The impact of state policy on teen dating violence prevalence

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Abstract

Teen dating violence (TDV) is a serious public health concern that is associated with many negative effects. Studies on TDV prevention most often focus on the evaluation of prevention programs in school and community settings. Much less is known about the effects of policy on TDV prevalence. This study tests a model to explain whether stronger laws regarding TDV, specifically civil protection orders, have an impact on TDV rates in states. Results show that stronger policy, Democratic party control of the governor's office, and higher state median income are associated with lower rates of TDV. This study provides solid information regarding the role of civil protection orders as a means of TDV prevention and adds to our knowledge of the efficacy of state-level TDV policy. The information can lead to increased vigor on the part of advocates to strive for specific provisions in the law and to work for gubernatorial candidates who will support such laws.

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Introduction

Teen dating violence (TDV) is a very real problem and its negative consequences are well documented in the literature. Strong correlations exist between youth being victimized by physical TDV and higher levels of depression, suicide ideation and attempts, and poorer educational outcomes (Banyard & Cross, 2008; Filson, Ulloa, Runfola, & Hokoda, 2010). Youth experiencing TDV are more likely to engage in risky behaviors including episodic heavy drinking, binge-eating, sexual intercourse, pregnancy, smoking and physical fighting than non-victimized youth (Centers for Disease Control and Prevention, 2006; Silverman, Raj, & Clements, 2004). Experiencing TDV is even linked to increased risk of re-victimization through intimate partner violence (IPV) later in life (Smith, White, & Holland, 2003).

The Centers for Disease Control and Prevention (CDC) define TDV as intimate partner violence that occurs between two people in a close relationship and can be physical, sexual or psychological/emotional (CDC, 2014a) but researchers often choose different approaches to operationalize. Because there is no standard way to measure TDV, reported prevalence rates vary considerably between studies. Some studies include all forms of violence; some only focus on physical, and many studies do not include sexual violence. In addition, reported TDV prevalence may be inaccurate because most dating violence research relies on self-report (CDC, 2014b; Silverman, Raj, Mucci, & Hathaway, 2001; Straus, 2004) and thus subject to the issue of socially desirable responses.

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The CDC use The Youth Risk Behavior Surveillance (YRBS) instrument, though this measures only physical dating violence. It reports that in the United States, 9.4% of high school students experienced physical abuse such as being slapped, hit, or physically hurt on purpose by their boyfriend or girlfriend (CDC, 2012, p. 10). Higher prevalence on the YRBS exists for Black (12.2%) and Hispanic teens (11.4%) than for white teens (7.6%) (CDC, 2012, p. 10) across the nation. Findings from the YRBS show considerable variation in states’ rates of TDV, from a low of 6.5% in Vermont to a high of 16.1% in Georgia (median of 11.0%) (CDC, 2012, p. 67). In large urban school districts, rates ranged from 7.6% to a staggering 24.2% (CDC, 2012, p. 10).

Studies on TDV similarly often concentrate on the impact of victimization, help-seeking, risk and protective factors at the individual, family, and community level. Studies on TDV prevention most often focus on the evaluation of prevention programs in school and community settings and do not look at the larger context of those programs or societal level factors. Strand (2012) found that offenders assessed as low or medium risk (Keilitz, Hannaford, also generally for IPV were less likely to recidivate if they had a restraining order issued upon them than those assessed as high risk. Studies (Tharp et al., 2012). For example, Holt, Kernice, Wolf, and Rivara (2003) found that those women with full CPOs had less repeat abuse than those women, allows for the federal prosecution of interstate domestic violence and sexual assault crimes and guaranteed interstate enforcement of protection orders (POs).

Legal policies to address teen dating violence are often embedded in domestic violence policies (Sousa, 1999). (For example, in some states a minor can seek a protective order similar to an adult). Although all fifty states have some form of domestic violence civil protection order legislation, dating violence policies vary dramatically from state to state (Break the Cycle, 2010). Policy in this area frequently changes but no national model is followed in all the states at the time of this writing. For example, some states preclude people who are in a dating relationship and not a legal, family, cohabiting, or co-parenting relationship from accessing provisions within the domestic violence law (Zosky, 2010). Some states have statutes requiring schools to provide TDV prevention programming. Some states have statutes that require schools to have policies addressing TDV and some states have statutes permitting those in dating relationships to obtain a Civil Protection Order (CPO). In this study, we focus on the policy issue of CPOs.

