

Criminological Study Of Mugger Crimes In Medan City

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Abstract: *The actions of mugging and thuggery in the city of Medan are increasingly rampant and disturbing the community, they act without knowing the time and place, uniquely not adults but minors. A number of efforts have been made by the Mayor of Medan, Mr. Bobby Nasution to overcome the mugging and thuggery. In addition to conducting joint patrols until early morning, then holding a gathering with the TNI, Polri and the Motor Community in the city of Medan as an effort to maintain public order together. However, the program is less effective in eradicating mugging and thuggery in the city of Medan. In this study, the author will provide a criminological study of mugging crimes in the city of Medan. The discussion in this study is what factors cause children to commit mugging crimes in the city of Medan and how to reduce mugging crimes from a criminological study perspective. The type of research used in this study is empirical legal research, namely a legal research method that goes directly into the field. The results of the study are what factors cause children to commit mugging crimes, economic pressures and increasingly fierce urban survival patterns, which give rise to criminal acts. And efforts to reduce the crime of robbery by carrying out precision city patrol activities are carried out and implemented every day, both morning, afternoon and evening to suppress and reduce the space for perpetrators of criminal acts as a form of preventive police activity, which aims to reduce the number of criminal violations in the region.*

Keywords : Criminology, Robbery, Police

1. INTRODUCTION

Children are the most important part of a family because they are a potential for human destiny in the future. Therefore, it is important for all parents to educate their children well so that the child grows into a smart child. Here are some definitions of children that have been mentioned in the Law of the Republic of Indonesia, namely as follows:¹

1. The definition of a child according to Law of the Republic of Indonesia No. 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, in Article 1 paragraph 1 explains: "A child is a person who is not yet 18 (eighteen) years old, including a child who is still in the womb."
2. Definition of a child According to Law Number 39 of 1999 concerning Human Rights in Article 1 Number 5 explains: "a child is every human being who is under 18 (eighteen) years of age and is not yet married, including a child who is still in the womb if this is in their interest."²

According to general knowledge, a child is someone born from a relationship between a man and a woman. Meanwhile, what is meant by children or Juvenile is someone who is still

¹ Lidya Rahmadani Hasibuan,, et al. " Restorative Justice as a Reform of the Criminal Justice System Based on Law No. 11 of 2012 Concerning the Juvenile Criminal Justice System ." *USU Law Journal* 3.3 (2015): 64-71

² Maidin Gultom, *Legal Protection for Children in the Juvenile Criminal Justice System in Indonesia* , Rekia Aditma, Bandung 2010 , p. 43.

under a certain age and is not yet an adult and not yet married. Viewed from a scientific perspective, the criteria used to determine the definition of a child are generally based on a certain age limit. Viewed from a psychological aspect, human growth experiences phases of mental development, each of which is marked by certain characteristics. There are phases of development experienced in a child's life, providing an illustration that in a psychological perspective, to determine the limits of a child, there are various criteria, both based on age and on the development of mental growth. A person is qualified as a child if he is in infancy to early adolescence, between the ages of 16-17 years. While when he has passed that period, the person is included in the adult category.

While in legal terms the position of a child has legal consequences. In the field of civil law, the legal consequences for the position of a child concern issues of rights and obligations, such as issues of parental authority, recognition of the child's legitimacy, and others. The formulation of a child in various formulations of laws does not provide an understanding of the concept of a child, but rather a formulation that is a limitation for certain actions and certain purposes. Children in Conflict with the Law, hereinafter referred to as Children, are children who are 12 (twelve) years old, but not yet 18 (eighteen) years old who are suspected of committing a crime ³.

In Islamic law, a child is someone who has reached the age of seven and has not reached puberty, while according to the agreement of scholars, humans are considered to have reached puberty when they have reached the age of 15. In the perspective built by the Islamic religion, children are weak and noble creatures, whose existence is the authority of Allah SWT through the process of their creation. Therefore, children have a noble life in the view of Islamic law, so children must be treated humanely such as being given a living both physically and mentally, so that later the child will grow into a child with noble morals such as being responsible in socializing himself to achieve his life needs in the future. This is intended so that the child avoids free association and unlawful actions that are rampant in big cities such as those in the city of Medan.

