



Students and teenagers as perpetrators of robbery in Indonesia from the perspective of law enforcement

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ARTICLE INFO

Keywords:

Law Enforcement;
Robbery;
Teenage Students.

Article history:

Received Aug 9, 2024;
Revised Aug 20, 2024;
Accepted Sep 10, 2024;
Online Oct 30, 2024.

ABSTRACT

Students are a group of teenagers who are the next generation of the nation. A person in his adolescence is someone who is looking for his identity by socializing with peers, paying attention to the surrounding environment, exploring something that has never been done, sometimes this can make a teenager fall into criminal acts. The criminal act that is currently rampant among teenagers who are still students is theft with violence carried out on the street or commonly called mugging, therefore it is necessary to know the factors that drive a student to commit mugging and law enforcement so that a teenager who is still a student can avoid it. This research is normative based on primary, secondary and tertiary legal sources contained in expert doctrine, sources from previous research and laws or books. This study concludes that there are factors that can influence teenagers to commit mugging such as economic, educational, environmental, sociological, psychological and biological factors. In its enforcement there are two law enforcement efforts, namely preventive efforts and repressive efforts. It is hoped that this research can be a reference so that crimes that are not repeated again.

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1. Introduction

Students are a group of teenagers who still feel inferior to the challenges they have to face (Ziliwu et al., 2023). Remember that as stated in the Declaration of the Rights of the Child, "children, by virtue of their physical and mental immaturity, require special protection and care, including appropriate legal protection, both before and after birth" (Anggara et al., 2023).

Adolescence is a transitional period between childhood and adulthood (Efefndy et al., 2023). It is seen as a critical stage in a person's life, especially in the development of the individual's personality. Most experts argue that adolescence should be separated into two eras because they have so many different qualities. This division often occurs in late adolescence which lasts from the age of 17 to 18 years. The term adolescence comes from the Latin word *adolescere*, which means "growing" towards adulthood (Wahyudi et al., 2024). The modern definition of adolescence includes mental, emotional, social, and physical maturity. In 1974, WHO issued a definition of adolescence that includes three criteria: biological, which is the period of growth of

a person from the first time they show secondary sexual symptoms to reaching sexual maturity. The second is sociological, referring to the psychological growth of individuals and patterns of identification from infancy to adulthood. The third stage occurs when there is a transition from full socio-economic dependence to a much more independent state (OKTARINA, 2023).

Adolescence is a period of identity exploration, where individuals often try new activities and socialize with peers. This phase may lead to risky behaviors like experimenting with substances, defying societal norms, or rebelling without understanding the consequences. These actions can sometimes result in criminal behavior.

Moreover, nowadays there is social media which is considered a double-edged sword, one can provide positive impacts such as online learning, cooking tutorials and even entrepreneurship activities can influence teenagers to do positive things. But on the other hand, it has negative impacts such as watching pornographic videos, accessing online gambling and even one of the negative impacts of using social media is the ease of engaging in antisocial behavior. Teenagers can easily be exposed to unhealthy content, including violence and criminal behavior, which can affect their mindset and actions.

Crime among adolescents is a prominent problem faced by today's adolescents, both in urban and rural areas (Suaidi, 2023). Criminality among minors is a common topic in crime news coverage on television and social media platforms, with the latest developments being reported consistently every day. One aspect that is concerning is the group of motorcycle thieves who are mostly teenagers and the increasing prevalence of this phenomenon in society. Adolescents show a tendency to accept new experiences, because they are in the process of building their personal identity throughout this stage of development. Adolescents show a preference for socializing in groups or forming collectives, such as motorcycle gangs. Deviant behavior such as motorcycle theft can be realized in this context.

The definition given by KBBI, Begal is the act of stealing, robbing, and looting, while snatching is the act of looting on the street (TAMPUBOLON, 2023). Therefore, snatching includes the process, method, and action of carrying out snatching or looting activities on the street. Robbery involves the use of violence, especially motor vehicles and sharp weapons, to seize someone's property unlawfully. The term "robbery" is not explicitly defined in the Criminal Code, but is closely related to theft. The crime of theft is the most common type of crime when compared to other crimes committed against property. Someone commits theft as a means to meet their basic needs, often using violence to facilitate the theft. The crime of theft is often committed at night. The crime of theft with violence, commonly referred to as robbery, is an act that is very detrimental, contrary to religious ideals, morality, and poses a threat to society. Therefore, it is very important to allocate special efforts and attention to eradicating robbery. Therefore, it is very important to take legal action to eradicate illegal activities carried out by robbers. This will allow for the identification of effective strategies to address and eliminate, or at least reduce, the detrimental actions of robbers, thereby promoting stability in all societal interactions.

