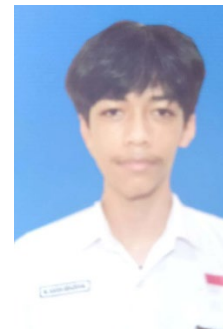


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Muhamad Zaini Prakoso
 zaini120308@gmail.com
 Law Faculty
 Swadaya Gunung Jati
 University, Cirebon,
 Indonesia

Muhammad Karim
 Benzema
 benzemaaim@gmail.com
 Law Faculty
 Swadaya Gunung
 Jati University,
 Cirebon, Indonesia



Wahyu Hidayat
 wahyuhidayat3535@gmail.com
 Law Faculty
 Swadaya Gunung Jati
 University, Cirebon,
 Indonesia

Dimas Muhammad
 Fadilah
 dimasdian397@gmail.com
 Law Faculty
 Swadaya Gunung
 Jati University,
 Cirebon, Indonesia



**JURIDICAL REVIEW OF THE ROLE OF THE POLICE OF THE
 REPUBLIC OF INDONESIA IN LAW ENFORCEMENT OF
 MOTORCYCLE THEFT CASES
 (Case Study: Kesambi Police Cirebon City)**

**Muhamad Zaini Prakoso¹, Muhammad Karim Benzema², Wahyu Hidayat³,
 Dimas Muhammad Fadilah⁴, Anom Sutrisno⁵**

¹²³⁴⁵ Law Faculty, Swadaya Gunung Jati University, Indonesia, Email

Corresponding Author: zaini120308@gmail.com

Abstract

Background. The high crime rate in Indonesia is indeed difficult to prevent. Something that may still be rampant is motorcycle theft. Motorcycle theft in Indonesia is still rampant, especially in the Kesambi area. The rampant theft of motorcycles is very detrimental, especially to the individual himself.

Aims. This study aims to analyze the form of motorcycle theft and evaluate its security to reduce the number of motorcycle thefts.

Methods. The research method used is sociological juridical with a case study of the jurisdiction of the Kesambi Police Station, Cirebon City.

Result. The research shows that the Kesambi Police have made several efforts to prevent motorcycle theft, but this must also be accompanied by community awareness.

Conclusion. Some factors cause the crime of theft, including education-related factors related to the law, insufficient financial factors, family, environment, and a lack of firmness of law enforcement itself.

Implementation. The author hopes that law enforcement will further increase its capacity and independence to overcome the crime of motorcycle theft. Various ways can be used, such as collaborating with other legal institutions, such as the prosecutor's office, or collaborating with local regional institutions to create conducive security and reduce the number of motorcycle theft crimes.

Keywords: Motorcycle theft, Law Enforcement

INTRODUCTION

The rise of motor vehicle theft crimes in Indonesia, ranging from urban areas to remote rural areas, had a variety of impacts. One field of law is the prevention of criminal acts that require immediate action in a preventive, persuasive, and repressive manner to maintain public security and order.¹

One of the crimes that very often occurs in people's lives, regardless of their background, is theft. One of the main causes of theft itself is the monetary crisis, which has a great impact on society. This has an effect on meeting needs, so that the perpetrators of theft can do it. The action in various ways or modes that vary between each other's crimes is further supported by the availability of facilities and infrastructure.²

Sometimes some opportunities occur, such as the motorcycle key that is still attached to the motorcycle, it is one of the factors that occur in the motorcycle theft, for example as happened in the Kesambi area of Cirebon City, the perpetrator is a neighbor of the victim, [the perpetrator launches his action when the victim is asleep, in this case the perpetrator sees an opportunity to steal the motorcycle, because there is a key that is still hanging on the motorcycle. As a result, the perpetrator took away the motorcycle. In this case, the perpetrator was threatened with criminal charges under the applicable law, namely Law 362

¹ George Stevens, Scarlet Witch. (2024). Analysis of Motorcycle Theft Cases in Tangerang, Banten, Journal of Rectum 6(2) 291-297 2