In the field of criminal law, the term "child criminal act" is known in the criminal law literature as a criminal act. This term refers to an act of violation of the law committed by a person, perhaps an adult or a child who is still a minor. According to Moeljatno, what is meant by a criminal act is an act that is prohibited by a legal rule, the prohibition of which is accompanied by a threat (sanction) in the form of a certain penalty, for anyone who violates

³Irma Fatmawati., Fikri, RA, Siregar, MA, & Mawarni, S. (2023). THE RESTORATIVE METHOD FOR DEVELOPMENT URGENCY OF CUSTOMARY. *Journal of Economics* , 12 (02), 1385-1391.

the prohibition. In other words, a criminal act is an act that is prohibited by a legal rule and is threatened with a penalty, as long as it is remembered that the prohibition is directed at the act (i.e. a condition or incident caused by a person's behavior).⁴

This is related to the problem of child criminal acts, then for children who have committed *criminal acts*, in addition to the nature of their actions, it is also appropriate to test the problem of their ability to be responsible. Thus, there needs to be accuracy for judges in handling children who are suspected of having committed a crime, to determine the problem of their criminal responsibility. In criminal law, the Criminal Code has been stated in Article 1 paragraph 2 of the SPPA Law that Children in Conflict with the Law are children who are in conflict with the law, children who are victims of criminal acts, and children who are witnesses to criminal acts.

Seeing juvenile delinquency or cases of crime and criminal acts committed by a child. In the form of crimes committed can be classified as serious and burdensome in the eyes of the law, and inhumane according to human reason, which lately often occurs in everyday life in the general public environment, it is difficult to believe that a child can and is able to commit a crime beyond his ability. The characteristics of juvenile delinquency are as follows:

1. In the sense of delinquency, there must be visible acts or behavior that are in violation of applicable laws and norms.
2. This delinquency has an asocial aim, namely that the actions or behavior are contrary to the social values or values that exist in the person's living environment.

The problem of juvenile delinquency is a problem that concerns people everywhere, this problem is increasingly felt and disturbing society, especially in the family environment. Therefore, there are several types of violence and delinquency that are often committed by children, namely:

1. Delinquency that causes physical harm to others, such as fighting, rape, robbery, mugging, and murder.
2. Mischief that results in material casualties, such as vandalism, theft, extortion and pickpocketing.
3. Misbehavior that goes against status, such as denying a child's status as a student by playing truant, denying the status of parents by leaving home or disobeying their orders.

⁴ Rahul Ardian Fikri, " *Implementation of Diversion for Children in Conflict with the Law Reviewed from Law Number 11 of 2012 Concerning the Juvenile Criminal Justice System* ." *Jurnal Abdi Ilmu* 13.2 (2020): 72-81.

From the description of several types of violence and delinquency committed by children above that often occur in society, it is necessary to increase early supervision that must be carried out by parents in order to minimize the occurrence of criminal cases committed by children. Crimes of children in conflict with the law are always increasing every year, therefore various efforts to prevent and overcome crimes of children in conflict with the law must be carried out immediately, one of the efforts to prevent and overcome children in conflict with the law is currently through the implementation of the juvenile criminal justice system (*Junior Justice System*), namely in accordance with Law No. 11 of 2012 concerning the Juvenile Criminal Justice System. The purpose of implementing the juvenile criminal justice system is not solely aimed at imposing criminal sanctions on children who have committed crimes, but is more focused on the basic idea that the imposition of these witnesses is a means of supporting the realization of the welfare of children who commit crimes in conflict with the law.

In reality, the punishment process given to children through the formal criminal justice system by putting children in prison has not succeeded in making children deterred and become better individuals to support the child's growth and development process, but prison often makes children smarter in committing crimes, which is caused by the environment in which they are in is a detention center where there are people who have committed crimes, so automatically they will exchange ideas about everything.

Problem Formulation Based on the description of the background, the author formulates the research problem:

1. What is the Role of Criminal Law for Children as Perpetrators of Robbery?
2. How can we reduce the crime of mugging from a criminology perspective?

2. IMPLEMENTATION METHOD

This research is a field research , and is also a qualitative research, namely research conducted based on an analysis of the attitudes of the community from various aspects in depth and the value of information regarding a finding is not hung on a certain amount but is based on the reality of the symptoms seen from various studies seen in depth. In accordance with the use of secondary data in this study, so that the data collection is carried out by collecting, reviewing and processing systematically from library materials and related documents. Secondary data that is good regarding primary, secondary and tertiary is obtained from a library material that pays attention to the principle of updating and relevance. Given that this study pays attention to secondary data, data collection is carried out by conducting

interviews and documentation studies. Secondary legal materials are legal materials that are already available and processed based on legal materials. Data analysis in this study is qualitative. Secondary data is obtained from the results of a study that is compiled in such a way that the analysis is descriptive, logical and systematic, which is stated by the relevant parties verbally and written down, and linked to secondary legal materials using deductive and inductive methods that are guided by criminal law and legislation related to the problems to be studied to answer the problem.