Street crime, commonly called robbery by local residents, does indeed cause a deep sense of fear. The modus operandi used in motorcycle theft incidents is to pre-select targets on quiet roads. Furthermore, when the victim cannot escape, the perpetrator uses a sickle or machete to intimidate them, causing the victim to give in out of fear and hand over their motorbike to the mugger. The robbery incident that occurred in Ara Condong Village, Stabat District, Langkat Regency, North Sumatra on Thursday (29/2/2024) is an example of this case. Four people identified as MR (16), MI (17), RS (16), and ALM (16) were arrested. The perpetrators began their action by blocking the victim's motorbike and hitting him forcefully until he fell. Furthermore, one of the perpetrators brandished a sharp weapon in the form of a sickle because he felt threatened by the victim's attempt to escape and abandon his motorbike. As a result, the four suspects continued to confiscate the victim's motorbike (Sutriyanto, 2023).

The case example above gives us an idea of the occurrence of motorbike robberies around us carried out by students. Although students are primarily responsible for studying and

maintaining a pleasant and healthy atmosphere, it is important to avoid environments that are prone to illegal activities, such as motorcycle theft. Therefore, it is very important to carefully design law enforcement strategies and apply appropriate penalties to effectively prevent teenagers from engaging in fraudulent activities, thereby reducing the possibility of recurrence or intention to commit similar offenses.

After observing the increasing number of mugging cases that have occurred, it is clear that theft involving violence is a problem that is of great concern to the general public. Therefore, law enforcement agencies are working hard to reduce the occurrence of motorcycle theft on the highway. However, the enforcement of these measures faces many challenges. Both the legal system and society do not have the ability to effectively monitor themselves so that they do not become targets of criminal activities, especially on the highway. The lack of public understanding that crime is not only caused by the perpetrator's intentions, but also because there are many opportunities.

Mugging is influenced by various variables, including the actions of the authorities and the laws and regulations that govern it. These measures aim to maintain law and order in society and protect victims. The need for tightening of law enforcement of the Child Criminal Justice System Law (UU SPPA) which not only requires preventive measures but also repressive measures in order to suppress juvenile crime now and in the future. Based on the analysis above, the author identified two problem formulations that require further study in order to improve understanding of the correlation between robbery and today's teenagers. Namely, what are the factors that cause teenagers to commit violent theft or mugging? And secondly, how is criminal law enforcement against teenagers who commit mugging? It is hoped that the formulation of the problems that arise can be a discussion and this discussion can be a reference if the same problem occurs in the future.

2. Method

Normative research techniques are used in this paper, with a special emphasis on testing legal theories, legal concepts, and the Criminal Code. The methodology used in this research is a legal research approach, which includes examining current literature sources or secondary sources that can be used as a benchmark for the formation of laws in the future. The data analysis methodology includes data collection through examining library materials or secondary sources, which include primary legal documents, secondary legal materials, and tertiary legal materials. The sources include related laws and regulations, as well as the results of scientific studies such as books, journals, theses, documents, and literature related to the research problem. Qualitative data analysis methodology is used in this study to examine the legal materials obtained, which are then presented descriptively. Deductive analysis is used in this study, where the reasoning or cognitive process is used to deviate from specific conclusions based on larger premises.

3. Analysis and Results

3.1. Factors that cause teenage students to commit crimes of violent theft or mugging in Indonesia

Crime refers to unlawful acts that lead to severe consequences or punishments (Dewi et al., 2023). Crime can be defined as a series of repeated acts that cause harm to society, including physical and material dimensions. The act of violent theft, also known as mugging, is a social problem that occurs in a community where the perpetrator and victim are part of the same community. In the context of society, it is generally said that any act that deviates from prevailing norms is considered criminal. This perception is further strengthened when such behavior has a negative impact on each community.