Civil protection orders (CPOs)

CPOs prohibit an offender from contact (or least violence contact) with a victim of partner violence (Finn, 1989). Generally, CPOs are enforced through criminal divisions of the courts, and thus, violating a CPO can become a criminal charge. The label and eligibility criteria of CPOs varies across states (i.e., restraining order, peace bonds) but all states have enacted some form of CPOs to protect victims of partner violence (Logan et al., 2006).

Although there is controversy about their effectiveness, research generally supports the conclusion that CPOs are associated with reduced risk of violence toward the victim (Benitez, McNiel, & Binder, 2010; Kothari et al., 2012; Logan & Walker, 2010). For example, Holt, Kernice, Wolf, and Rivara (2003) found that those women with full CPOs had less repeat abuse than women without full CPOs during a 9-to-12 month period. Strand (2012) found that offenders assessed as low or medium risk for IPV were less likely to recidivate if they had a restraining order issued upon them than those assessed as high risk. Studies also generally find that women report that they feel safer and that their lives improved after obtaining a protective order (Kellitz, Hannaford, & Elkeman, 1997; Logan et al., 2006). Hawkins (2010) reported that prior to receiving a protective order,
65% of women living in rural communities and 43% of women living in urban communities reported being fearful of future harm compared to 46% of women in a rural community and 26% of women in an urban community after obtaining a protective order. The authors know of no research that has examined the effectiveness of CPOs for TDV. However, many have advocated that CPOs can help to protect victims of TDV similar to adult victims of domestic violence (Kuhl, 2012; Saperstein, 2005; Sousa, 1999).

Few in violent dating relationships seek legal assistance (Black, Tolman, Callahan, Saunders, & Weisz, 2008; Cornelius, Shorey, & Kunde, 2009) but when they seek assistance, it is civil protection orders that are most widely used in an attempt to reduce the risk of harm. Those seeking civil protection orders often fear that their claims will not be taken seriously (Felson, 2008) and a loss of confidentiality (Ocampo, Shelley, & Jaycox, 2007). Police are less likely to intervene in cases of minor forms of aggressions, such as slapping, occurring in dating relationships (Felson, 2008). Teens in dating relationships face additional barriers to obtaining protective orders including the availability for court hearings, limited hours of applying for protection orders, fees assessed for serving an order, and a general lack of knowledge related to the process of obtaining a PO (Cornelius et al., 2009). Despite the desire to obtain a protective order, teens, as adults, are aware that protective orders are not a guarantee. Spitzberg’s (2002) review of 32 studies found that protective orders were violated approximately 40% of the time.

Considerable variability exists across states in regard to protection orders for those in dating relationships. Martin (2012) states that the accessibility of protection orders for teens in most states remains in flux because states largely fail to detail the circumstances in which teens are accorded the ability to seek protection orders and the legal capacity to represent their own interests in court proceedings (p.1). Minors have access to CPO in 45 states and the District of Columbia. Missouri is the only state that expels prohibits minors from accessing protection orders. A few states do not specify if a minor can access CPO.

Only eight states do not permit those in dating relationships to file for a CPO (Alabama, Kentucky, SC, SD, Utah, Georgia, Ohio, Virginia). In Wyoming, people in dating relationships may seek POs against their abusers but the law does not specify whether minors can obtain POs on their own behalf. Nine states prohibit all minors from petitioning on their own behalf but most states do not specify if minors can petition. The majority of states do not specify if a petition can be brought against a minor; five states specifically forbid it. Three states offer protection to couples of the same sex (Break the Cycle, 2010). Some states require parental notification; some states only accept petitions resulting from parental filing.

