

Legal Enforcement on the Perpetrators of Theft Crime with Violence in the Jurisdiction of Polsek Medan Area

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ABSTRACT

Theft crimes because anxiety for every member of the community against may also occur in relation to theft crime are torture, torture, rape, and murder which is the linkage of theft crimes which was preceded, accompanied or followed by violence. At this time especially in the city of Medan, the rampant theft crime has a variety of motives. The formulations of the problem to be studied are: 1) What is the factor of the occurrence theft crime with violence in jurisdiction of Medan Area Police? 2) How does the role of Polsek Medan Area in combating violent theft crime acts? 3) What are the obstacles of Polsek Medan Area in running their functions and duties in legal enforcement of theft crime with violence? The results of his research states that: 1) Factors of theft crime with violence in the jurisdiction of Polsek Medan Area are economic factors, environmental factor; narcotics abuse factors; and victim factors. 2) The efforts made by the Police of Polsek Medan Area to prevent the onset of theft crime with violence by conducting patrols, conducting raids, increasing detection of the source of threats, conducting counseling to the public, and making strict action against the perpetrators. 3) Obstacles of Polsek Medan Area in running its functions and duties in the enforcement of theft crime with violence due to the limited members of the Police, the lack of supporting facilities and infrastructure, the lack of budgets, and some people to take action to punish a party without going through legal processes.

1. BACKGROUND

The law works by giving clues about behavior and hence the law of the norm. Law which is the norm known as legal's norm, where the law binds itself to the public as the law of the place of work. Behavior that is not in accordance with the norm or be referred to as a diversion against the agreed norm causes disruption of order and peace of human life. Such misuse, usually by people labeled as an offense even crime. Crime in public life is a social phenomenon that will always be faced by every human being, society, and even country.

Criminal acts as provided for KUHP in chapter XXVI, contains a crime against property. This criminal behavior is commonly known as theft. Understanding of theft crime can be viewed from various aspects of science, as the disciplines of psychology, criminology, sociology, law and many more disciplines that discuss about the problem of society.

One of the assumptions for society in general terms of theft will always be related to economic aspects; it was natural for people to always associate the theft cases that are objects of theft in the form of property that has economic value, the matter of property becomes a dominant one in the life of every human being, other than that criminal theft often also leads to the threat of one's soul safety, they began to injure their victims even without a fight.

The desire of people to obtain orderly and peaceful life in social life continue to be pursued, with good legal enforcement is expected to lead to order, security and peace in the midst of society. Legal enforcement can be done through efforts to prevent, eradicate, and prosecute. In addition, law enforcers require the public to have self-awareness in cracking down on criminal acts that occur in accordance with the applicable regulations and do not play the judges themselves, because the State of Indonesia is a legal.

The author interested to research problem of theft crime with violence, based on title "**Legal Enforcement on the Perpetrators of Theft Crime with Violence in the Jurisdiction of Polsek Medan Area**".

2. FORMULATION OF THE PROBLEM

Based on the background of the problems described above, then the issues to be discussed are as follows:

- What is the factor of the occurrence theft crime with violence in jurisdiction of Medan Area Police?
- How does the role of Polsek Medan Area in combating violent theft crime acts?
- What are the obstacles of Polsek Medan Area in running their functions and duties in legal enforcement of theft crime with violence?

3. Discussion

3.1 Factors of theft crime with violence in the jurisdiction of Polsek Medan Area

The factors of theft crime with violence in the jurisdiction of Polsek Medan Area are as follows:

- a. Economy Factors. Economics is one of the important things in human life, then the economic situation of the perpetrators who often appear behind someone to commit a theft crime with violence. The perpetrators are often doing not have a regular job or even no job. Because of the pressing economic pressures, namely must meet the needs of families, buy clothing or food, or there are relatives who are sick, then someone can do reckless by committing theft crime with violence.
- b. Environmental Factor. A fact that in human social life, individuals and groups, Often there are any deviations to the norms of social life, especially Reviews those known as the rule of law. Causes of crimes other than the perpetrators themselves are also due to the influence of social environment in the midst of society. The rise and fall of crime depends on the circumstances of society, society as well as family circumstances.
- c. The growth of a person in the association of a group that commits a violation of the law is because the individual concerned approves a pattern of behavior that is unlawful, compared to other normal behavioral patterns. Factor of association of a person with the community environment where he is also influential to the behavior of a person in committing a crime and its relation to the crime comes from the community and society itself that will suffer the consequences, either directly or indirectly, therefore to look for the causes of evil within the society itself.
- d. Narcotics abuse factors. Narcotics abuse is closely related to the theft crime by force. Directly criminal activity is the result of narcotics abuse, indirectly the abuse of narcotics has an effect on behavior as an anesthetic, hallucinations and so on, and the consequence of narcotics abuse is the physical and psychic dependence on narcotics and drug addict addicts will attempt to fulfill its dependence on narcotics, one of which commits a theft crime with violence.
- e. Victim's Negligence Factor. Victim's negligence becomes one factor driving the perpetrator to commit the theft crime with violence. In the current conditions which the level in the higher society. The victim in the