As technology advances and human society develops, human needs also increase. This certainly has a negative impact because it will increase the possibility of criminal acts. The case of

mugging, which is now one form of crime that often occurs in various regions, has received great attention because of its detrimental impact on public security and order (Fitri & Arfa, 2023).

Robbery is a violent act of theft in which the perpetrator uses weapons to intimidate or harm the victim if they resist, with the goal of stealing property. This crime involves physical assault, threats, and can result in significant physical and psychological trauma for the victim, as well as causing fear and disruption within the community. (E. P. Andriyani, 2024).

Initially, street crimes were thought to involve only a small group, but over time, they became more organized and involved various groups, including young people under 18 who should be in school. Despite the need for greater involvement of adolescents in academic and extracurricular activities, many engage in illegal behavior, primarily aiming for financial gain for themselves and their group (Suryani et al., 2023).. Criminology seeks to explain the underlying causes of criminal behavior, with various schools of thought emerging to address these pre-existing factors.

From a criminological perspective, there are various theories that distinguish it from other theories. However, when examining this theory from a sociological perspective, there are certain factors that contribute to crime in a social context. Sociological theories related to the etiology of crime can be classified into five different groups, including (Puti Priyana & Yuliardi, 2023): a) Differential Association Theory (Sutherland), this theoretical framework offers a comprehensive explanation of the phenomenon of adopting criminal patterns. Criminal behavior is not hereditary but is acquired through intimate relationships, b) Anomie Theory, emile Durkheim's theory highlights the loosening of social supervision and control, which leads to moral degradation and hinders the individual's ability to adapt to changing norms. Norm conflicts often arise in relationships, c) Social Control Theory, this theory is concerned with the examination of delinquency and crime, which are related to sociological factors such as family structure, education, and the dominant social group. The concept of social control can be categorized into two different forms: personal control and social control. Personal control refers to the capacity of individuals to refrain from pursuing their desires by deviating from the norms of society. Social control refers to the capacity of social groups or institutions in a community to enforce norms or regulations efficiently, d) Theories of Self (The Self - Theorists), according to the theoretical framework proposed by L. Edward Wells in 1978, behavior can be understood as an individual's attempt to develop, test, validate, and articulate his/her identity. This phenomenon is seen in various emotional challenges and behavioral disorders, which are believed to originate from a lack between one's imagination and different personal needs or goals, such as dreams and hopes, e) Opportunity Theory, according to Richard A. Cloward and Lloyd E. Ohlin's theory, criminal behavior arises from opportunities, including the ability to adapt or deviate from societal norms. When young people, due to economic or environmental factors, cannot meet societal expectations for success, they experience frustration, known as status frustration. Their reaction depends on the available opportunities.

Crimes like motorcycle muggings and the use of sharp weapons are often influenced by sociological factors. (Hisyam et al., 2023): a) Economic Factors, according to W.A. Bonger, a criminologist, economic conditions have a significant impact on the occurrence of crime, and unemployment is identified as an important determining factor. The unemployed are unable to meet their daily needs adequately, so they commit theft as a way to immediately meet their needs, b) Environmental Factors, in his study, M. Torttier determined that crimes committed by small groups (2-4 people) are an indication of the individual personality of each member. However, when faced with a situation alone, collective decisions may vary. Therefore, although a group may engage in criminal activity, only one member may choose not to participate. Certain robbery offenses are committed collectively, with each perpetrator taking a different role in carrying out the act. In this regard, the environment. The formation of a social group has an influence on individual behavior in decision-making in order to commit the crime of robbery, Educational Factors, someone who commits the crime of motorcycle theft and

threatens to use a sharp weapon can be said to be a mugging and can be threatened with severe punishment. This is especially true if the theft is carried out with violence resulting in the death of a person. In such cases, if the crime is committed by two or more people together, and if certain conditions are met as stipulated in paragraphs 1 and 2 of the same article (for example the use of a weapon like a sword or knife), the perpetrator can be sentenced to death, life imprisonment, or temporary imprisonment for a maximum of twenty years, as stated in Article 479 paragraph 4 of the Criminal Code.