Factors affecting policy selection and enactment at the state level

The literature on policy formation at the state level in the United States is rich and robust. Different research approaches have been tested over time; this study uses the conceptual framework of comparative state policy research (Matisoff, 2008, Wiener & Koontz, 2010) to study the impact of policy on TDV. This research framework uses the natural variation in state law and policy outcomes to assess the impact of law on outcomes. This framework is suitable because state laws regarding TDV vary considerably (Break the Cycle, 2010) as do the rates of TDV (CDC, 2012). Examining the variation in laws and outcomes in tandem allows us to estimate the effect of varying policy on the prevalence of TDV in each state.

In particular, we use the lens of the internal determinants approach to comparative state policy. This approach examines factors internal to the states, a common strategy for comparative state policy research (Matisoff, 2008, Wiener & Koontz, 2010). According to Wiener and Koontz (2010), the internal determinants approach studies characteristics of states that occur within those states’ borders. Typical factors examined in the internal determinants approach to comparative state policy research studies include problem prevalence (usually the dependent variable), state economic conditions, and political party control of state governmental institutions. In addition to these variables typical for internal determinants studies, our research uses a “grade” of the TDV policy to determine if the strength of the laws in each state influences the extent of TDV prevalence.

State economic resources

In line with previous research, we believe states with a higher level of economic resources, in terms of mean household income, are more likely to invest in legislative action to solve social problems (Brunner, Ross, & Washington, 2011). This variable is considered “typical” of socio-economic variables in state policy literature (Gray, 2012; Wright, Erickson, & McIver, 1987, p. 987). Mean household income, similar to the control of government institutions, acts through the creation of policy and may also have a direct effect as well.

Party control of state government institutions (Governor, Senate and House of Representatives)

The term “government institutions” in this study refers to the political governing bodies in the states, (i.e., the governorships and the legislative assemblies such as the state Senate and House of Representatives). Partisan control of these governmental institutions shapes the policies that emerge from the give and take of lawmaking. The Republican and the Democratic Parties are associated with conservative and liberal values, respectively. In recent decades, the Democratic Party has been linked with liberalism and progressiveness and the willingness to use government policy to decrease the severity of social problems such as dating violence (Fowler, 2004). On the other hand, the Republican Party has been more connected with laissez-faire policies, fiscal conservatism, and the promotion of personal responsibility (Fowler, 2004). Neither party is in favor of violence, of course, but the way each believes best to address it depends on their basic principles.
Which party is in control of decision-making institutions is important because research demonstrates the impact of political party control of government on policy. Medoff, Dennis, and Stephens (2011) indicate Republican control of state legislative and executive branches “increases the likelihood a state will enact a parental involvement law [regarding abortion], while Democratic Party control decreases this likelihood” (p. 325). Barrilleaux and Bernick (2003) found that the percent of Democrats in a state’s lower house helped predict more state funding for people with low-income. Gray (2012) lists partisan control as an important element in state comparative research findings. Parties at the state level have also become more ideologically coherent, leading voters to expect that different parties will try to enact different policies (Holbrook & La Raja, 2012). Thus, we believe that the political party of governors and legislators reflects different views regarding social policy in general, and may impact laws related to the issue of TDV and how it should be addressed. Most states have three separate elected institutions of government: the governor, the state senate and the state house. All three must agree to a bill before it becomes law, so each is included in the study as a separate variable.

Strength of laws
Policy outcomes depend on the details of the laws that are enacted, as well as their implementation (Lipsky, 1980; Pressman & Wildavsky, 1984). Laws can be considered strong or weak, depending on the extent to which they address the underlying conditions that need remediation. For TDV, we believe that laws that make it easier for minors to obtain CPOs are stronger than laws that have more barriers in them because, as noted earlier, COPs reduce or prevent contact between perpetrator and survivor, and thus, a key strategy in preventing TDV.

Research design and methods
Operationalizing the study variables
Our research seeks to explain the dependent variable of TDV prevalence as a result of the impact of several independent variables, specifically, state economic resources, party control of institutions of government and details of state law regarding CPOs for minors. The operationalization of each variable is covered in this section.

