of domestic violence ultimately have two paths available to them: attempting to survive in the situation they are in or trying to get out of the situation.⁷⁴ Both paths prove extremely difficult and are constantly compounded with fear and risks to the victim's safety, as well as the safety of their dependents such as children or pets.⁷⁵ Victims who stay with their abuser may rely on the abuser for financial support and may not have access to a women's shelter.⁷⁶ Simultaneously, attempting to leave an abuser is the most dangerous time in an abusive relationship.⁷⁷

⁶⁶ *Id.* at 6, 11.

⁶⁷ *Id.* at 6–7.

⁶⁸ Karakurt & Silver, *supra* note 12, at 6–7.

⁶⁹ *Id.* at 7.

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ See Johnson, *supra* note 15, at 1143–44.

⁷⁴ See Kathryn M. Bell & Amy E. Naugle, *Understanding Stay/Leave Decisions in Violent Relationships: A Behavior Analytic Approach*, 14 BEHAV. AND SOC. ISSUES 21, 21–22 (2005).

⁷⁵ *Id.* at 31, 35; see Johnson, *supra* note 15, at 1121.

⁷⁶ Lynn F. Beller, *When in Doubt, Take Them Out: Removal of Children from Victims of Domestic Violence Ten Years After Nicholson v. Williams*, 22 DUKE J. GENDER L. & POL'Y 205, 209 (2015). Women's shelters for abuse victims are often limited, and many women, especially those with children, may wish to avoid homeless shelters. *Id.*

⁷⁷ *Id.* Women are 70 times more likely to be killed in the first weeks after leaving an abusive relationship than at any other point in that relationship. *11 Reasons People in Abusive Relationships Can't "Just Leave,"* ONE LOVE, https://www.joinonelove.org/learn/why_leaving_abuse_is_hard [<https://perma.cc/N33V-4YTL>] (last visited Feb. 17, 2025).

In cases of physical abuse, a common legal remedy is a civil protective order.⁷⁸ The standard required for a civil protective order often must meet the level of life-threatening abuse.⁷⁹ When courts ruling on protective orders consider abuse to be non-life-threatening or the abuse does not violate a specific criminal law, the law often takes a step back, attempting to avoid involvement in personal relationships.⁸⁰ With such a strict standard in place, the law leaves little room to help victims of physical abuse, much less emotional abuse.⁸¹ If, for example, an emotional abuse victim wanted to seek protection, showing zero physical signs of abuse makes it exponentially more difficult to reach the standard of sufficiently “life-threatening” because the victim has no “proof.”⁸² The legal system asks a victim to wait until their life is in the balance. Before the life-threatening point, there is little the legal system can do.⁸³ The threat-to-life standard not only makes emotional abuse nearly impossible to prove but also makes the abuse itself seem trivial.⁸⁴ In fact, some states do not consider emotional abuse actionable at all, offering victims absolutely no legal recourse.⁸⁵

Even if a victim attempted to escape their abuser, the steps for doing so are difficult and dangerous. Consider a victim who wants to leave their current situation and is seeking help. When searching the National Domestic Hotline webpage, an alert immediately pops up.⁸⁶ The message warns users of the difficulty of fully deleting internet search history and the common practice of abusers to monitor their victim’s internet use.⁸⁷ The alert populates thorough instructions on how to delete search history and offers

⁷⁸ See generally Johnson, *supra* note 15 (discussing protective orders). Temporary civil protective orders can be issued *ex parte* in the interest of speed until a final hearing can be held to issue the semi-permanent order which is issued for a designated amount of time. Protective orders are typically used to create separation between the abuser and victim. To obtain a civil protective order, the victim and abuser must have a special relationship such as an intimate partnership. *Id.* at 1130–31.

⁷⁹ See *id.* at 1112.

⁸⁰ *Id.* at 1112–13, 1140.

⁸¹ *Id.*

⁸² See, e.g., *id.* at 1143–44. Johnson provides an example of a protective order that was denied because the cyberstalking and threats that occurred in the case did not result in anyone being physically harmed. *Id.* at 1143–44.

⁸³ *Id.* at 1143.

⁸⁴ See Johnson, *supra* note 15, at 1112–13 (stating that courts may prioritize staying out of intimate relationships over offering protection if the abuse does not meet a life-threatening level of severity).

⁸⁵ *Id.* at 1112.

⁸⁶ NATIONAL DOMESTIC VIOLENCE HOTLINE, <https://www.thehotline.org/> [<https://perma.cc/P8LT-TH6D>] (last visited Feb. 17, 2025).

