

## Law Enforcement On Combating Crime Of Motorized Vehicle Theft In Jurisdictions Police Central (Case Study To Be Treated By Central Java Police)

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**Abstract.** The purpose of this research is 1) To review and analyze law enforcement on the eradication of theft of motor vehicles in the jurisdiction of the Central Java Police. 2) To analyze the factors that affect law enforcement on the eradication of theft of motor vehicles in the jurisdiction of the Central Java Police. 3) To formulate a law enforcement solution to the eradication of theft of motor vehicles in the jurisdiction of the Central Java Police in the future. The method used in this research is using empirical juridical and sociological law research can be named after the field research, including reviewing the applicable law and what happens in reality in society. In this study, the law conceived as an empirical phenomenon that can be observed in real life.

The results of the research concluded that: 1) The enforcement of the law against eradication of theft of motor vehicles in the jurisdiction of the Central Java Police to control or solve crimes (political criminals) use two (2) means, namely: a) Means non penal is enforcement of the law against acts criminal use non penal facility includes the use of social means to improve certain social conditions, but indirectly affect efforts to prevent crime. b) Means Means penal penal is crime prevention with the use of criminal law 2) Factors that affect law enforcement on the eradication of theft of motor vehicles in the jurisdiction of the Central Java Police consists of internal and external factors. Internal factors are occurring of itself, while the external factor is a factor that is created from outside himself, these factors can be quite complex and varied. Social inequality, economic inequality, injustice, etc., are examples of the causes of crime originating from outside himself. 3) The enforcement of the law against eradication of theft of motor vehicles in the jurisdiction of the Central Java Police in the future is to optimize the investigation, effective and efficient course correction, through changes above are expected to materialize figure investigator professional, clean, dignified and beloved people are protected, be acknowledged and serviced. Such measures are reflected in the personal integrity of each investigator maid intact.

**Keywords:** Law Enforcement; Eradication; Motor Vehicle Theft.

### 1. Introduction

The perpetrators of theft (theft) can perform an action in various ways or modus operandi (method of implementation of crime) different between the evil of one another especially supported by the availability of facilities and infrastructure to commit a crime and if it is associated with the element of Article 362 of the Criminal Code the crime of curanmor is the act of criminals by taking a motor vehicle goods wholly or partially belongs to another person with the intent to have the motor vehicle unlawfully. If a regulation Legislation, a thief should get penalized for his actions then so also in the Qur'an. As for the thief, then it is obligatory to cut his right hand by The Book (Qur'an). Allah SWT says superbly *Surat al-Maidah* / 5: 38-39<sup>3</sup>,

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<sup>3</sup> MORA, 2013. *Al-Qur'an dan Terjemahnya*. Publisher Diponegoro. Bandung, p.114

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِنَ اللَّهِ وَاللَّهُ عَزِيزٌ حَكِيمٌ \* فَمَنْ تَابَ مِنْ بَعْدِ ظُلْمِهِ وَأَصْلَحَ فَإِنَّ اللَّهَ يَتُوبُ عَلَيْهِ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

*Translation: "As for the man or woman who steals, cut off their hands (as) reward for what they do and as the torment of Allah. And Allah is Mighty, Wise. But those who repent after committing the crime and improve themselves, Allah accepts his repentance. Verily, Allah is Oft-forgiving, Most Merciful "*

Based on the above, the formulation of the problem in this research is: How can law enforcement on the eradication of theft of motor vehicles in the jurisdiction of the Central Java Police? What factors are affecting the enforcement of the eradication of theft of motor vehicles in the jurisdiction of the Central Java Police? How should the law enforcement on the eradication of theft of motor vehicles in the jurisdiction of the Central Java Police in the future?

## Research Methods

Empirical juridical approach. Juridical (the law is seen as the norm or *das sollen*), because in this study to address issues using legal materials (both the written law and the unwritten law or legal material either primary or secondary law). Empirical approach (law as a social reality, cultural or *das sein*), because in this study used primary data obtained from the field.<sup>4</sup>

This type of research is used in completing this thesis is qualitative research, the research can be defined as research that is not as concerning<sup>5</sup> and described in the analysis and discussion.

The data used are primary and secondary data. To obtain primary data researchers refer to data or facts and case law directly obtained through research in the field, including a description of the respondents. While the secondary data is done by means of a literature study. Data analysis method used is descriptive qualitative, ie the decomposition of data analysis that starts on information obtained from the respondents to achieve clarity issues to be discussed<sup>6</sup>

## 2. Results And Discussion

### 2.1. Law Enforcement Against Eradication of Motor Vehicle Theft in Central Java Police Jurisdiction

In this case the police use two (2) means that will be used to enforce the law and combat the crime of theft of motor vehicles, such means are:<sup>7</sup>

- Non Penal; Law enforcement against criminal acts using non penal facility includes the use of social means to improve certain social conditions, but indirectly affect efforts to prevent crime. Such as by conducting routine patrols are expected to detect early occurrence of crimes such as theft or other immoral acts belonging to the crime.