Teen dating violence prevalence
The dependent variable in our study is the prevalence of physical dating violence (being hit, slapped, or physically hurt on purpose by boyfriend or girlfriend) as measured by the 2011 Youth Risky Behavior Survey and expressed as a percentage of respondents (CDC, 2012). It is not mandatory for states to participate in this study and some states do not collect the data. Forty-three states are included in the 2011 YRBS data set (NV, OR, PA, WA, MN, CA, and MO did not participate). This is sufficient to obtain meaningful results, according to an a priori power analysis (described fully below under data analysis plans).

State economic resources
We use state median household income in 2009 from the United States Census Bureau as our indicator of state economic resources.

Party control of government institutions (Governor, Senate and House of Repartives)
Using information from the Council of State Governments, the value of 0 is assigned if the governor’s or either chamber’s majority or affiliation is Republican and 1 if it is Democratic for each of the three institutions (Governor, House majority, Senate majority) (Council of State Governments, 2010).

State policy strength
We have used the grades of dating violence policies given to all states by the nationally regarded advocacy group ‘Break the Cycle’ (2010). Break the Cycle assigns each state a grade (from A to F) depending on its assessment of the strength of laws regarding TDV in that state. The higher the number of recommended policy elements, the higher the grade received.

While Break the Cycle (2010) identified several important areas (school responses to dating violence and access to sensitive services) for well-being of teens, grades reported in 2010 were based on state laws related to teens access to CPOs (Break the Cycle, 2010). Grades were determined on the basis of the level of difficulty teens experienced in accessing CPOs. Ten indicators, recommended policy criteria advocated by the experts on dating violence at Break the Cycle, were used to determine the grade (Break the Cycle, 2010). The experts in dating violence scored and weighted the following indicators: (1) minors can be granted CPOs; (2) dating relationships recognized for CPO acquisition; (3) minors can file for CPO on own behalf; (4) parental notification requirement; (5) same sex couples quality for CPOs; (6) CPO granted against a minor respondent; (7) options available on CPO filing if minor cannot; (8) qualifying definitions of abuse for filing CPO; (9) minor’s request for CPO heard in courts familiar with domestic violence; and (10) modifiability of the CPO. These indicators were weighted for level of importance (Break the Cycle, 2010).

According to Break the Cycle (2010) “states that met the criterion received ten points for the indicator and those with the most adverse policy received zero points. Intermediate policies were assigned point values between 0 and 10. States earning at least eight points received an A, states earning at least 7 points received a B, those earning at least 6 points received a C, and
those earning at least 5 points received a D. However, states that did not permit minors to obtain at CPO or permit dating relationships to qualify for a CPO received automatic failing grades (p.5).” Break the Cycle (2010) rated dating violence policy strength for all 50 states.

Grades of the states’ policies were originally coded with a letter grade, A (best) to F (worst). We coded the policy grade in similar fashion, and consider it as a continuous variable with the values as follows: A = 5, B = 4, C = 3, D = 2, and F = 1.

The information published in 2010 is based on dating violence laws in effect in December 2009. The gap in time between when the laws were cataloged (2009) and the prevalence rates dependent variable in 2011 is beneficial for this research because we believe that a two-year lag time is the minimum needed to allow a policy to be implemented and to determine whether it has any impact (King & Behrman, 2009). While estimated lag times between enactment and effect for social policies vary, two years allows time to begin estimating effects (King & Behrman, 2009).

Description of sample and data collection

All of the states of the USA were considered for inclusion. While the District of Columbia is treated as a state in some comparative state policy research, it was excluded in this project. While Nebraska has a unicameral legislature (only one body, not both a Senate and a House of Representatives), it is included as the statistical approach can deal with that anomaly. Thus, the total n for the dependent variable is 43, which represents 86% of the 50 states in the US. The data were collected from public sources.

A priori power analysis

A priori power analysis was conducted using G*power to determine the effect size and sample size. The effect size was determined using the YRBS 2011 percentage of teen dating violence based upon the 2012 Electoral College results. States voting Republican reported a percentage of teen dating violence of 11.65% ± 2.42%, and states voting Democratic reported a percentage of teen dating violence of 9.66% ± 2.28%. Using these values the upper limit of the effect size between two means was determined to be 0.84 with a power of 0.7, an alpha set at 0.05 and an allocation ratio of 0.7, resulting in required sample size of 22 Republican states and 16 Democratic states with a total required n of 38. Thus, the sample size of 43 was considered sufficient to proceed.