⁸⁷ *Id.*

keyboard shortcuts to leave the page quickly.⁸⁸ The webpage also constantly features a large red “X” in the top corner that, when clicked, closes down the entire webpage.⁸⁹ The National Domestic Hotline also has a service on its website to create an interactive safety escape plan.⁹⁰ When users attempt to access this planning page, another safety warning populates and takes users to a PDF pamphlet about the risks of computer spyware and surveillance tactics.⁹¹ The pamphlet provides users with information on what spyware is and how to search devices to see if it has been installed.⁹² The pamphlet also gives directions on how to safely use devices and suggests one of the only ways to get rid of spyware is to purchase a new device.⁹³ While these online resources may provide helpful resources for victims, the risk of their abuser monitoring and controlling their activity is increased through digital stalking.⁹⁴ Technologies like spyware and tracking devices increase the chances of a victim being caught by an abuser while trying to seek help.⁹⁵ Even in cases of emotional abuse, a threat can often escalate to physical violence.⁹⁶ Abuse victims are the most vulnerable when attempting to leave an abuser, and this danger is increased further when the abuser stalks their victim.⁹⁷

III. REGULATORY REFORM

Though there is an overall lapse in regulation for emotional abuse, legislation of other exclusively non-physical crimes can be used to develop a mechanism for protecting victims of emotional abuse. The following sections will discuss specific instances that bear significance for potential analogous regulation of emotional abuse;⁹⁸ Subsection A will examine workplace

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Create Your Personal Safety Plan*, NATIONAL DOMESTIC VIOLENCE HOTLINE, <https://www.thehotline.org/plan-for-safety/create-your-personal-safety-plan> [https://perma.cc/T8YH-2LAT] (last visited Feb. 17, 2025).

⁹¹ *Id.*; see also, LOVE IS RESPECT, WHO’S SPYING ON YOUR COMPUTER? https://www.loveisrespect.org/wp-content/uploads/2019/11/LIR-Who_Spying-1.pdf [https://perma.cc/3NKP-WNRN].

⁹² LOVE IS RESPECT, *supra* note 91.

⁹³ *Id.*

⁹⁴ Brenda Baddam, *Technology and its Danger to Domestic Violence Victims: How did He Find Me?*, 28 ALB. L.J. SCI. & TECH. 73, 76 (2017).

⁹⁵ *Id.*; See also Kim Horner, *Abuse Victims Urged to Cover Online Tracks; Agencies, Groups Worry about Abusers’ Use of Technology to Stalk*, DALLAS MORNING NEWS (Jan. 29, 2005) (explaining that while it is important for victims of abuse to seek help, they must proceed with caution when using devices their abuser can track, such as computers and cars).

⁹⁶ See Johnson *supra* note 15, at 1112; see also *supra* text accompanying note 15.

⁹⁷ Baddam, *supra* note 94, at 74.

⁹⁸ See *infra* Sections III.A–C.

harassment regulations and how these regulations could establish emotional abuse protections.⁹⁹ Subsection B will consider cyberbullying¹⁰⁰ laws and the similarities between the perpetration of cyberbullying and emotional abuse.¹⁰¹ Subsection C will discuss the United Kingdom's Serious Crimes Act and its protections for emotional abuse victims.¹⁰² Subsection D will consider the regulations established in the workplace harassment laws, cyberbullying laws, and the United Kingdom's Serious Crimes Act, and explore how their foundations provide a strong basis for analogous regulation of emotional abuse.¹⁰³

A. Workplace Harassment

Federal workplace harassment law prohibits the discharge or discrimination of an employee based on their "race, color, religion, sex, or national origin."¹⁰⁴ Workplace harassment can be carried out through a variety of verbal or visual cues, including comments, demands, or the showing of photos.¹⁰⁵ The Supreme Court first defined sexual harassment in the workplace in *Meritor Savings Bank, FSB v. Vinson*.¹⁰⁶ In this case, Vinson, the respondent, made a claim of continued sexual harassment during her employment at Meritor Savings Bank.¹⁰⁷ During her employment, Vinson began a sexual relationship with her boss at his suggestion.¹⁰⁸ Vinson did so out of fear of losing her job if she did not comply.¹⁰⁹ Vinson stated that her boss "fondled her in front of other employees, followed her into the women's

⁹⁹ See *infra* Section III.A.

¹⁰⁰ Cyberbullying is being used for comparison over in person bullying because, by its nature, cyberbullying is exclusively non-physical.

¹⁰¹ See *infra* Section III.B.

¹⁰² See *infra* Section III.C.