3. RESULTS AND DISCUSSION

The results obtained from this study are as follows:

1. What Factors Cause Children to Commit Robbery Crimes?

From the various factors stated above, it can be seen that there are many possibilities for a child to commit delinquency or crime, the consequences of which will result in legal and judicial processes, which in the law are referred to as children in conflict with the law.

A child who commits a crime has many motivating factors that are the reason for the child to commit a crime, their mindset is still unstable and does not understand good and right things is another factor for children to commit crimes which are sometimes due to trivial things. This is what causes children with adults, besides the mindset factor, family influence is also the main factor for children to behave deviantly. Lack of attention from parents can also make children act according to their mindset and wishes, as a result they do things they should not do such as stealing, abusing, and so on. In addition, the low economic level of the family also generally causes parents not to have time to provide fulfillment of desires and needs for their children, as a result children will seek fulfillment of desires and needs according to the mindset they have, therefore sometimes children to do deviant acts.

Education is also one of the factors that causes children to commit crimes. Low levels of education cause children to not have the opportunity to do useful (positive) activities . The amount of free time that they have by children but is used undirected also causes children to do activities that they think are good and often join children from the same group. As a result, children often do activities that violate the law, this condition is usually caused by one of them is a broken home

which can also affect the child's mentality and behavior, which can cause the child to be difficult to be given direction.⁵

In handling and protecting children in conflict with the law, the problem is quite extensive, not only because of the child's actions resulting in victims, but far from that, why don't children commit criminal acts that ultimately harm themselves. The judicial process that must be taken by children as a form of accountability for their actions has an impact on their development, the stages of each judicial process starting from the level of investigation, prosecution, trial and guidance in juvenile correctional institutions take quite a long time and it is not uncommon for deviations and injustice to occur in each process. Children's rights that are inherent and protected by law are often ignored, the judicial process is considered to be less protective of the best interests of children, so other efforts are made to resolve cases of children in conflict with the law.

The family is usually the first party to provide a lot of treatment to the child, once the child is born the family immediately welcomes and provides interactive services to the child, most of the child's time is usually spent with the family therefore the relationship between parents and children is different from the relationship between children and other parties such as teachers, friends and so on.⁶

The family has a very important role in determining the child's behavioral patterns as well as for the child's development, because no one is born with a bad nature but the family is the first source that influences the child's development. The child's moral development will be greatly influenced by how the family environment is, because family harmony becomes something to be realized, for example like the atmosphere of the house, when sincerity, honesty and cooperation are often observed by each family member in everyday life then it is certain that the same thing will also be done by the child to friends in the environment he is in.⁷

In a family, parents, siblings or other people who are closest and live in the same house, act as a model of behavior for children through imitations that can be observed by children. Through prohibitions on bad behavior, we as parents should inform children in a good/gentle manner, so that children are not afraid/traumatized

⁵Maria Ulfa Arifa, *Paper on Child Criminal Acts* , <http://mariaulfarifa.wordpress.com/2014/01/06/makalah-tindak-pidana-anak/>. Accessed on May 21, 2019, at 12.00 WIB

⁶ Nia Zahra, *The Influence of the Environment on Child Development* , <http://nhiazzhra.blogspot.co.id/2016/01/pengaruh-lingkung-terhadap-anak.html> , accessed on May 12, 2019 at 12.22 WIB.

⁷Maidin Gultom, *Op-Cit* , p. 40.

and ask children not to repeat it again, because if we do not change children's behavior from an early age, bad traits will be carried into adulthood.

In the family, guidance for children must be carried out as well as possible, because children lack the family's understanding of children so that children are easily influenced by the environment around them, without using their reasoning properly, children will use their emotions which play a very important role in easily imitating actions seen in their environment.

A disharmonious relationship with parents makes children run away from their families and seek an outlet with their friends. This is a very important factor for the child's mental health, if there is a change in household conditions such as divorce, which can cause children to experience *a broken home*.

Another factor in the family that can lead to becoming a perpetrator or victim of crime is the lack of discipline in the family, for example: lack of discipline in the family is caused by several things such as parents in distributing love and affection to children less evenly or favoritism in implementing discipline in the household, lack of discipline due to the absence of parents and moral, physical and intellectual weaknesses of parents which make discipline weak.⁸

A child's obedience to their parents is also a very important result to observe, the existence of disobedience to parents makes the child no longer pay attention to advice or guidance from their parents, so that the child acts and behaves only based on his emotions. This also makes the child trapped in a criminal environment to be used as a perpetrator of crime.