Statistical methods

A linear mixed model in SPSS was used to fit a separate intercept and slope for each state to determine the effects of policy grade 2010 and party of the governor in 2009 on the effects of the incidence on teen dating violence over time (1999 to 2010) with the following as covariates: party control of the house in 2009, party control of the senate in 2009, and median state income in thousands in 2009. The model fit a random intercept and a random slope for each state using a scaled identity covariance structure and a diagonal covariance structure for repeated effects (year). Time was centered at 1999 before computing intercepts and slopes for each state. Alpha was set at 0.05 for all comparisons.

Results

The results of the linear mixed model on the effects of policy grade 2010 and party of the governor in 2009 on the effects of the incidence on teen dating violence over time (1999 to 2010) with the following as covariates: party control of the house in 2009, party control of the senate in 2009, and median state income in thousands in 2009 are presented in Table 1. The intercepts were significantly different suggesting that the initial starting point between the states for the prevalence of TDV in 1999 were not equal. The rate of change in the prevalence of TDV was 0.17% per two-year with a significance of p = .056. While not significant at the p = .05 level this does indicate that the prevalence of teen dating violence was increasing at a rate of 0.17% over each two year reporting interval.

The results are partially supportive of the statistical model proposed. Policy grade was significantly different between states over time (p = .041). The estimate for Policy Grade = 1 is a 1.8 which means that states receiving the lowest policy grade of F had a higher incidence of teen violence. The party of the governor in 2009 was also significant (p = .012). The estimate of Gov2009Party = 0 (Republican), with a value of 1.05, indicates that states with Republican governors in 2009 had a significantly higher incidence of teen dating violence in 2011. Democratic control of the House (p = .077) and Senate (p = .443) were not significantly associated with levels of TDV.

The covariate state income 2009 was also significant (p = .016). The estimate for state income 2009 is −0.063, indicating that states with higher median income in 2009 had a significantly lower incidence of teen dating violence than states with lower median income.

Discussion

Findings from the study generally support the statistical model and suggest that state policy relating to CPOs may be an important strategy to address TDV. Three of the five hypotheses were supported. Stronger policy (as measured by the grades
given by Break the Cycle), higher median income, and control of the state's governorship by a member of the Democratic Party were associated with lower prevalence of TDV. Democratic control of the Senate and House of Representatives were not associated with lower prevalence of TDV.

The finding that strong state policies related to CPOs impact TDV prevalence is encouraging. Changes in laws of this type are within the realm of possibility in every state, and bi-partisan coalitions may be able to be created to pass bills making CPOs easier for minors to obtain and to have governors sign the bills into law. These findings also support previous research that finds CPOs are associated with reduced risk of violence toward adult victims of abuse (Benitez et al., 2010; Kothari et al., 2012). It is somewhat puzzling that Democratic Party control of the legislative bodies is not as important as control of the governorship. A possible reason is that legislatures have many members and coalitions to pass bills usually cut across party lines.

Governors, on the other hand, are unitary actors. If the governor vetoes a bill it is difficult to overcome that veto. Still, future research should examine this more closely.

The finding that states with higher median income in 2009 had a significantly lower incidence of teen dating violence than states with lower median income was not unexpected. States with a higher level of economic resources, in terms of average income per household, are believed to be more likely to invest in legislative action to solve social problems (Brunner et al., 2011). Hoefer et al. (2012) also found some support for states with higher levels of median income having stronger TDV policies. Additionally, research documents that youth from low SES and impoverished communities have higher rates of TDV (Offenhauer & Buchalter, 2011). Some research suggests that violence in low-income communities is related to a lack of community resources (Barnett & Mencken, 2002); other research suggests it relates to the lack of social organization (Sheidow, Gorman-Smith, Tolan, & Henry, 2001).