¹⁰³ See *infra* Section III.D.

¹⁰⁴ 42 U.S.C. § 2000e-2(a) ("It shall be an unlawful employment practice for an employer . . . to discharge . . . or otherwise to discriminate against any individual . . . because of such individual's race, color, religion, sex, or national origin.").

¹⁰⁵ *Id.*; see also Legal Information Institute, *Harassment*, CORNELL LAW SCHOOL (Mar., 2022), <https://www.law.cornell.edu/wex/harassment> [<https://perma.cc/R74W-ET6K>]; see e.g., *Harris v. Forklift Systems, Inc.*, 510 U.S. 17, 19 (1993) (finding that repeated instances of derogatory remarks against a female employee and women in general constituted harassment for the purposes of Title VII of the Civil Rights Act of 1964); *Hoyter v. Freightliner, LLC*, 650 F.3d 321, 332 (4th Cir., 2011) (concluding that a reasonable juror could conclude that repeated display of sexualized photos of women in the workplace could have affected employment conditions).

¹⁰⁶ See generally *Meritor Sav. Bank v. Vinson*, 477 U.S. 57 (1986) (finding that repeated instances of sexual harassment constituted a hostile work environment).

¹⁰⁷ *Id.* at 60.

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

restroom when she went there alone, exposed himself to her, and even forcibly raped her on several occasions.”¹¹⁰ Vinson did not report any of this harassment because she was afraid of her boss.¹¹¹ She argued that “unwelcome sexual advances that create an offensive or hostile working environment violate Title VII,” which prohibits discrimination in the workplace based on sex.¹¹² The Court ruled in favor of Vinson, holding that Title VII does offer employees protection from a hostile work environment based on sex discrimination claims.¹¹³ Just as employees are protected from harassment in their place of work, this protective provision could be applied to emotional abuse victims to maintain the sanctity of the home. Though Title VII protections do not exist in the home, the intent behind these protections should not dissipate based on physical location. The law recognizes that harassment violates an employee’s right to non-hostile working conditions. These conditions are presumptively both to the employee’s well-being and functionality in the workforce. If these law viewed emotional abuse through the same lens as harassment in the workplace, protections would be extended to the home and victims would be afforded the right to live in non-hostile conditions.

Following *Meritor Savings Bank, FSB v. Vinson*, the Supreme Court again considered the question of workplace harassment in *Oncale v. Sundowner Offshore Services*.¹¹⁴ In this case, Oncale was continuously subjected to sexual humiliation, groping, and threats of rape at his place of work.¹¹⁵ Oncale reported the harassment, but when no action was taken to protect him and the abuse continued, he quit.¹¹⁶ He even specifically requested that his reason for quitting be recorded as “voluntarily left due to sexual harassment and verbal abuse.”¹¹⁷ The Court reasoned that courts should evaluate situations involving alleged verbal sexual harassment and abuse holistically.¹¹⁸ The Court stated that the “circumstances, expectations, and relationships which are not fully captured by a simple recitation of the words used or the physical acts performed” should all be considered in order to determine the impact of workplace harassment.¹¹⁹ This same standard of situational consideration

¹¹⁰ *Id.*

¹¹¹ *Id.* at 61.

¹¹² *Meritor Sav. Bank*, 477 U.S. at 64.

¹¹³ *Id.* at 73.

¹¹⁴ See generally *Oncale v. Sundowner Offshore Servs.*, 523 U.S. 75 (1998) (holding that the impact of workplace harassment is a wholistic determination).

¹¹⁵ *Id.* at 77.

¹¹⁶ *Id.*

¹¹⁷ *Id.*

¹¹⁸ *Id.* at 82.

¹¹⁹ *Id.*

could be applied to emotional abuse. If emotional abuse were to be evaluated in individual contexts, courts would have reason to look outside of the threat to life standard to offer protection for victims. As described by the *Oncale* Court, evaluating forms of harassment or abuse that cannot be quantified—such as the nuances of emotional abuse—helps to create a clearer picture of the impact the abuse has on the victim. Though courts in abuse matters may prefer to avoid involvement, protections for the home could be afforded to victims through this framework of holistic review.

Workplace harassment shares many common characteristics with emotional abuse, such as verbal harassment, inappropriate or forceful sexual acts, and perpetuating an imbalance of power.¹²⁰ Due to these similarities, the law regulating workplace harassment can be used to help establish a similar set of regulations for emotional abuse. As described in *Oncale*, the circumstances of situations of emotional abuse should be evaluated holistically to understand the impact of the abuse.¹²¹ Furthermore, as the workplace is designated as a location protected from the impact of harassment as determined in *Meritor Savings Bank*,¹²² the home—and comparable locations that are commonplace in relationships—could be afforded these same protections. If the home were to be a protected area from harassment as the workplace is, victims would have avenues for similar options for legal recourse against abusers such as enforced separation and having a potentially safer living environment.