² Mella Dellia Marsudi Putri, Kaspol Jihad, Lia Fadjriani. (2022). Juridical Analysis of Motorcycle Theft Carried Out by Children to Realize Legal Protection (Research Study at the Bengkulu Police Station Batam City) Journal Encyclopedia 5(1) 2

of the Criminal Code, which provides for a criminal penalty of 5 years in prison.³

Theft is a significant problem in contemporary culture (Dozan, 2020). This means that community theft must be responded to with severe penalties. Criminals are often inspired to commit crimes by their desire to meet the challenges of everyday life. As science and technology continue to advance, more and more types of crimes are possible. An all-inclusive and far-sighted prosecution program is needed to deal with such crimes and criminal behavior (Henny Nuraeny, 2022). There is an urgent need for law enforcement to implement practical legal consequences and enforcement measures, in line with existing laws, to combat the proliferation of more sophisticated and far-reaching illegal activities and crimes, in addition to breaking the law⁴

In criminal acts, if someone violates a rule, they will be punished or can be convicted, which this criminalization aims to provide a deterrent effect on the perpetrators of criminal acts, on the other hand, also to make them aware to return to life in society as they should and without violating the provisions of the applicable law. As formulated in Article 10 of the Criminal Code, it is known that the types of crimes are divided into two groups: the first is the main crime, and the second is the additional crime.¹¹ The main crimes include the death penalty, imprisonment, and a fine, in contrast to additional crimes, in the form of the deprivation of certain goods, the revocation of certain rights, and the announcement of the judge's decision.⁵

As happened in the Kesambi area, Cirebon City, there has been a case of motorcycle theft experienced by the victim, where the perpetrator is the rented neighbor himself. The theft occurred due to the negligence of the motorcycle owner who forgot to take back the keys hanging on the motorcycle. As a result, on that occasion, the perpetrator launched his action by taking the motorcycle away. In the description above, the researcher is interested in a juridical review of the case.⁶

METHODS

³ Mella Dellia Marsudi Putri, Kaspol Jihad, Lia Fadjriani. (2022). Juridical Analysis of Motorcycle Theft Carried Out by Children to Realize Legal Protection (Research Study at the Bengkong Police Station Batam City) *Journal Encyclopedia* 5(1) 2

⁴ Enan Andarwati. Law Enforcement Against the Crime of Motorcycle Theft in Semarang (Study at the Semarang District Court) 2023. 2(10), 2193-2199.

⁵ Nurul Imaniyah, Ide Prima Hadiyanto, SH., MH, Irwan Yuliant, SH., MH.. Juridical Review of the Crime of Motorcycle Theft in Situbondo Regency (Case Study of the Situbondo District Court Decision) 95

⁶ Interview with Mr. IPTU Agus Suryadi, S.H as the Head of the Kesambi Police Investigation Unit
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This study uses an empirical juridical method, with a qualitative and descriptive method. The primary data source is interviews with police officers and the public—relevant legislation, such as the Criminal Code.

DISCUSSION

The Role of the Indonesian National Police, Especially the Cirebon City Police in Minimizing Motorcycle Theft Cases in Cirebon City

The police's role is very important in this case, considering that its duty is to protect the community and maintain its security.

As happened on April 29, 2024, in the Cirebon City area, especially in Kesambi, the victim experienced motorcycle theft during the day, precisely at 11.00 WIB. In that case, this incident occurred because there was an opportunity for the perpetrator to launch his action, namely the victim's negligence, who forgot to take back the key hanging on the motorcycle itself. In the end, the perpetrator successfully took away the motorcycle. In this case, the Cirebon city police, especially the Kesambi Police, were quick to handle this case; there are steps in handling this matter, namely 1. Conducting crime scene processing. The police are processing the crime scene by looking at the situation where the motorcycle theft occurred. Besides that, the police will also collect evidence related to the case. 2. Collection of Witnesses.