In addition to economic, environmental and educational factors, criminological analysis identified three main factors that contribute to motorcycle theft by muggers, including (Irfansyah, 2023): a) Sociological Factors, if discussed, these can be categorized into three different groups: strain, cultural deviance, and social control. The strain and cultural deviance perspectives direct their focus on social factors that contribute to individuals engaging in criminal behavior. In contrast, social control theory operates on the premise that the tendency to engage in criminal behavior is inherent in human nature, and this theory investigates the collective capacity and social institutions to establish effective regulations. The relationship between economic status and the influence of peer persuasion, b) Psychological Factors, forming opinions based on the level of maturity of individuals in carrying out a task. And experiencing psychological problems since childhood or other difficulties. The existence of conflict in the family, such as the breakdown of the household, and the absence of instillation of values, such as faith from parents from an early age, c) Biological factors, criminals are categorized into four classes: "Born Criminals" who follow atavistic tendencies, the "Criminally Insane" who commit crimes due to neurological issues affecting moral judgment, "Occasional Criminals" who are influenced by life experiences, and those driven by strong emotions like anger or love, impairing their ability to distinguish right from wrong.

In addition to various factors influencing a teenager's involvement in robbery, the family plays a crucial role as the primary environment (Suryawan, 2020). Parents are responsible for providing moral and ethical education, being role models, and fostering open communication to help prevent criminal behavior. Schools also play a role in shaping students' character, with teachers actively detecting deviant behavior and offering guidance through positive programs and activities (Putri et al., 2023). Collaboration between schools, parents, and the community is essential. The government also has a responsibility to create supportive policies and programs, as well as to enhance law enforcement, to deter juvenile delinquency like robbery (Diana et al., 2024).

3.2. Procedures Carried Out By The Police In Investigating Corruption Cases

Law protects human interests, and its enforcement is crucial for effective implementation. Law enforcement must focus on three key aspects: legal clarity, utility, and justice. Everyone is expected to obey and uphold the law consistently, without deviation. The principle "fiat justitia et pereat mundus" emphasizes the importance of respecting the law, even in extreme situations. Legal certainty provides protection against arbitrary actions and ensures predictable outcomes, which is valued by society as it promotes order and stability, contributing to the ultimate goal of public order.

Law enforcement is a systematic approach to combating crime while upholding justice. It includes both criminal and non-criminal actions that can be applied together. Using criminal methods involves applying criminal law strategies, adapting to current and future conditions. Soerjono Soekanto defines law enforcement as aligning values, regulations, and behaviors to create a harmonious social existence through the application of these values.

Law enforcement is a systematic effort to eradicate crime in a logical and effective manner, while upholding the principle of justice. To overcome crime, there are several actions that can be applied to those who commit crimes, including criminal and non-criminal legal actions, which can be combined together. If criminal methods are used to overcome crime, it means that a criminal law strategy will be applied, especially through the implementation of elections to

achieve criminal law results that are in accordance with current conditions and future problems. Soerjono Soekanto defines law enforcement as the process of aligning the relationship between established values, regulations, and behavioral attitudes through a series of value translations at the final stage. Building and maintaining a harmonious social existence.

Law enforcement must be carried out with the aim of eradicating criminal acts, such as motorcycle theft (Saragih et al., 2023). Motorcycle theft refers to the act of stealing a motorcycle or using a weapon to commit an act of violence. The old Criminal Code (Law Number 1 of 1946) categorizes theft into five types, namely: a) Ordinary Theft is regulated in Article 362 of the Criminal Code; b) Aggravated Theft is regulated in Article 363 of the Criminal Code; c) Theft with Violence is regulated in Article 365 of the Criminal Code; d) Theft within the family is regulated in Article 367 of the Criminal Code.

In Law Number 1 of 2023 concerning the Criminal Code or the 2023 Criminal Code, there are separate categories for theft, including: a) Ordinary Theft is regulated in Article 476 of the Criminal Code; b) Aggravated Theft is regulated in Article 477 of the Criminal Code; c) Violent Theft is regulated in Article 479 of the Criminal Code; d) Theft within the Family is regulated in Article 481 of the Criminal Code.