B. Cyberbullying

Cyberbullying occurs online and is intended to degrade victims and cause them pain through demeaning and harmful messages or posts.¹²³ Not only can cyberbullying cause stress, anxiety, and depression, but suffering from anxiety or depression can also increase a victim's likelihood of being bullied.¹²⁴ So, like emotional abuse, harms that stem from victimization may also be contributory factors in becoming a victim.¹²⁵ This creates an endless cycle of victimhood and continually increases the control an abuser has over a victim.¹²⁶ Every state in the United States has its own bullying laws, and

¹²⁰ See *supra* Sections II.B. and III.A.

¹²¹ See *Oncale*, 523 U.S. at 82.

¹²² See *Meritor Sav. Bank v. Vinson*, 477 U.S. 57, 72 (1986).

¹²³ Ashley Abramson, *Cyberbullying: What is it and How Can You Stop It?*, AM. PSYCH. ASSOC. (Sep. 7, 2022), <https://www.apa.org/topics/bullying/cyberbullying-online-social-media> [<https://perma.cc/P8BT-KX74>].

¹²⁴ *Id.*

¹²⁵ See *id.*; see also Chad A. Rose & Brendesha M. Tynes, *Longitudinal Associations Between Cybervictimization and Mental Health Among U.S. Adolescents*, 57 J. ADOLESCENT HEALTH 305, 311 (2015).

¹²⁶ See Rose & Tynes, *supra* note 125.

most states have also introduced cyberbullying and online harassment laws.¹²⁷ In forty-eight states, cyberbullying is included in the bullying laws.¹²⁸ In forty-five states, there is a criminal sanction for cyberbullying.¹²⁹ Forty-six states have a school sanction for cyberbullying.¹³⁰ Forty-nine states require its schools to have a school-wide policy on bullying and in twenty-eight of those forty-nine, the policy applies to off-campus interactions.¹³¹ These off-campus policies are most likely to be what cyberbullying would fall under.

In one case of cyberbullying, the First Circuit affirmed a decision from a Massachusetts court that a school's enforcement of its anti-bullying policy does not violate the First Amendment rights of the bullies.¹³² In this case, a student was subjected to cyberbullying when his teammates repeatedly took photos and videos of the student and shared them in a Snapchat group that the bullied student was not a part of.¹³³ The court found that messages in the Snapchat group included: "demeaning and expletive-laced comments regarding [the student's] appearance, voice, intimate anatomy, parents, and grandmother."¹³⁴ The school investigated the incident in accordance with its bullying policy and found that the student was subjected to emotional harm from the bullying.¹³⁵ After the incident, the student sought counseling in and outside of school, did not join any other sports teams, began mental health treatment, and did not return to the school the following academic year.¹³⁶ Some of the bullies in this case challenged the school's finding claiming violations of freedom of speech and contended that "emotional harm" was an "unconstitutionally overbroad and vague" claim.¹³⁷ The court denied these claims and relied on a Supreme Court decision that found that speech "may be regulated only if it would substantially disrupt school operations or interfere with the right of others."¹³⁸ The court also held that a substantial disruption to school was not necessary in this case due to the amount of

¹²⁷ Sameer Hinduja & Justin W. Patchin, *Bullying Laws Across America*, CYBERBULLYING RESEARCH CENTER, <https://cyberbullying.org/bullying-laws> [https://perma.cc/39YS-MAHQ] (last visited Feb. 17, 2025).

¹²⁸ *Id.*

¹²⁹ *Id.*

¹³⁰ *Id.*

¹³¹ *Id.*

¹³² *See generally* Doe v. Hopkinton Pub. Schs., 19 F.4th 493 (1st Cir. 2021) (holding that school-based bullying is not protected under the first amendment).

¹³³ *Id.* at 499.

¹³⁴ *Id.* at 500.

¹³⁵ *Id.* at 501.

¹³⁶ *Id.* at 502.