These are the first empirical results to determine that adopting stronger state laws related to CPOs for adolescents, having a Democrat governor, and having a higher median household income have a demonstrable impact on the prevalence of TDV. These results lead to implications for policy, practice and research. Strong state TDV polices relating to lower prevalence of TDV had important components. Thus, all states need to incorporate these components into their TDV policies. States need to recognize dating relationship violence for both opposite-sex youth and same-sex youth as separate and unique from stranger or family violence. Statues need to permit minors to obtain protective orders and for protective orders to last longer than one year. Statues also need to broaden their definitions of abuse to include cyberstalking and harassing phone calls and texting. Findings also point to the need for policy makers to increase teen access of CPO and remove any possible barriers for teens seeking CPO. Law enforcement needs to take TDV cases seriously and providing them with more access to information about legal options and court processes (Cornelius et al., 2009).

Findings from the study also have important practice implications. Counselors, social workers, health care workers and other working with youth must become knowledgeable about the statues related to TDV and provide information to youth about their rights. Service providers can remind their youth that there is some evidence that strong CPO polices do impact the

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a Dependent variable: Percentage of high school students who experienced dating violence.
b This parameter is set to zero because it is redundant.
prevalence of TDV. Service providers and their professional organizations also need to advocate for stronger policies related to TDV in the area of CPOs. They might also be encouraged to become involved in the political arena knowing that governorship has a relationship to the policies that impact their clients. Advocates for stronger policy will know that their chances for strong policy and less TDV are enhanced when the Democratic Party is in the Governor’s position. This appears more important than even having control of the Senate and House of Representatives in their state.

Findings from the study suggest that addressing poverty and economic issues within a state will impact the prevalence of TDV. This should not be a surprise, as poverty has many deleterious impacts on people of all ages and stations. Any specific recommendations on this issue at this time would go beyond the findings into the realm of speculation but should be the focus of future research.

Other future research should address the impact of state laws mandating TDV programming in the schools and TDV school policies. Additionally, future research needs to address the relative importance of laws related to TDV. For example, having strong civil protective orders more important than mandated TDV prevention programming in the school? We believe a fine-grained examination will provide greater specificity in our knowledge, as well as more guidance to policy advocates working to pass effective and research-based legislation. Further research should also focus on covering a longer time period and should search for additional variables to include in the statistical models.

Limitations

The findings need to be considered within the context of the limitations of the research study. First, measures used to two assess two of the key variables are limited. We used the assigned grade from Break the Cycle for policy strength. Although Break the Cycle used a standard method to assess the strength of each state’s laws pertaining to CPO, the measure has not been tested for reliability or validity. Additionally, prevalence of TDV was assessed using a single item from the CDC (YRBS). The data available for the TDV prevalence variable may not be entirely accurate. It does not include all states and high risk youth not in schools were not included in the YRBS. Additionally, TDV is often underreported. Although YRBS data is the most consistent and standardized measurement of the prevalence of physical TDV across states using a scale or more items to assess TDV might have yielded a more reliable measure of TDV.

Second, because this is the first effort to link policy strength to TDV, important variables that affect TDV may not have been included. For example, TDV has been found to relate to school violence and community violence and may need to be included in the analysis (Black et al., 2015; Reed, Silverman, Raj, Decker, & Miller, 2011). Violence against women has also been found to be related to the level of gender inequality in a community (Heaney, 2009). Measures of gender inequality in a state (number or percent of women in the state legislature and whether the governor is a woman) could also be an important variable to include. As with most research of this type, we may be overlooking one or more variables that underlie two or more of our variables. Perhaps states with a Democratic governor and higher economic levels have less income stratification and it is stratification that is connected to lower levels of TDV. The variable covering economic resources, while commonly used in comparative state policy research, may be broader than some critics would prefer. Finally, of course, the data in the study cover a short and specific time period. These results may be true only for the period covered. Despite these possible pitfalls, we believe that this approach to understanding TDV and its prevention is both interesting and valuable.

Conclusion

The problem of teen dating violence is widespread and persistent. This research demonstrates that particular laws are associated with lower levels of this social problem. While various approaches have been used to reduce TDV’s prevalence, research to this point has not been able to show what might be done to make a difference in teens’ lives. We now have clear evidence (even if of a preliminary nature) that successful advocacy for specific laws to a receptive Governor are associated with decreased levels of violence among teens and young adults in dating relationships.

References