In future regulations, the application of the theft article is defined and regulated in the new Criminal Code, namely the 2023 Criminal Code through six articles, namely Articles 476 to 481. Article 476 often defines theft as the act of unlawfully taking someone else's property, either in whole or in part, with the intention of claiming the property rights of oneself or another person individually. Article 479 of the Criminal Code specifically regulates the use of violence or threats of violence in theft (Lubis et al., 2023). It is stated that when someone uses violence or threatens to commit violence against another person to facilitate or prepare for theft, this is considered an approach to theft with violence or can be called theft with violence, especially committing the crime of theft on the street with violence or threats can be said to be mugging. For example, if you commit theft with violence on the street, you steal a vehicle by making threats on the street, to injuring the victim using sharp tools or weapons.

Someone who commits the crime of motorcycle theft and threatens to use a sharp weapon can be said to be a mugging and can be threatened with severe punishment. This is especially true if the theft is carried out with violence resulting in the death of a person. In such cases, if the crime is committed by two or more people together, and if certain conditions are met as stipulated in paragraphs 1 and 2 of the same article (for example the use of a weapon like a sword or knife), the perpetrator can be sentenced to death, life imprisonment, or temporary imprisonment for a maximum of twenty years, as stated in Article 479 paragraph 4 of the Criminal Code.

Police personnel, in their capacity as guardians of society, have an important role in maintaining peace and order. According to Article 13 of Law Number 2 of 2002 concerning the Indonesian National Police, the main duties of the police are (Rusmana et al., 2021), maintaining public security and order, enforcing the law; and Providing protection, patronage, and services to the community.

"Other law enforcement" refers to actions aimed at preventing and reducing violent theft, as well as resolving such cases more quickly ng the incidence of violent theft, as well as increasing the speed of resolution of such cases (Puro et al., 2023). The focus has shifted from repressive to preventive measures through targeted operations and expanded activities. While completely eradicating theft may be unrealistic due to human nature, continuous efforts are made to reduce violent theft, particularly in urban areas. The police, as a key part of the criminal justice system, have the responsibility to enforce laws and prevent criminal activities, playing a vital role in social regulation.

The term "other law enforcement" refers to countermeasures or actions aimed at preventing and reduci. The focus of efforts to increase activities has shifted from repressive measures to

preventive measures. This is achieved through targeted operations and the expansion of other activities. Violent theft crimes must be completely eliminated from all perspectives and must not be allowed to spread uncontrollably, especially if their impact poses a significant threat to society or results in loss of life. Eradicating theft is only a utopian idea, as long as humans continue to exist as social beings with different goals, the crime of theft will continue to exist. Nevertheless, continuous efforts are being made to reduce or stop the rampant violent theft in urban areas or large cities. As an important component of the criminal justice system and a means of social regulation, the police bear the responsibility to enforce the law. Therefore, the police are inherently connected with their functions and obligations in preventing and handling criminal activities. The increasing crime rate is largely due to the POLRI, and there is a high probability that they will make joint efforts to overcome it. In this incident, there were several stages of efforts made by the police to prioritize technical functions in several forms of efforts, including (Ginting & Sembiring, 2024): a) Preventive Efforts (Prevention), these efforts aim to change the relationship from a detrimental condition to a beneficial one, thus eliminating the potential for harm or disruption to society. Efforts to implement constructive initiatives, among others, within organizations, communities, and youth associations, b) Repressive Efforts (Enforcement), efforts to reform criminals, such as robbers, aim to deter them from repeating offenses. The police arrest and investigate perpetrators, leading to legal proceedings if violence is involved. If found guilty, the individual is sentenced, and prisons offer guidance through religious activities, counseling, education, and skill development, such as sewing and crafts. These preventive measures aim to reduce crime and ensure that individuals can reintegrate into society without returning to criminal behavior.