¹³⁷ *Id.*

¹³⁸ *Hopkinton Pub. Schs.*, 19 F.4th at 503 (quoting *Saxe v. State Coll. Area Sch. Dist.*, 240 F.3d 200, 214 (3d Cir. 2001)).

emotional harm the student suffered.¹³⁹ The bullies' argument that sending messages was speech only and therefore a protected First Amendment right was denied by the court.¹⁴⁰ The court held that the repeated participation in the Snapchat group caused continuous bullying to occur, and therefore was not protected by the First Amendment.¹⁴¹ Both the substantial disruption standard and the extreme amount of harm standard could be applied to emotional abuse. First, courts could protect against emotional abuse that creates a substantial disruption to a victim's livelihood. Considering this disruption would give victims standing without requiring proof of physical abuse. Second, dismissing the disruption requirement when the amount of emotional abuse is so severe would provide an added layer of protection for victims. Because emotional abuse is difficult to prove, and disruption to livelihood is a subjective standard, protections for excessive harm suffered would benefit victims who continually suffer from the effects of their abuse, but who may not be able to show clear physical indications of that abuse.

The previous case is an example of cyberbullying that shares contextual factors analogous to emotional abuse in a domestic violence scenario. The victim in the case was made to feel humiliated and fearful of his bullies because of their participation in a Snapchat group and continuous vicious comments towards the victim.¹⁴² The court found that these comments caused harm so severe, the First Amendment was not violated.¹⁴³ Similarly, in a domestic violence case, fear tactics of humiliation and degradation are used to give the abuser power over the victim.¹⁴⁴

There are, however, cases of cyberbullying in which a school's regulation can be determined by courts to violate a student's right to freedom of speech.¹⁴⁵ In *Mahanoy Area School Dist. v. B.L.*, a student was punished by her school for posting online messages of a "vulgar" nature regarding her cheerleading team and its coaches.¹⁴⁶ The student in *Mahanoy Area School Dist.* made the junior varsity (instead of varsity) cheerleading team and made social media posts showing her dissatisfaction with her placement as well as the placement of those who beat her out for the varsity squad.¹⁴⁷ Like the previous case, the post took place on Snapchat and was posted while the

¹³⁹ *Id.* at 500.

¹⁴⁰ *Id.* at 506–07.

¹⁴¹ *Id.* at 508–09.

¹⁴² *See supra* notes 133–35 and accompanying text.

¹⁴³ *See supra* notes 139–41 and accompanying text.

¹⁴⁴ *See supra* note 44 and accompanying text.

¹⁴⁵ *See generally* *Mahanoy Area Sch. Dist. v. B.L.*, 594 U.S. 180 (2021) (holding that a school's punishment of a student for her online communications was unconstitutional).

¹⁴⁶ *Id.* at 183–86.

¹⁴⁷ *Id.*

student was off campus.¹⁴⁸ Team members who saw the Snapchat post shared the photos with the coaching staff and expressed their discomfort with the student's posts.¹⁴⁹ When the coaching staff was made aware of the posts they determined that the language used against the cheerleading team violated the team's rules—and suspended the student from the team.¹⁵⁰ The District Court—later affirmed by the Third Circuit—ruled in favor of the student when she challenged this suspension, stating the posts did not “[cause] substantial disruption at the school.”¹⁵¹ Additionally, the court ruled that restricting the student's off-campus speech was too pervasive as it could restrict a student's entire day, and because it took away a student's right to hold an unpopular opinion.¹⁵² Though the Supreme Court held the decision, the Court distinguished the limits of a school's ability to restrict a student's speech in cases that involve severe, personally targeted bullying.¹⁵³ This distinction is a key factor in helping to establish regulations towards verbal abuse while not overstepping the First Amendment by maintaining the requirement for targeted speech beyond mere disagreement within a partnership. It is probable that perpetrators of emotional abuse would contend protections for victims violate the First Amendment. However, this argument has been considered and refuted in the aforementioned cases of cyberbullying. Unlike *Mahanoy*, emotional abuse is not typically a mere difference of opinion. In fact, it is often the exact form of speech distinguished in *Mahanoy*: severe and personally aimed.

While the Supreme Court uses *Mahanoy* to reaffirm a student's First Amendment Rights and to limit the restrictions schools can put on student