situation and certain conditions can also invite the actor to commit a crime on himself due to his attitude and action. The victim's behaving and negligent of his property so as to provide an opportunity for others to take it without permission. It can also be because the victim is in a vulnerable area, which makes him vulnerable to the target of misconduct.

3.2 The Role of Polsek Medan Area in Tackling Theft Crime with Violence

Polsek Medan Area is the spearhead of the Police organization in maintaining security and public order, Legal enforcement, protection, shelter and service to the community, as well as other Polri duties within its jurisdiction in accordance with the provisions of legislation.

The role of Polsek Medan Area in tackling theft crime with violence using preventive effort, preventive effort is arranged in a planned, synergic, and also directed in accordance with the main objective of the Police of Polsek Medan Area to create a conducive and safe atmosphere in the Polsek Medan Area to reduce the occurrence of a crime, especially a criminal act on the streets or a theft crime with violence. Preventive efforts of Polsek Medan Area are reasonable, that preventing crime is better than trying or punishing criminals or perpetrators to be better, it is because of preventive efforts can be done by anyone without having to have a certain skill. Along with the implementation of countermeasures of theft with violence which is preventive, it is necessary to carry out repressive measures conducted by Polsek Medan Area. The effort aims to restore anxiety that had been disrupted, in other words tangible increase of the perpetrators of criminal acts.

3.3 Obstacles of Polsek Medan Area in Running Its Functions And Duties In Legal enforcement Theft Crime With Violence

Obstacles of Polsek Medan Area in Running Its Functions and Duties in Legal enforcement Theft Crime with Violence are as follows:

- a. Facilities and Infrastructure Factors. If there are no facilities and certain infrastructure, then it is not possible Legal enforcement will run smoothly. Facilities and infrastructure include, among others, highly educated and skilled human labor, good organization, adequate equipment, adequate finances and so on. If these things are not met it will be impossible for legal enforcement to achieve its objectives.
- b. Society factor. Legal enforcement comes from the society and aims to achieve peace in

the society so that society can influence legal enforcement. The higher society awareness of the law will make it possible for legal enforcement in the society. Legal awareness is knowledge, appreciation, and obedience to the society of the existence of law. Awareness is influenced by religious, economic, political and so on.

- c. Cultural Factors. Cultural Factors basically includes the values underlying the applicable law, which values are abstract conceptions of what is good and what is considered bad. Culture underlies the common law, the common law applies. There is also a written law established by certain groups who have authority and apply in the community as well as reflect the values that become the basis of customary law so that the laws can be effective legislation, thus the more adjustments, the more likely it will be for the law to be enforced. The culture of the legal system basically includes the values underlying the applicable law, values that are abstract conceptions of what is considered good to be followed and what is considered bad so it can be avoided. Those values are usually a couple of values that reflect two extreme circumstances that must be harmonized. The legal should be able to reflect the values on which it is based customary law so that the legal can work effectively. While the habit of influencing law enforcers in legal enforcement itself, such as the existence of unfavorable habits in legal enforcement, generally in the form of rewards under any pretext for the settlement of a criminal or civil case. These habits are already considered cultural, amidst justice seekers who have become chronic diseases that are difficult to repair. Whereas the habit that is considered the culture is a habit that violates the norms, both legal norms and customary norms that prioritize shame culture not to violate existing legal provisions.

CONCLUSION

Based on the discussion relating to the problem, it can be concluded as follows:

Factors of theft crime with violence in the jurisdiction of Polsek Medan Area are economic factors, environmental factors, narcotic abuse factors, and victim factors. The efforts made by the Police of Polsek Medan Area to prevent the onset of theft crime with violence by conducting patrols, conducting raids, increasing detection of the source of threats, conducting counseling to the public, and making strict action against the perpetrators. Obstacles of Polsek Medan Area in running its functions and duties in the enforcement of theft crime with violence due to the limited members of the Police, the lack of supporting facilities and infrastructure, the lack of budgets, and some people to take action to punish a party without going through legal processes.

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