<sup>4</sup>Soerjono Soekanto & Sri Mamudji 2001. *Penelitian Hukum Normatif (Suatu Tinjauan Singkat)*, Rajawali Pers. Jakarta, p. 13-14

<sup>5</sup>Ediwarman 2010. *Monograf, Metodologi Penelitian Hukum*, Terrain: Graduate Univ. Muhammadiyah North Sumatra, Medan, p. 24

<sup>6</sup>Afifuddin, et al, 2009. *Metodologi Penelitian Kualitatif*. Faithful Reader. Bandung, p. 15

<sup>7</sup>Barda Nawawi Arif 2004. *Kebijakan Hukum Pidana*, Citra Aditya Bakti. Bandung, p. 12

- Penal; is a penal crime prevention with the use of criminal law in which there are two central issues, namely: Artificial what was supposed to be a criminal offense; The punishment what should be used or imposed on violators.

## **2.2. Factors Affecting Law Enforcement Against Eradication of Motor Vehicle Theft in Central Java Police Jurisdiction**

The causes of crime in particular theft of motor vehicles consisting of internal and external factors. This factor can be quite complex and varied.<sup>8</sup>

- Internal factors: factors Education; Factors that education is one factor driving someone to commit a crime of theft. It is caused by their lack of knowledge level on things like the rules in the way of community life ; Individual factors; Someone who behaved well will result in the person received an award from the community, but on the contrary if one does not behave well then that person would cause chaos in society.
- External factors; Economic factors; The economic problem for the majority of the perpetrators of criminal acts of theft motor vehicles perform actions; Environmental factor; Many things that make the environment become a factor contributing to a crime (theft). For example, needs in relationships with peers, control of the environment is less and association with someone who has a job as a thief; Factors Law Enforcement; The application of criminal law that is less than the maximum make no deterrent effect to perpetrator in committing a crime. Difficult to achieve justice for the victims to make people gradually turned away or did not believe in the state as the protector of the rights of citizens; Factors Global Development (Technology); Technological advances, especially the mass media also participated predispose a person to do evil. The mass media provide stimulus to the thoughts of a person in public life.

## **2.3. Law Enforcement Against Theft Eradication of Kendaraan Bermotor In Central Java Police Jurisdiction In The Future**

In the operational implementation tasks of investigators, in addition to professionals within the meaning of adept and skilled in applying the techniques and tactics of the investigation, do not rule out the important things that should be hold, namely the support of the community, especially religious leaders, youth, businessmen, bureaucrats have in the community. In other words, empowerment is the key principal in optimizing the activities of the investigation. Strategy implementation was prioritized in the investigation to the Police as the basic operational unity. Thus the moral and professional ethics investigations were steady with a simple procedure, From the description above that to the law of the envisioned or the law in the future, the Police still depend on the new Code, which is currently still in the process / concepts for later officially renamed as The Book of the Law criminal law is national, as well as in the procedural law, the future of the national police expect the new criminal Procedure Code, which at the program is still in the process / concept, since it is unlikely that the national police are part of the criminal justice system.

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<sup>8</sup>*ibid*

### 3. Closing

#### 3.1. Conclusion

- The process of investigations conducted by the Central Java Police in solving criminal cases of theft through Automated Teller Machine (ATM) with pencongkelan mode in accordance with the rules contained in the Criminal Procedure Code and the Law on Police No. 2 Year 2002. Law enforcement against eradication of theft of motor vehicles in the jurisdiction of the Central Java Police rational effort to control or solve crimes (criminal politics) using two (2) means, namely; Means of Non Penal, Penal Facility
- Factors that cause crime in particular theft of motor vehicles consisting of internal and external factors. Internal factors is happening by itself, while external factors are factors that are created from outside himself, these factors can be quite complex and varied. Social inequality, economic inequality, injustice, etc.
- Enforcement of the law enforcement to eradicate the crime of theft of motor vehicles in the future through changes above are expected to materialize figure professional investigator, clean, dignified and beloved people are protected, be acknowledged and serviced. Such measures are reflected in the personal integrity of each investigator / investigator maid intact.

#### 3.2. Suggestion

- In the process of eradication of criminal cases of theft of motor vehicles is maximized again, especially with patrols every region prone to crime.
- Increase the number of quality personnel in the Central Java Police to be more able to work full time.
- To carry strong action if there are cases of motorcycle theft deterrent so that actors feel more and do deeds again.

### 4. References

#### Book

- [1] Afifuddin, et al, 2009. *Metodologi Penelitian Kualitatif*. Faithful Reader. Bandung.
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#### Legislation

- [1] Book of the Criminal Justice Act
- [2] The Code of Criminal Procedure
- [3] Law No. 2 of 2002 on the Indonesian police.
- [4] Law No. 16 of 2004 on the Prosecutor of the Republic of Indonesia.

#### Internet

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