¹⁴⁸ *Id.*

¹⁴⁹ *Id.*

¹⁵⁰ *Id.*

¹⁵¹ *Mahanoy Area Sch. Dist.*, 594 U.S. at 186 (citing *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503 (1969)). In *Tinker*, the Court established the limits of the extent of the First Amendment. *See Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 513 (1969). A student's freedom of speech is protected unless it “substantially interfere[s] with the work of the school or impinge[s] upon the rights of other students.” *Id.* at 509. The Court built upon the parameters of a student's right to free speech by stating, “conduct by [a] student, in class or out of it, which for any reason—whether it stems from time, place, or type of behavior—materially disrupts classwork or involves substantial disorder or invasion of the rights of others is . . . not immunized by the constitutional guarantee of freedom of speech.” *Id.* at 513. The standard set forth in *Tinker* is often used in cases of bullying when freedom of speech is in question. *See, e.g., Mahanoy Area Sch. Dist.*, 594 U.S. at 180 (2021). The standard is usually restricted to incidents that occur on school grounds and cannot be extended to “pure speech” off campus when that speech is not sufficiently connected to the school. *Id.* at 186. It should be noted that the Court in *Mahanoy* did not apply the *Tinker* standard because it took place off campus and, despite the vulgar nature of the speech, did not significantly impact school activities. *Id.* at 186–87.

¹⁵² *Mahanoy Area Sch. Dist.*, 594 U.S. at 189.

¹⁵³ *Id.* at 187 (“The school's regulatory interests remain significant in some off-campus circumstances. . . . These include serious or severe bullying or harassment targeting particular individuals [and] threats aimed at teachers or other students . . .”).

speech, the Court clarifies the distinction between speech that is merely an “unpopular opinion” from speech that is targeted harassment toward individuals, which is not limitlessly protected by the First Amendment.¹⁵⁴ The Court discussion of students’ First Amendment Rights in *Tinker v. Des Moines Independent Community School District*,¹⁵⁵ helps to further outline the limits of freedom of speech.¹⁵⁶ In *Tinker*, limits allow schools to prohibit speech that disrupts the school’s functionality or inhibits other school community member’s rights.¹⁵⁷ Both *Mahanoy* and *Tinker* can be used to exemplify how emotional abuse could be regulated. While *Doe* can be used to provide insight as to what type of speech can be restricted to protect victims,¹⁵⁸ *Mahanoy* and *Tinker* can be used to create parameters of speech restrictions, as was done in each of these cases.¹⁵⁹ When emotional abuse is continuously perpetrated, as was the cyberbullying in *Doe*, and when that abuse is severe and individually targeted, as distinguished by *Mahanoy*, the First Amendment should not be applicable to protect the abuse.

C. The United Kingdom’s Serious Crimes Act

The United Kingdom offers victims certain protections for emotional abuse through its Serious Crimes Act (“the Act”).¹⁶⁰ Specifically, the Act has a subsection for domestic abuse describing “[c]ontrolling or coercive behaviour [*sic*] in an intimate family relationship.”¹⁶¹ The Serious Crimes Act and its provision on controlling or coercive behavior has been effective for victims of emotional abuse.¹⁶² This Act is a prime example of a working law that has been put in place to shield victims from emotionally abusive partners.¹⁶³ Those covered by the Act include personally connected people in either an intimate personal relationship or those who live together and are either related to one another or were formerly in an intimate partnership.¹⁶⁴ Items considered to be offenses under the Act include repeated or intentional

¹⁵⁴ See *supra* note 153 and accompanying text.

¹⁵⁵ See *supra* note 151 and accompanying text.

¹⁵⁶ See *supra* note 151 and accompanying text.

¹⁵⁷ See *supra* note 151 and accompanying text.

¹⁵⁸ See *infra* section III.B.

¹⁵⁹ See *supra* notes 151 and 153 and accompanying text.

¹⁶⁰ See generally, Serious Crimes Act, 2015, c. 9 (UK) (among other things, increasing protections for victims of domestic abuse).

¹⁶¹ *Id.* at § 76. This section of the Act outlines what an offense of controlling or coercive behavior could be, what types of relationships are protected by this Act, and exceptions to behaviors that would typically be considered to be an offense.

¹⁶² See *supra* Section I. (The victim in the introduction of this paper cites the Serious Crimes Act as her protective barrier for escaping an emotionally abusive relationship).

¹⁶³ *Id.*; see also Serious Crimes Act, 2015, c. 9 (UK).

¹⁶⁴ Serious Crimes Act, 2015, c. 9 § 76(2) (UK).

controlling or coercive behavior that has a serious impact on the victim and the offender knows or reasonably should know that this impact will result from the offense.¹⁶⁵ Under the Act, perpetrators face up to five years in prison.¹⁶⁶ When cases under the Serious Crimes Act are being investigated and prosecuted, the safety and support of the victim are paramount.¹⁶⁷