In this case, the role of witnesses is important, considering that two things will corroborate in the investigation: the existence of evidence and witnesses. This witness has an important role in completing the investigation by collecting information related to the perpetrator himself.⁷ Criminal sanctions, regarding the application of criminal sanctions, are related to three elements: legal structure, legal culture, and legal substance. In this case, the perpetrator is entangled in Article 362 of the Criminal Code with a threat of 5 years in prison, and the rule of law is made as much as possible to deter the perpetrators of criminal acts.⁸

The Cirebon City Police have made several prevention efforts, namely by

⁷ Interview with Iptu Agus Suryadi Shkanit of the Criminal Investigation of the Kesambi Police of Cirebon City

⁸ Dhimas Irfandi Tani Juridical Review of the Crime of Motorcycle Theft
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1. Conducting legal socialization against criminal acts.

In this socialization, the Cirebon City Police reminded how important information about the law is, this aims to reduce the number of crimes that often occur due to lack of education about the law, besides that in this legal socialization there is an appeal to further secure the vehicles owned, such as installing double locks to prevent motorcycle theft attempts

2. Routine Patrols

The Cirebon City Police carry out routine patrol efforts to prevent crime, this routine patrol is carried out every day in public areas and offices to create a conducive situation and tends to be safe

3. Disclosure of Motor Vehicle Theft Syndicate

The police succeeded in uncovering a syndicate of motor vehicle thefts that often took advantage of the victim's negligence. The Police Chief appealed to the public to be more vigilant, which is also useful in warning the perpetrators not to commit criminal acts.⁹

The police have made several efforts to maintain security stability in Cirebon, especially in the Kesambi area. However, motorcycle theft still often occurs, considering the factors that cause the theft, among others, economic factors, the negligence of the victim himself, and the lack of understanding of the law itself. However, until now, the police continue to make preventive efforts to reduce the crime rate in Cirebon. The author argues that the efforts made by the police have been reasonable. However, there are still many evaluations in the future, such as working with the local RT RW to further maintain the safety of its citizens.¹⁰

CONCLUSION

The National Police of the Republic of Indonesia, especially the Kesambi Cirebon Police, have made various efforts to handle motorcycle theft cases in the city of Cirebon. Law enforcement of the perpetrators of the crime of motorcycle theft is divided into two stages, namely the pre-trial and the trial stage. The evidence and prosecution carried out by

⁹ tribatanews.jabar.polri.

¹⁰ Interview with Mrs. Iptu Erni Suhaeni as the head of the community guidance unit of the Kesambi Cirebon City Police

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the public prosecutor and the verdict made by the judge are known as the trial stage, the criminal offender can be subject to article 362 of the Criminal Code which explains that whoever takes something that belongs wholly or partly belonging to another person to possess the goods, is threatened with theft, with a maximum prison sentence of five years. This article explains the crime of taking someone else's property without permission. Some factors cause the crime of theft, including education-related factors related to the law, insufficient financial factors, family, environment, and a lack of firmness of law enforcement itself.

The author hopes that law enforcement will further increase its capacity and independence to overcome the crime of motorcycle theft. Various ways can be used, such as collaborating with other legal institutions, such as the prosecutor's office, or collaborating with local regional institutions to create conducive security and reduce the number of motorcycle theft crimes.

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Nurul Imaniyah, Ide Prima Hadiyanto, SH., MH, Irwan Yuliant, SH., MH.. Juridical Review of the Crime of Motorcycle Theft in Situbondo Regency (Case Study of the Situbondo District Court Decision) 95

Dhimas Irfandi Tani Juridical Review of the Crime of Motorcycle Theft

Interview:

Interview with Mrs. IPTU Erni Suhaeni as Head of the Guidance Unit Kesambi Police Community, Cirebon City

Interview with Mr. IPTU Agus Suryadi, S.H as the Head of the Criminal Investigation
Unit of the Kesambi Cirebon City Police

Internet:

Tribatanews.jabar.polri