The police are trying to eradicate motorcycle robberies carried out by teenagers as students using dangerous weapons, namely (Widodo & Faridah, 2021): a) Conducting Patrol Activities on the Highway, this behavior is common in remote and vulnerable locations, as well as in busy nighttime environments, such as violent theft during illegal racing. In terms of criminology, patrol actions carried out by Polsek or Polri officers, as stated by Alam A.S., include proactive actions, especially focused on eradicating conditions that allow perpetrators to commit criminal acts. This patrol usually deploys special police units to carry out surveillance and monitoring in areas or large cities that are considered questionable, b) Conducting Raids on Motorized Vehicles, the Sector Police routinely conduct operations to control traffic violations and ensure motor vehicles have proper documentation, reducing the risk of stolen vehicles. From a criminological perspective, these operations are both preventive and repressive efforts aimed at preventing crimes like robbery. Prevention plays a key role in reducing criminal activities, c) Conducting Socialization to the Community, Especially Students, socialization carried out by the police in schools and the community has an important role. The purpose of involving students and the community is to educate them about the consequences of widespread crime, especially high crime rates. This includes instilling in them from a young age the understanding that being involved in criminal activities such as robbery and carrying weapons can have legal and social impacts. Typical socialization activities are seminars and dialogues. In criminology, socialization activities for students are classified as pre-emptive actions. Prevention efforts, as defined by A.S. Alam, refer to proactive actions used by law enforcement to prevent criminal behavior by promoting and internalizing positive values and standards in individuals. If there is no intention to commit a crime, even if there is an opportunity to do so, the crime will not occur. Even though there is an opportunity, the aspect of intention will be lost in pre-emptive efforts, d) Conducting Investigation and Investigation Development on Arrested Robbers, to effectively eliminate criminal gangs, the most valuable method for collecting information is to extract it from arrested syndicate members. This data becomes a reference for law enforcement officers to identify the identities of individuals involved in criminal syndicates and find the hideouts of fugitives or where the perpetrators committed their crimes.

If the perpetrator of the robbery is a minor under the age of 18 (eighteen) years, then they will be subject to criminal sanctions as a minor, in accordance with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA). According to Article 1 numbers 3,

4, and 5, a child is someone who is at least 12 years old, but not yet 18 years old and has never been married.

The juvenile criminal justice system places great importance on the protection and rehabilitation of juvenile offenders, considering that they have various limitations compared to adults (Ngabu et al., 2024). Juvenile students require ongoing security from both the government and the wider community. To overcome the problem of students who have previously committed criminal behavior, it is necessary to implement a strategy in the criminal justice system that focuses on minimal intervention.

In enforcing criminal law for juveniles under the age of 18 (eighteen) years, it is important to implement Diversion. Diversion is a discretionary procedure carried out by the criminal justice system (including the Police, Prosecutor's Office, and Courts) with the aim of resolving juvenile legal conflicts (Bachtiar et al., 2024). Diversion is a strategy used to prevent offenders from engaging in the formal criminal justice system. Diversion is implemented to offer security and reform to offenders as a way to prevent juveniles from turning to adult offenders. The SPPA Law regulates the implementation of diversion at the stages of investigation, prosecution, and examination of cases in the District Court (F. Andriyani et al., 2023). The law also regulates the implementation of diversion procedures and details the types of crimes that can be subject to diversion. The SPPA Law also regulates the types of special agreements made if diversion is successful. The SPPA Law serves as a guideline for all related agencies, such as police investigators, public prosecutors, and judges, in implementing diversion efforts for crimes committed by children. This is especially relevant for robbery cases involving students who are still teenagers or still in high school. The transition from elementary school to high school is usually carried out by students who are under the age of 18. This serves as a guide for law enforcement officers to ensure that they are ready to implement diversion initiatives at all levels of the criminal justice system. The level of readiness will directly affect the effectiveness of the mediation process as an effort to achieve restorative justice for children, both those who commit crimes and those who are victims.

4. Conclusion

Mugging, an act of motor vehicle theft, has increasingly involved teenagers due to various factors. Sociological analysis identifies economic, environmental, and educational influences, while criminological analysis includes psychological and biological factors. The family plays a crucial role in preventing this behavior through moral education, role modeling, and open communication. Schools also contribute by detecting deviant behavior and providing guidance through character-building programs. Collaboration between families, schools, and communities is essential to create a safe environment. The government must support child safety through policies, increased supervision, and law enforcement, including preventive and repressive measures by the police. For minor offenders, the SPPA Law allows for diversion, aiming to prevent future criminal activity. These approaches serve as guidelines for current and future prevention efforts.

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