As previously discussed, the impact emotional abuse can have on victims can cause damage in numerous aspects of the victim's life.¹⁶⁸ The Act directly addresses these long-term effects twofold, by protecting against both repetitive abuse and abuse that harms the victim's ability to continue with their normal life routine.¹⁶⁹ This protection helps provide a remedy for one of the most impactful and detrimental factors of emotional abuse—the lasting impacts that the abuse has on victims.¹⁷⁰ Not only can emotional abuse cause immediate distress, but its continuous nature can impact victims' ability to care for themselves and their loved ones, their ability to perform necessary tasks—such as work or home obligations, or caring for their overall health and well-being.¹⁷¹ Enacting legislation that is similar to that of the United Kingdom's Serious Crime Act could help provide recourse options for victims who feel trapped in their relationship. The guidelines set out by the Act address both the types of people who need protection from emotional abuse,¹⁷² and the offenses that are most commonly used to commit emotional abuse.¹⁷³ If legislation in the United States were to look towards the United Kingdom, victims in the United States would have avenues for protection that their counterparts in the United Kingdom have already begun to see the benefits from.¹⁷⁴

¹⁶⁵ *Id.* at § 76(1); *see also id.* at § 76(4). (subsection (4) further explains that an offense has a “serious effect” when it “(a) it causes [the victim] to fear, on at least two occasions, that violence will be used against [the victim], or (b) it causes [the victim] serious alarm or distress which has a substantial adverse effect on [the victim’s] usual day-to-day activities.”).

¹⁶⁶ *Controlling or Coercive Behaviour in an Intimate or Family Relationship*, *supra* note 10.

¹⁶⁷ *Id.* (instructing that police and prosecutors should keep an open dialogue with victims and their support team to routinely assess the victim’s safety).

¹⁶⁸ *See supra* Section II.B.

¹⁶⁹ Serious Crimes Act, 2015, c. 9 § 76(1), (2) (UK).

¹⁷⁰ *See supra* Section II.B.

¹⁷¹ *See supra* note 165.

¹⁷² Serious Crimes Act 2015, c.9 § 76(2) (UK) (providing protections for intimate partners and family or partners/former partners sharing a home).

¹⁷³ Serious Crimes Act 2015, c.9 § 76(4) (UK) (protecting victims from offenses that are either repetitive or harmful to their daily function).

¹⁷⁴ *See supra* note 165.

D. Applying Protections to a Victim's Story

Suppose the victim described in Section I lived in the United States instead of the United Kingdom.¹⁷⁵ She could be safeguarded from her abuser by establishing emotional abuse regulations that mirror workplace harassment, cyberbullying, and the Serious Crimes Act. While laws regulating workplace harassment and cyberbullying can be used to establish prohibited behaviors, the Serious Crimes Act can be used to determine who is protected from emotional abuse and to help apply the prohibitions of workplace harassment and cyberbullying to these relationships.¹⁷⁶

Workplace harassment regulations encompass forms of emotional abuse like degradation, sexual abuse, and an imbalance of power.¹⁷⁷ In *Meritor Savings Bank, FSB v. Vinson* and *Oncale v. Sundowner Offshore Services*, both employees Vinson and Oncale, were subjected to sexual abuse and degradation at work.¹⁷⁸ Vinson was repeatedly groped and raped but complied with her abuser out of fear for her job.¹⁷⁹ Oncale quit his job because of the humiliation and threats of sexual abuse he received while at work.¹⁸⁰ Both victims were forced to choose between taking the abuse keeping their jobs, or trying to escape the abuse by way of losing their livelihood.¹⁸¹ The victim in Section I faced a similar crossroads, having to choose between living in fear of her partner's outbursts and destructive behavior, or leaving her home and losing her financial stability as she no longer had a job due to her partner's demand.¹⁸² If an emotional abuse victim as described in Section I had similar protections to workplace harassment, victims would likely experience an increase in their well-being. Additionally, an individual's right to live in non-hostile conditions could add a layer of security to their home. Finally, requiring courts to evaluate emotional abuse on a case-by-case basis would help to minimize the present barriers to protective orders that require a threat to life or a criminal act. Creating a new standard for evaluating non-physical abuse would not only help protect victims from the long-lasting trauma that can come from emotional abuse but could also establish an earlier legal checkpoint before the abuse does become physically life-threatening.

¹⁷⁵ See *supra* Section I.

¹⁷⁶ See *infra* Section III.D.

¹⁷⁷ See *supra* Sections II.B, III.A.

¹⁷⁸ See *supra* Section III.A.

¹⁷⁹ *Id.*

¹⁸⁰ *Id.*

¹⁸¹ See *supra* Section III.A.

¹⁸² See *supra* Part I.