Thus, how big is the influence of family factors on the child in the mental development and behavior of the child itself, this is what parents should pay attention to in providing supervision so that children do not fall into the direction that children can achieve in any field. In this case, parents must provide experience and guidance and shape the child's personality, so that they do not fall into a criminal environment as often happens.

The biggest concern in child protection measures is child development, so that children can develop and grow well in various areas of life content which is then expected to produce ideal human quality. Children have the right to receive special protection and guaranteed opportunities based on law and other means, to

⁸ Arif Gosita, *Children's Problems*, Pressindo Academy, Jakarta, 1989, p. 20.

grow and develop well and physically, mentally and socially. There are several things that make children commit crimes:⁹

- a. Children born into criminal families, such as drunkards, murderers, thieves, and gamblers.
- b. As a result of parents separating/divorcing and parents passing away, there is nothing to fear in the family anymore.
- c. Lack of love from parents, such as having too many children, children with sensory disabilities and mental illness.
- d. Economic pressures such as unemployment, lack of parental income so that children's needs cannot be met.¹⁰

The dynamics of life that continue to develop bring certain consequences in family life, many lives that hit the family and shift values in the view of the function and war of family members cause various fundamental changes in the role of the family, these shifts make the problems experienced by the family increasingly complex which in turn will have a certain impact on children.

a. Efforts to Reduce Begal Crime from a Criminology Study Perspective

A science of criminology is not present without a purpose. This science has the aim of providing knowledge to others about the reasons why someone commits a crime. In addition, whether a person who commits a crime is due to social conditions or the surrounding community. It doesn't stop there, the surrounding community is a person who has the talent to become a criminal. In addition, the science of criminology is also present to provide advice in making plans for legislation or criminal law.

Various views used by criminal law to see the problem of crime that occurs in society by using certain notes regarding customary law crimes. Criminology also aims to provide a real picture if the crime turns out to be very expensive.¹¹ It does not stop here, criminology also aims to avoid hatred, negativity and unhealthy sympathy towards perpetrators of crime. Criminology in general aims to study more deeply about criminal acts seen from various

⁹Mulyadi Lilik, *Juvenile Courts in Indonesia: Theory, Practice and Problems* , Mandar Maju, Bandung, 2005, p. 12.

¹⁰La Jaudi, Implementation of Criminal Sanctions and Legal Theory, <http://lajaudi.blogspot.com> , Accessed on January 08, 2019, at: 20.00 WIB

¹¹Fitria Ramadhani Siregar, Rambe, MJ, & Ardiansyah, V. (2023). CRIMINAL LEGAL POLICY TOWARDS PERPETRATORS OF CHILD SEXUAL VIOLENCE IN MEDAN CITY. *RECTUM JOURNAL: Legal Review of Criminal Act Handling* , 5 (2), 22-31.

aspects, the hope is to gain an understanding of the phenomenon of crime with a broader perspective. Thus, the study of criminology includes the following things:

1. Crime, which is behavior that is referred to as a criminal act. Crime has criteria if the act is studied from criminal law, where criminal acts are acts that deviate or deviate from the norms contained in criminal law regulations.
2. Criminals are people who commit crimes. Lessons on this behavior or criminals are mainly done using positive criminology. This positive flow is used with the aim of getting the cause and effect of why someone commits a crime. The differences lie in the biological, sociocultural and psychological aspects.
3. Public reaction to criminal acts and criminals or behavior, namely related to public reaction to the crime. This aims to study the views and responses of society to taboo acts of symptoms that exist in society. These symptoms are seen as actions that are detrimental or can endanger the wider community.

Broadly speaking, mitigation efforts can be divided into two, namely the penal path (criminal law) and the non-penal path (not outside of criminal law). Roughly speaking, it can be

distinguished that efforts to combat crime through the penal path are more focused on the *repressive nature* (suppression, eradication and completion) after the crime occurs. While the non-penal path is more focused on the preventive nature (prevention, deterrence, control) before the crime occurs:¹²

1. *Preventive Efforts* (Non Penal)

Preventive efforts are actions taken to prevent or guard against the possibility of crime. According to A. Qirom Samsudin M, in relation to taking preventive measures, preventing crime is better than educating criminals to be good again, because it is not only calculated in terms of cost, but this effort is easier and will get satisfactory results or achieve goals. Some things that can be done in preventive efforts:

- a. Increasing Patrols During High-Risk Hours and in High-Risk Places. Patrols are one of the police activities carried out by two or more police officers as an effort to prevent the meeting of intentions and opportunities, by visiting, exploring, observing or paying attention to situations and conditions that are estimated to cause all forms of violations, crimes or disturbances to public order and security and or criminal acts/violations of the law that require or require the presence of police officers (*Police Hazard*) to carry out

¹²Yasmira Mandasari Saragih, Irmawan, F., Winata, SP, & Hamdany, R. (2023). JURIDICAL REVIEW OF ONLINE GAMBLING CRIME IN NORTH SUMATERA. *MORFAI JOURNAL* , 3 , 426-435.

police actions in order to maintain order and ensure public safety. The objectives of the patrols carried out are as follows:

1. Prevent the meeting of intention and opportunity factors
2. Maintaining and improving public legal order and fostering public peace
3. Maintaining order and ensuring public safety
4. Maintaining the safety of people, property and society and providing protection and assistance to people in need
5. Providing services to the community
6. Carrying out first actions at the scene of the crime (TPTKP) including securing and providing protection around the scene
7. Responsible for recording, collecting incident data, information seen, heard, experienced or witnessed and reporting to superiors.

b. Conducting Counseling in Schools

Legal Counseling is an activity to disseminate legal information and understanding of legal norms and applicable laws and regulations in order to develop public legal awareness. The purpose of legal counseling is to create a legal culture in the form of orderly, obedient, and proper to applicable legal rules. Many people can actually become legal counselors either because of experience or because of knowledge. The community can play a role in protecting children from prevention to social reintegration of children by:

1. Submit reports of violations of children's rights to the authorities.
2. Submitting proposals regarding the formulation and policies related to children.
3. Carrying out research and education regarding children.
4. Participate in resolving children's cases through diversion and restorative justice approaches.
5. Contribute to the rehabilitation and social reintegration of children, child victims and/or child witnesses through community organizations.
6. Monitoring the performance of law enforcement officers in handling child cases.
7. Conducting outreach regarding children's rights and laws and regulations relating to children.

2. Repressive (Penal) Efforts

This effort is carried out by trying to find the stolen goods, conducting investigations and collecting evidence to be able to make arrests and detentions to carry out the investigation process which will also determine whether the child will be...

released or further processed, and given punishment in accordance with the laws and regulations in criminal law with an orientation towards guidance and improvement children of robbers aim to allow children to return to society at least not to repeat the crimes they have committed. Furthermore, non-penal (*preventive*) means carried out are by combining various elements related to the criminal justice mechanism and community participation such as activating and tightening the neighborhood watch posts. The police visit schools to provide counseling, appeals to be careful when riding motorbikes, conduct *sweeps*, *strong points* and collaborate with the mass media to convey the importance of obeying applicable laws and information on crimes that are currently rampant.

4. CONCLUSION AND SUGGESTIONS

Based on the research results and discussion, the following conclusions are drawn:

Conclusion

1. Factors causing children to commit robbery are four causes of burglary, the perpetrators of which are dominated by teenagers. The first cause is the culture of consumerism and materialism. The next cause is the impact of the media, especially films and games that often show scenes of vulgar violence. The third cause is weak social supervision, both from parental supervision and security supervision from external parties - in this case the community. The fourth cause is limited job opportunities for lower-class people which can then spur someone to find other ways to earn money.
2. The Medan City Police have attempted to enforce the law against perpetrators of violent theft. The law enforcement steps are: receiving complaints from the public, conducting investigations, and transferring files to the public prosecutor. The police are always ready to receive complaints of theft from the public either directly or by telephone. Every complaint that is considered accurate will be followed up immediately by going to the location or scene of the crime. The police will immediately study the report, then conduct a crime scene investigation and secure evidence, then pursue and arrest the suspect who fled. If there is strong evidence pointing to the suspect, the investigator will detain him. Then the case files will be transferred to the public prosecutor together with the suspect if they have been declared complete or meet the requirements by the prosecutor.

Suggestion

Based on the conclusions above, the author makes the following suggestions:

1. The government pays more special attention to children who are still in school by eradicating violence that often occurs in educational environments because there is a lot of violence or violence that often occurs in educational environments that shape them into bad individuals, there is a parenting pattern that is applied by parents to children by providing various positive values for the growth and development of a child, and the government maximizes the provisions of regulations governing robbery in Article 365 of the Criminal Code by increasing the prison sentence for perpetrators of robbery so that in the future it can provide a deterrent effect.
2. The police should make the intelligence function spread throughout the region more effective, so that suspects who flee to other cities or remote villages can be arrested immediately.

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