Cyberbullying uses emotional abuse tactics like fear, isolation, and humiliation.¹⁸³ In *Doe v. Hopkinton Public Schools*, the social media bullying that the victim faced was used to humiliate him in front of and isolate him from his teammates.¹⁸⁴ Similar to the online bullies, the abuser in Section I isolated the victim from her friends and family.¹⁸⁵ The court in *Doe v. Hopkinton Public Schools* found that because the victim suffered such severe emotional distress, the bullies' speech was not protected under the First Amendment.¹⁸⁶ In the interest of protecting the First Amendment, the standards of disruption and targeted harassment from *Mahanoy Area School Dist.* and *Tinker*¹⁸⁷ can be used to establish limits on what types of speech may be classified as emotional abuse. Again, considering a victim similar to the one described in Section I, protections for emotional abuse modeled after cyberbullying would offer the victim two additional methods of security. A victim who can show disruption to livelihood—like suddenly quitting her job or persistent inability to see friends and family—would no longer be required to show a physical threat to life. Further, a victim who is routinely berated by an abuser would necessarily have to meet the disruption standard if the abuse is so severe and frequent. Finally, prohibiting abuse that is ongoing and targeted would not interfere with the First Amendment because the abuse extends beyond a mere expression of opinion.

The Serious Crimes Act needs little interpretation as it directly relates to emotional abuse.¹⁸⁸ If it were adopted in the United States, intimate partner relationships, relationships within a family home, and ex-partners who cohabitate would all be covered.¹⁸⁹ So, relationships like those in Section I would be covered under the intimate partner relationship.¹⁹⁰ Additionally, the Serious Crimes Act specifically targets coercive or controlling acts that are either repetitive, inhibit normal daily function, or both.¹⁹¹ The abuse in Section I was both.¹⁹² The abuser frequently verbally assaulted and threatened her, and the abuse escalated to the point that she ceased social activity and basic tasks like eating.¹⁹³ For a victim in a similar situation in the United States, these parameters from the Act, coupled with the regulations

¹⁸³ See *supra* Sections II.B, III.B.

¹⁸⁴ See *supra* Section III.B.

¹⁸⁵ See *supra* Part I.

¹⁸⁶ *Doe v. Hopkinton Public Schools*, 19 F.4th 493, 506 (1st Cir. 2021).

¹⁸⁷ See *supra* notes 152–59 and accompanying text.

¹⁸⁸ See *supra* Section III.C.

¹⁸⁹ See *supra* note 172 and accompanying text.

¹⁹⁰ See *supra* note 173 and accompanying text; see also *supra* Part I.

¹⁹¹ See *supra* note 173 and accompanying text.

¹⁹² See *supra* Part I.

¹⁹³ See *supra* Part I.

established from workplace harassment and cyberbullying, would establish guidelines for what types of emotionally abusive behaviors are prohibited and who is protected from that abuse.

IV. CONCLUSION

Establishing protections for emotional abuse is a necessary step in minimizing the negative impacts of domestic violence.¹⁹⁴ Emotional abuse can have long-term impacts on victims and currently has very minimal regulations.¹⁹⁵ These gaps in protection that victims are presently faced with can be closed by applying frameworks from workplace harassment and cyberbullying regulations and parameters of applications from the Serious Crimes Act.¹⁹⁶ Holistic, situational consideration to determine the presence of abuse and the classification of the home and other shared areas of the intimate partnership can be drawn from workplace harassment laws.¹⁹⁷ Using the disruption of functionality standard from cyberbullying laws would help maintain the safety and success of the home and other shared areas of the partnership, while the requirement for targeted harassment resulting in significant harm establishes a quantifying factor for emotional abuse while still protecting First Amendment Rights.¹⁹⁸ Finally, the Serious Crimes Act details possible parameters of applicability for who could be covered and what should be covered.¹⁹⁹ The Act suggests that those living together or those presently or formerly in an intimate relationship should be included.²⁰⁰ The Act also suggests that abuse that is repetitive or intentional, and seriously impacts or could seriously impact the victim.²⁰¹ Using these standards set out in workplace harassment and cyberbullying and the parameters established in the Serious Crimes Act would provide critical improvements both for the safety and well-being of victims who live in emotionally abusive situations.²⁰²

¹⁹⁴ See *supra* Part II.

¹⁹⁵ See *supra* Part II.

¹⁹⁶ See *supra* Part III.

¹⁹⁷ See *supra* Section III.A.

¹⁹⁸ See *supra* Section III.B.

¹⁹⁹ See *supra* Section III.C.

²⁰⁰ See *supra* Part I.

²⁰¹ See *supra* Sections II.B, III.B..

²⁰² See *supra* Part III.